

## **CHAPTER 69-05.2-30**

### **OFF-PERMIT USE OF OTHER MINERALS**

#### Section

69-05.2-30-01 Off-Permit Use of Other Minerals

#### **69-05.2-30-01. Off-permit use of other minerals.**

Solid, noncoal mineral resources found in the permit area may be used for nondetrimented purposes outside the permit area after obtaining commission approval. Each operator or permittee shall submit a plan and map showing:

1. Name and address of the applicant.
2. Permit number.
3. Mineral identification, estimated volume, location before and after removal, proposed use, and method of transport.
4. Any impact the removal will have on the reclamation potential of the area.
5. Whether the use is temporary or permanent.
6. Chemical and physical characteristics that the commission may require for material other than sand, gravel, and porcelanite.
7. The name and address of the owner or owners of record of the other minerals, as well as proof, consisting of certified copies of the relevant lease agreements, of the operator's legal right to remove them.
8. A statement identifying all applicable statutory requirements and how the applicant plans to comply with them.

**History:** Effective August 1, 1980; amended effective May 1, 1990.

**General Authority:** NDCC 38-14.1-03

**Law Implemented:** NDCC 38-14.1-03