**RECLAMATION FAQs**

**Q**. *What is reclamation?*

**A.** **Reclamation** means measures that are taken on surface disturbances at exploration operations and aggregate mining units to achieve stability and safety consistent with post aggregate mining land use.

**Q.** *Does the Mine Inspector permit mining?*

**A**. No. The Mine Inspector is a health & safety agency that works to ensure the health and safety of people working at mines, coordinate the closure of abandoned mines that pose a threat to public safety, and ensure that lands used for mining on privately owned property with a surface disturbance greater than 5 acres are properly reclaimed for public use once mining is completed.

**Q.** Does the Mine Inspector have jurisdiction regarding zoning, water, air, dust, traffic, noise and environmental regulation?

**A**. No.

**Q.** *What is the Mined Land Reclamation Act?*

**A.** Since April 1997, the **Arizona’s Mined Land Reclamation Act** (A.R.S. § 27-901 et. seq.) and the rules per Arizona Administrative Code (A.A.C. R11-2-101 et. seq.), requires all metalliferous mines with surface disturbances on private land greater than five acres to submit reclamation plans and financial assurance mechanisms to the State Mine Inspector for review and approval.

**Q.** *What is the Aggregate Mined Land Reclamation Act?*

**A.** In 2005, the **Aggregate Mined Land Reclamation Act** became the responsibility of the Arizona State Mine Inspector. Under the 2005 Act, all aggregate mining sites which disturb over 5 acres of private land must submit a reclamation plan and pay fees for the review and processing of their reclamation plans pursuant to A.R.S. §§27-1201-1327. The one-time fee outlined in R11-3-210(3) covers the initial costs of the aggregate reclamation plan for administrative and technical compliance reviews pursuant to A.R.S. §§27-1221-1234.

**Q**. *What is the plan approval process for aggregate reclamation plans?*

**A.** Once a proposed reclamation plan or substantial change is submitted, it is first reviewed by the Mine Inspector’s staff to ensure that the mandated contents of the reclamation plan are administratively complete. Once the Mine Inspector’ staff has found the plan to be administratively complete, the plan is then sent to a qualified private consultant and/or engineer to ensure that the plan meets the technical criteria and requirements of the chapter and rules adopted by the Inspector. If the plan is found to be Technically Complete by the consultant, it is eligible to go through the public meeting process where adjacent private property owners are informed of the public meeting.

**Q.** *What is the reclamation plan approval process for hard rock reclamation plans?*

**A.** Once a proposed reclamation plan or substantial change is submitted, it is first reviewed by the Mine Inspector’s staff to ensure that the mandated contents of the reclamation plan are administratively complete. Once the Mine Inspector’ staff has found the plan to be administratively complete, the plan is then sent to a qualified private consultant and/or engineer to ensure that the plan meets the technical criteria and requirements of the chapter and rules adopted by the Inspector. If the plan is found to be Technically Complete by the consultant, it is eligible to go through the public notification process where the Mine Inspector gives notice of a proposed reclamation plan or substantial change to an approved reclamation plan once each week for two consecutive weeks in a newspaper of general circulation in the county where the mining unit is located.

**Q.** *When is the Annual Status Report due?*

**A.** The Annual Status Report is required each year within 60 days after the anniversary date of the reclamation plan approval.

**Q.** *Is a financial assurance mechanism required after the reclamation plan is approved?*

**A.** Yes. Financial assurance is required to be submitted within 60 days after a plan is approved.

**Q.** *What is the life of an approved reclamation plan?*

**A.** An approved reclamation plan and any approved substantial changes remain in effect until the reclamation is complete and all financial assurance is released by the Mine Inspector.

**Q.** *When can the responsible party be released from their financial assurance mechanism?*

**A.** The Act requires that the responsible party be released from their financial assurance mechanism only if the Mine Inspector has approved a **Transfer** of the plan to a new responsible party, or submitted a **Complete Closure Application**.