6132.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms in parts 6132.0100 to 6132.5300 have the meanings given them in this part.

Subp. 2. **Acceptable research.** "Acceptable research" means research approved by the commissioner that is site-related and is reasonably designed for the purpose of demonstrating that reclamation can be achieved by alternative methods.

Subp. 3. **Adversely impact natural resources.** "Adversely impact natural resources" means an unacceptable level of impact on the natural resources as determined by the commissioner based on an evaluation which considers the value of the resource and the degree of impact.

Subp. 4. **Auxiliary facilities.** "Auxiliary facilities" means all permittee-owned stationary physical property used in a mining operation, including but not limited to: power plants and associated facilities; transmission lines; pipelines; roads; railroads; docks and associated facilities; borrow areas and leased borrow areas and associated facilities; blasting agent and fuel production or preparation facilities; and parking areas, shops, offices, buildings, structures, and storage facilities located within the area where mining is conducted. This does not include common carrier transportation facilities.

Subp. 5. **Beneficiating plants.** "Beneficiating plants" means all metallic mineral processing plants, such as crushers, mills, concentrators, agglomerating facilities, smelters, refineries, and other metal-producing facilities.

Subp. 6. **Closure.** "Closure" means the process of terminating and completing final steps in reclaiming any specific portion of a mining operation. Closure begins when, as prescribed in the permit to mine, there will be no renewed use or activity by the permittee.

Subp. 7. **Commissioner.** "Commissioner" means the commissioner of natural resources, or the commissioner's designated representative.

Subp. 8. **Goals.** "Goals" means reclamation targets of achievement toward which the specific requirements of parts 6132.0100 to 6132.5300 are directed.

Subp. 9. **Heap and dump leaching.** "Heap and dump leaching" means a hydrometallurgical process that extracts metals from broken rock piles, called heaps or dumps, by application of leaching solutions.

Subp. 10. **Heap and dump leaching facilities.** "Heap and dump leaching facilities" means all land forms, structures, equipment, and material that contact, process, contain, collect, or confine leaching solutions associated with the hydrometallurgical processing of heaps and dumps.

Subp. 11. **In-situ leaching.** "In-situ leaching" means a hydrometallurgical process that extracts metals from rock formations that have not been removed from the ground,

using leaching solutions that are applied to and collected from wells or mine workings that have been developed within the metal-bearing rock formations.

Subp. 12. **Leached ore.** "Leached ore" means the rock mass that remains after metals have been removed by heap and dump leaching.

Subp. 13. **Leaching solutions.** "Leaching solutions" means hydrometallurgical processing fluids that extract metals from mineralized rock.

Subp. 14. **Lean ore.** "Lean ore" means rock containing metallic mineralization that is not profitable to process using technologies that exist at the mining operation.

Subp. 15. **Metallic mineral.** "Metallic mineral" means a naturally formed chemical, element, or compound having a definite chemical composition and, usually, a characteristic crystal form, from which a metal, metals, or metal oxides can be extracted by metallurgical processes.

Subp. 16. **Mine waste.** "Mine waste" means a material, such as surface overburden, rock, lean ore, leached ore, or tailings that in the process of mining and beneficiation has been exposed or removed from the earth.

Subp. 17. **Minimize to the extent practicable.** "Minimize to the extent practicable" means minimize through application of technologies and practices including methods, specifications, guidelines, standards, and engineering safety factors, developed for and commonly used in mining or in reasonably similar activities. These technologies and practices shall be determined by the commissioner, based on problem assessment, examination of alternative practices, and input from appropriate regulatory authorities, to be the most effective and workable means of achieving reclamation, including being technologically, economically, and practically applicable.

Subp. 18. **Mining.** "Mining" means the process of removing; stockpiling; processing; storing; transporting, excluding use of common carriers and public transportation systems; and reclaiming a material in connection with the commercial production of metallic minerals.

Subp. 19. **Mining area or area subjected to mining.** "Mining area" or "area subjected to mining" means an area of land from which material is removed in connection with the production or extraction of metallic minerals; the lands on which material from the mining is deposited; the lands on which beneficiating plants, heap and dump leaching facilities, and auxiliary facilities are located; lands on which the water reservoirs used in the mining process are located; and auxiliary lands that are used or intended to be used in a particular mining operation.

Subp. 20. **Mining operation.** "Mining operation" means all of a mining project without regard to political, administrative, or ownership boundaries, which includes all of the facilities used in mining as defined in subpart 18.

Subp. 21. **Natural resources.** "Natural resources" means all mineral, animal, botanical, air, water, land, timber, soil, quietude, recreational, historical, scenic, and aesthetic resources in accordance with Minnesota Statutes, section 116B.02, subdivision 4.

Subp. 22. **Nonferrous metallic mineral.** "Nonferrous metallic mineral" means a metallic mineral from which iron is not the predominant metal extracted.

Subp. 23. **Passive reclamation methods.** "Passive reclamation methods" means techniques or practices that require minimal maintenance to sustain reclamation.

Subp. 24. **Permit to mine.** "Permit to mine" means legal approval issued by the commissioner to conduct a mining operation.

Subp. 25. **Person.** "Person" means a firm, partnership, corporation, joint venture, or other legal entity.

Subp. 26. **Postclosure maintenance.** "Postclosure maintenance" means an activity that may be required to sustain reclamation after cessation of a mining operation.

Subp. 27. **Progressive reclamation.** "Progressive reclamation" means mining in a manner that creates areas that can be reclaimed as soon after initiation of the operation as practical and as continuously as practical throughout the life of the operation.

Subp. 28. **Reactive mine waste.** "Reactive mine waste" means waste that is shown through characterization studies to release substances that adversely impact natural resources.

Subp. 29. **Reclamation.** "Reclamation" means the activities that successfully accomplish the requirements of parts 6132.2000 to 6132.3200.

Subp. 30. **Reference area.** "Reference area" means a vegetated land unit approved by the commissioner for comparatively measuring reclamation vegetation success.

Subp. 31. **Storage pile.** "Storage pile" means a land form used for the disposal of material generated during mining, such as surface overburden, rock, lean ore, and leached ore. It does not include tailings basins, fossil fuel, finished product, or surge piles.

Subp. 32. **Surface overburden.** "Surface overburden" means naturally occurring unconsolidated material overlying bedrock, consisting of broken rock fragments or organic material.

Subp. 33. **Tailings.** "Tailings" means waste by-products of mineral beneficiating processes other than heap and dump leaching, consisting of rock particles, which have usually undergone crushing and grinding, from which the profitable mineralization has been separated.

Subp. 34. **Waste rock.** "Waste rock" means rock that may or may not contain metallic mineralization, but that is in either case not profitable to process using known technologies.

Statutory Authority: *MS s 93.44 to 93.51; 103G.222*

History: *17 SR 2207*

Published Electronically: *June 11, 2008*