

**Oregon Department of Geology and Mineral Industries (DOGAMI)
Mineral Land Regulation and Reclamation (MLRR) Program**

The Mined Land Reclamation Act of 1971 – FAQs

What is Oregon State Policy regarding mineral extraction?

Per Oregon Revised Statute (ORS) 517.760, “it is the policy of the State of Oregon to recognize the important and essential contribution that the extraction of minerals makes to the economic well-being of the state and the nation and to prevent unacceptable adverse impacts to environmental, scenic, recreational, social, archaeological and historic resources of the state that may result from mining operations, while permitting operations that comply with the provisions set forth in ORS 517.702 to 517.951.”

What is the Mined Land Reclamation Act?

The primary purpose of the Oregon Mined Land Reclamation Act of 1971 is to ensure the proper reclamation of lands affected by surface mining operations. Reclamation is necessary to prevent adverse impacts to land and water conditions that would be detrimental to the general welfare, health, safety and property rights of the citizens of this state.

When did the Mined Land Reclamation Act go into effect?

The Act went into effect on July 1, 1972.

What land does the Mined Land Reclamation Act apply to?

The Mined Land Reclamation Act applies to all land in Oregon, except tribal land inside a reservation and certain federal land. This includes lands managed by the Bureau of Land Management and the United States Forest Service.

What does the Act require?

The Act requires that an Operating Permit be obtained if surface mine operations will result in the removal or extraction of at least 5,000 cubic yards of minerals or disturbs at least one acre in any 12-month period. The 5,000 cubic yard threshold encompasses the sum of all soil, overburden, and minerals that are stripped or excavated. If the total area disturbed by mining exceeds 5 acres an Operating Permit is required regardless of the amount excavated or disturbed annually. Mining without the required permit may result in department enforcement orders, or civil and criminal penalties including significant fines.

How do you maintain compliance with the Act?

When under DOGAMI jurisdiction, a permittee must comply with the requirements and performance standards of the Mined Land Reclamation Act and its implementing rules, the Operating Permit and the approved operating and reclamation plans. If at any time you have questions regarding your Operating Permit and how to maintain compliance, contact DOGAMI immediately. In the event that permittees fail to comply, DOGAMI has authority to issue compliance orders, and may seek civil or criminal penalties including significant fines. DOGAMI may also demand financial security in order to conduct site reclamation and/or stabilization in the event that the permittee or landowner default on the permit obligations.