

Chapter NR 131

METALLIC MINERAL PROSPECTING

NR 131.01	Purpose (p. 104-25)	NR 131.08	Reclamation plan (p. 104-34)
NR 131.02	Applicability (p. 104-25)	NR 131.09	Permit issuance, bonds and bond release (p. 104-35)
NR 131.03	Definitions (p. 104-25)	NR 131.10	Denials (p. 104-37)
NR 131.04	Severability (p. 104-31)	NR 131.11	Permit review and modification (p. 104-38)
NR 131.05	Notice of intent to prospect (p. 104-31)	NR 131.12	Inspections (p. 104-38)
NR 131.06	Application to prospect (p. 104-32)	NR 131.13	Confidentiality (p. 104-39)
NR 131.07	Prospecting plan (p. 104-33)		

(Sections 23.09, 23.11, 144.80 to 144.94, and chapters 107, 162, and 227, Stats.)

Note: Emerg. r. and recr. eff. 6-3-78.

Note: Chapter NR 131 as it existed on January 31, 1979, was repealed and a new chapter NR 131 was created effective February 1, 1979.

NR 131.01 Purpose. The purpose of this chapter is to establish a procedure and minimum standards for the regulation of metallic mineral prospecting in this state.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.02 Applicability. The provisions of this chapter are applicable to all metallic mineral prospecting as defined by s. 144.81 (12), Stats., but shall not include such activities which are intended for and capable of commercial exploitation of the underlying ore body. However, the fact that prospecting activities and construction may have use ultimately in mining, if approved, shall not mean that prospecting activities and construction constitute mining pursuant to the definition of mining contained in s. 144.81 (5), Stats., provided such activities and construction are reasonably related to prospecting requirements.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.03 Definitions. (1) "Applicant" means a person who has applied for a prospecting permit.

(2) "Department" means department of natural resources.

(3) "Forfeited any bond" means the forfeiture of any performance security occasioned by noncompliance with any prospecting laws or provisions of this chapter.

(4) "Metallic mineral" means a naturally occurring, inorganic, metal-containing substance which is mined or proposed to be mined for the purpose of extracting a metal or metals which form all or a part of the chemical composition of the mineral. Such metals include but are not limited to iron, copper, zinc, lead, gold, silver, titanium, vanadium, nickel, cadmium, molybdenum, chromium, manganese, cobalt, zirconium, beryllium, thorium and uranium.

(5) "Operator" means any person who is engaged in, or who has applied for or holds a permit to engage in, prospecting, whether individually, jointly or through subsidiaries, agents, employees or contractors.

(6) "Person" means any individual, corporation, cooperative owner, lessee, syndicate, partnership, firm, association, trust, estate, public or private institution, political subdivision of the state of Wisconsin, any state agency or any legal successor, representative, agent or agency of the foregoing.

(7) "Principal shareholder" means any person who owns at least 10% of the beneficial ownership of an operator.

(8) "Prospecting" means engaging in the examination of an area for the purpose of determining the quality and quantity of minerals, other than for exploration but including the obtaining of an ore sample, by such physical means as excavating, trenching, construction of shafts, ramps, tunnels, pits and the production of refuse and other associated activities.

(9) "Prospecting plan" means the proposal for prospecting of the prospecting site, which shall be approved by the department under s. 144.84, Stats., prior to the issuance of the prospecting permit.

(10) "Prospecting site" means the lands on which prospecting is actually conducted as well as those lands on which physical disturbance will occur as a result of such activity.

(11) "Reclamation" means the process by which an area physically or environmentally affected by prospecting is rehabilitated to either its original state or if this is shown to be physically or environmentally impracticable or environmentally or socially undesirable, to a state that provides long-term environmental stability. Reclamation shall provide the greatest feasible protection to the environment and shall include but not be limited to the criteria for reclamation set forth in s. 144.83 (2) (c), Stats.

(12) "Reclamation plan" means the proposal for the reclamation of the prospecting site which must be approved by the department under s. 144.84 or s. 144.83, Stats., prior to the issuance of the prospecting permit.

(13) "Unsuitability" means that the land proposed for prospecting is not suitable for such activity because the prospecting activity itself may reasonably be expected to destroy or irreparably damage either of the following:

(a) Habitat required for survival of species of vegetation or wildlife as designated in chapter NR 27, Wis. Adm. Code, if such endangered species cannot be firmly established elsewhere.

(b) Unique features of land, as determined by state or federal designation as any of the following which cannot have their unique characteristic preserved by relocation or replacement elsewhere.

1. Wilderness areas designated by statute or administrative rule.
2. Wild and scenic rivers designated by statute or administrative rule.
3. National or state parks designated by statute or administrative rule.
4. Wildlife refuges and areas as designated by statute or administrative rule.

5. Historical landmarks, sites and archeological areas designated by statute, administrative rule or by the state historical society.

6. Scientific areas as follows:

- a. Abelman's Gorge
- ab. Abraham's Woods
- ac. Aurora Lake
- ad. Avoca River Bottom Prairie
- ae. Avon Bottoms
- af. Bark Bay
- b. Baxter's Hollow
- ba. Bean Lake
- bb. Beulah Bog
- bc. Bear Creek Cave
- bd. Bittersweet Lakes
- be. Black Tern Bog
- bf. Blackhawk Island
- c. Blue Hills Felsenmeer
- ca. Blue River Cactus & Dunes
- cb. Bose Lake Hemlock-Hardwoods
- cc. Brady's Bluff Prairie
- cd. Browntown Oak Forest
- ce. Buena Vista Prairie & Meadow
- cf. Cactus Rock
- d. Castle Mound Pine Forest
- da. Cedar Grove Hawk Refuge
- db. Cedarburg Beech Woods
- dc. Cedarburg Bog
- dd. Charles Pond
- de. Cherokee Marsh
- df. Cherry Lake Sedge Meadow
- e. Chiwaukee Prairie
- ea. Comstock Marsh
- eb. Council Grounds Pine Forest
- ec. Crex Meadows Prairie

- ed. Dells of the Eau Claire River
- ee. Devil's Lake Red Oak Forest
- ef. Dewey Heights Prairie
- f. Dory's Bog
- fa. Douglas County Grouse Area
- fb. Dunbar Sharptail Barrens
- fc. Durst Rockshelter
- fd. Eagle Oak Opening
- fe. Endeavor Marsh
- ff. Escanaba Lake Hemlocks
- g. Fairy Chasm
- ga. Faville Prairie
- gb. Finnerud Pine Forest
- gc. Five-Mile Bluff Prairie
- gd. Flambeau River Hemlock-Hardwoods Forest
- ge. Flora Lake
- gf. Fountain Creek Prairie
- gg. Fourmile Island Rookery
- h. Frog Creek Hemlocks
- ha. Giant White Pine Grove
- hb. Gibraltar Rock
- hc. Gobler Lake
- hd. Goose Pond
- he. Gullickson's Glen
- i. Haskell Noyes Memorial Woods
- ia. High Lake Spruce-Balsam Forest
- ib. Holmboe Conifer Forest
- ic. Honey Creek Natural Area
- id. Hub City Bog
- ie. Jackson Harbor
- j. Johnson Lake Barrens
- ja. Jung Hemlock-Beech Forest
- jb. Karcher Springs
- jc. Kettle Moraine Fen & Low Prairie

- jd. Kewaskum Woods
- je. Kohler Park Dunes
- k. Kohler Park Pines
- ka. Koshawago Springs
- kb. Lake of the Pines Conifer-Hardwoods
- kc. Lawrence Creek
- kd. Lodde's Mill Bluff
- ke. Lulu Lake Fen
- kf. Maribel Caves
- kg. Marinette County Beech Forest
- l. Mazomanie Bottoms
- la. Mayville Ledge Beachwoods
- lb. Midway Prairie
- lc. Milwaukee River and Swamp
- ld. Mescauno Cedar Swamp
- le. Moose Lake Hemlocks
- m. Moquah Barrens
- ma. Mt. Pisgah Hemlock-Hardwoods
- mb. Mud Lake
- mc. Muir Park Natural Area
- md. Muralt Bluff Prairie
- me. Muskego Park Hardwoods
- mf. Natural Bridge & Rockshelter
- n. Necedah Oak-Pine Natural and Managed Areas
- na. Neda Mine
- nb. Nelson-Trevino Bottoms
- nc. Newark Road Prairie
- nd. New Munster Bog Island
- ne. New Observatory Woods
- o. Newport Conifer-Hardwoods
- oa. Oliver Prairie
- ob. Ottawa Lake Fen
- oc. Parfrey's Glen
- od. Peat Lake

- oe. Peninsula Park Beech Forest
- p. Peninsula Park White Cedar Forest
- pa. Pine Cliff
- pb. Pine Glen
- pc. Pine Hollow
- pd. Plagge Woods
- pe. Plum Lake-Star Lake Hemlock Forest
- q. Point Beach Ridges
- qa. Powers Bluff Maple Woods
- qb. Putnam Park
- qc. Renak-Polak Maple-Beech Woods
- qd. Rice Lake-Thunder Lake Marsh
- qe. Ridges Sanctuary
- r. Ripon Prairie
- ra. Sander's Park Hardwoods
- rb. Schmidt Maple Woods
- rc. Scott Lake-Shelp Lake Natural Area
- rd. Scuppernong Prairie
- re. Seagull Bar
- s. Silver Lake Bog
- sa. Sister Islands
- sb. Spring Green Reserve
- sc. Spring Lake
- sd. Spruce Lake Bog
- se. Swenson Prairie and Oak Opening
- t. Tamarack Creek Bog
- ta. Tellock's Hill Woods
- tb. Tiffany Bottoms
- tc. Toft Point
- td. Tower Hill Bottoms
- te. Trenton Bluff Prairie
- u. Trout Lake Conifer Swamp
- ua. Two Creeks Buried Forest
- ub. VanderBloemen Bog

- uc. Washburn County Pines
- ud. Waterloo Fen & Springs
- ue. Waubesa Wetlands
- v. Waupun Park Maple Forest
- va. Wilderness Ridge
- vb. Wyalusing Walnut Forest
- vc. Wyalusing Hardwood Forest
- vd. Young Prairie

7. Other areas of a type designated by the department as unique or unsuitable for surface mining.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.04 Severability. If any section, paragraph, phrase, sentence or clause of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.05 Notice of intent to collect data. (1) Any person intending to submit an application for a prospecting permit shall notify the department by registered mail, prior to the collection of data or information intended to be used to support the permit application.

(2) The notice of intent to collect data shall contain the following information:

(a) The name, address and telephone number of the person submitting the notice of intent.

(b) A map showing the approximate location of the prospecting site.

(c) The expected date when a prospecting application may be submitted pursuant to section NR 131.06, Wis. Adm. Code.

(d) 1. Specific environmental data which was obtained, collected or generated prior to the notice of intent to collect data together with any substantiating background information which would assist the department in establishing the validity of the data. This substantiating background information shall include but not be limited to the following:

a. Date obtained and method employed.

b. Person(s) collecting or generating the data and their qualifications.

2. The department shall inform the person giving the notice of intent to collect data that the data will or will not be accepted by the department. The department shall state in writing the reasons for not accepting all the data or portions thereof.

3. The department shall accept general environmental information such as soil characteristics, hydrologic conditions and air and water data contained in publications, maps, documents, studies, reports and similar sources, whether public or private, not prepared by or for the applicant. The department shall accept data which is otherwise admissible that is

collected prior to notification for purposes of evaluating another site or sites and which is not collected with intent to evade the provisions of this chapter.

(3) Upon receipt of a notice of intent to collect data, the department shall give public notice of the notification in the manner provided in s. 144.836 (3) (b), Stats.

(4) After review and consideration of all comments received from interested persons within 45 days after public notice provided in (3) above, the department shall inform the person giving the notice of intent to collect data by registered mail of the type and quantity of information needed to support an application including specifically the characteristics of groundwater resources in the prospecting site, the methodology to be used in gathering information, and a timely application date for all necessary approvals, licenses, certifications and permits.

(5) All information gathered by a person giving notice of intent to collect data shall be submitted to the department as soon as it is in final form. After consultation with the person giving notice of intent to collect data, the department may revise or modify its requirements regarding information which must be gathered and submitted. The department shall notify the person giving notice of intent to collect data by registered mail of the revisions or modifications of its requirements and the reasons thereof.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.06 Application to prospect. (1) No person may engage in prospecting without first securing a prospecting permit issued by the department.

(2) Any operator wishing to engage in prospecting shall file an application in reproducible form and 15 copies with the department upon forms prepared and furnished by the department. A prospecting application shall be made for each prospecting site. The application shall be accompanied by the following:

(a) A fee of \$1,000 to cover the estimated costs of evaluating the operator's prospecting application. Upon completion of its evaluation, the department shall adjust this fee to reflect the actual cost of evaluation less any fees paid for the same services to satisfy other requirements. Evaluation of a prospecting application shall be completed upon the issuance of an order to grant or deny a prospecting permit.

(b) A prospecting plan in accordance with section NR 131.07, Wis. Adm. Code.

(c) A reclamation plan in accordance with section NR 131.08, Wis. Adm. Code.

(d) Information relating to whether the area may be suitable for prospecting, and either information relating to whether the area may be suitable for surface mining or a certification that the operator will not subsequently make application for a permit to conduct surface mining at the site.

(e) Other information or documentation that the department may require.

Register, January, 1979, No. 277
Environmental Protection

(3) The hearing procedure outlined in s. 144.836, Stats., shall govern all hearings on the operator's prospecting permit application.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.07 Prospecting plan. The prospecting plan shall include the following:

(1) Details of the nature, extent and final configuration of the proposed excavation and project site including location and total production of prospecting refuse, and nature and depth of overburden.

(2) Details of the proposed operating procedures including:

(a) Prospecting operating sequence.

(b) Handling of overburden materials.

(c) Prospecting waste production, loading, transportation, storage and final disposition.

(d) Bulk sample production, loading, transportation, storage and final disposition.

(e) Ground and surface water management techniques including provisions for erosion prevention and drainage control.

(f) Plans for collection, treatment and discharge of any water resulting from the operation.

(g) Plans for air quality protection.

(h) Measures for notifying the public and responsible governmental agencies of potentially hazardous conditions including the movement or accumulation of toxic wastes in ground and surface water, soils, and vegetation and other consequences of the operation of importance to public health, safety and welfare.

(i) Description of all surface facilities associated with the prospecting site.

(j) Description of all geological/geotechnical investigations and drilling program.

(3) Evidence satisfactory to the department that the proposed prospecting operation will comply with the following minimum standards:

(a) Grading and stabilization of excavation, sides, and benches to conform with state and federal environmental and safety requirements.

(b) Grading and stabilization of deposits of prospecting refuse in conformance with state and federal safety requirements and solid waste laws and regulations.

(c) Stabilization of merchantable by-products.

(d) Adequate diversion and drainage of water from the prospecting site.

(e) Backfilling of excavations where such procedure will not interfere with the prospecting operation.

(f) Adequate covering or storage of all pollutant-bearing minerals or materials to conform with state and federal regulations governing such materials.

(g) Removal and stockpiling, or other measures to protect topsoils prior to prospecting.

(h) Maintenance of adequate vegetative cover where feasible to prevent erosion.

(i) Impoundment of water where necessary in a safe and environmentally acceptable manner.

(j) Adequate screening of the prospecting site where such screening is deemed necessary by the department.

(k) Identification and prevention of pollution as defined in s. 144.01 (11), Stats., resulting from leaching of waste materials in accordance with state and federal solid waste laws.

(l) Identification and prevention of significant pollution as defined in s. 144.30 (9), Stats.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.08 Reclamation plan. The reclamation plan for the prospecting site shall include the following:

(1) Detailed information and maps on reclamation procedures including:

(a) Manner, location, sequence and anticipated duration of reclamation.

(b) Ongoing reclamation procedures during prospecting operation.

(c) Proposed interim and final topography and slope stabilization.

(d) Proposed final land use and relationship to surrounding land and land use.

(e) Plans for long-term maintenance of prospecting site including:

1. Monitoring of wastes and surface and ground water quality.

2. Names of persons legally and operationally responsible for long-term maintenance.

(f) Projected costs of reclamation including estimated cost to the state of fulfilling the reclamation plan.

(g) Alternative plans for reclamation of the prospecting site if all or part of the site is to become part of a mining site.

(2) Evidence satisfactory to the department that the proposed reclamation will conform with the following minimum standards:

(a) All toxic and hazardous wastes, refuse, tailings and other solid waste shall be disposed of in solid or hazardous waste land disposal facilities licensed under ch. 144, Stats., or otherwise in an environmentally sound manner.

(b) All tunnels, shafts or other underground openings shall be sealed in a manner which will prevent seepage of water in amounts which may be expected to create a safety, health or environmental hazard, unless the applicant can demonstrate alternative uses which do not endanger public health and safety and which conform to applicable environmental protection and mine safety laws and rules.

(c) All underground and surface run-off waters from prospecting sites shall be managed, impounded or treated so as to prevent soil erosion to the extent practicable, flooding, damage to agricultural lands or livestock, damage to wild animals, pollution of surface or ground waters, damage to public health or threats to public safety.

(d) All surface structures constructed as a part of the prospecting activities shall be removed, unless they are converted to an acceptable alternate use.

(e) Adequate measures shall be taken to prevent significant surface subsidence, but if such subsidence does occur, the affected area shall be reclaimed.

(f) All topsoil from surface areas disturbed by the prospecting operation shall be removed and stored in an environmentally acceptable manner for use in reclamation.

(g) All disturbed surface areas shall be revegetated as soon as practicable after the disturbance to stabilize slopes and prevent air and water pollution, with the objective of reestablishing a variety of plants and animals indigenous to the area immediately prior to prospecting, unless such reestablishment is inconsistent with the provisions of s. 144.81 (15), Stats. Plant species not indigenous to the area may be used if necessary to provide rapid stabilization of slopes and prevention of erosion, if such species are acceptable to the department, but the ultimate goal of reestablishment of indigenous species must be maintained.

(h) All operations shall minimize disturbance to wetlands and conform with all applicable state and federal laws and regulations pertaining to wetlands.

(3) If it is physically or economically impracticable or environmentally or socially undesirable for the reclamation process to return the affected area to its original state, the reasons therefor and a discussion of alternative conditions and uses to which the affected area can be put.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.09 Permit issuance bonds and bond release. (1) Unless denied pursuant to section NR 131.10, Wis. Adm. Code, the department shall issue a prospecting permit to the operator within 60 days following the date of completion of the hearing record.

(2) After issuance of the permit but prior to commencing prospecting, the operator shall file with the department the following:

(a) A bond conditioned upon faithful performance of all requirements of ss. 144.80 to 144.94, Stats., and the provisions of this chapter.

1. The amount of the bond or other security required shall be equal to the estimated cost to the state of fulfilling the reclamation plan, in relation to that portion of the site that will be disturbed by the end of the

following year. The estimated cost of reclamation shall be determined by the department on the basis of those factors listed in section NR 131.07, Wis. Adm. Code. In lieu of a bond, the operator may deposit cash, certificates of deposit or government securities with the department. Interest received on certificates of deposit and government securities shall be paid to the operator.

2. The bond shall be issued by a surety company licensed to do business in Wisconsin. If the surety company's license to do business is revoked or suspended, the operator, within 30 days after receiving written notice thereof from the department, shall substitute surety underwritten by a surety company licensed to do business in Wisconsin. Upon failure of the operator to make a substitution, the department shall suspend the operator's mining permit until substitution has been made.

3. Each bond shall provide that the bond shall not be cancelled by the surety, except after not less than 90 days notice to the department in writing by registered or certified mail. Not less than 30 days prior to the expiration of the 90 day notice of cancellation, the operator shall deliver to the department a replacement bond in the absence of which all prospecting shall cease.

4.a. Not less than 2 years after completion of the reclamation plan or portions thereof, the operator may petition the department to reduce the amount of the bond. After public hearing conducted pursuant to s. 144.836, Stats., the department shall issue a certificate of completion, if it finds that the operator has completed reclamation of all or any portion of the prospecting site in accordance with the reclamation plan and ss. 144.80 to 144.94, Stats.

b. Upon issuance of the certificate of completion, the department shall reduce the amount of the bond to an amount equal to the estimated cost of reclamation of the portion of the prospecting site for which a certificate of completion has not been issued.

c. Upon issuance of a certificate or certificates of completion of reclamation for the entire prospecting site, the operator shall maintain a bond with the department equal to 10% of the total cost of reclamation of the prospecting site.

d. After 5 years after issuance of a certificate or certificates of completion for the entire prospecting site the department shall release the bond if the department determines that the operator has complied with the reclamation plan.

e. The operator shall reclaim the prospecting site within 5 years after the date of issuance of the prospecting permit provided the operator has not submitted an application to the department for a mining permit which includes the unreclaimed prospecting site or portions thereof. If the operator fails to reclaim the site or portions thereof which are not included in the mining permit application in accordance with the reclamation plan within the 5 year period, the operator shall forfeit the reclamation bond and the department shall reclaim the prospecting site.

(b) A certificate of insurance certifying that the operator has in force a liability insurance policy issued by an insurance company authorized

to do business in this state or in lieu of a certificate of insurance, evidence that the operator has satisfied state or federal self-insurance requirements covering all prospecting of the operator in this state and affording personal injury and property damage protection in a total amount deemed adequate by the department but not less than \$50,000.

(3) Upon receipt of a satisfactory reclamation bond and the certificate of insurance, the department shall give written authorization to the operator to commence prospecting in accordance with the prospecting and reclamation plans.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.10 Denials. (1) The department shall deny a prospecting permit if it finds any of the following:

- (a) The prospecting site is unsuitable for prospecting.
- (b) The prospecting site is unsuitable for surface mining absent a certification not to surface mine.
- (c) The prospecting plan and the reclamation plan will not comply with the minimum standards for prospecting and reclamation as provided in sections NR 131.07 and NR 131.08, Wis. Adm. Code.
- (d) The operator is in violation of ss. 144.80 to 144.94, Stats., and the provisions of this chapter.
- (e) The operator has previously failed and continues to fail to comply with ss. 144.80 to 144.94, Stats., and the provisions of this chapter.
- (f) The operator has within the previous 20 years forfeited any bond posted in accordance with prospecting or mining activities in this state, unless by mutual agreement with the state.
- (g) Any officer or director of the operator has, while employed by the operator, the operator's parent corporation, any of the operator's principal shareholders, or any of the operator's subsidiaries or affiliates, in which the operator owns more than a 40% interest, within the previous 20 years forfeited any bond posted in accordance with prospecting or mining activities in this state unless by mutual agreement with the state.
- (h) The proposed prospecting operation may reasonably be expected to create the following situations:
 1. Landslides or substantial deposition from the proposed operation in stream or lake beds which cannot be feasibly prevented.
 2. Significant surface subsidence which cannot be reclaimed because of the geologic characteristics present at the proposed site.
 3. Hazards resulting in irreparable damage to any of the following, which cannot be prevented under the requirements of ss. 144.80 to 144.94, Stats., avoided to the extent applicable by removal from the area of hazard or mitigated by purchase or by obtaining the consent of the owner.
 - a. Dwelling houses.
 - b. Public buildings.
 - c. Schools.

- d. Churches.
- e. Cemeteries.
- f. Commercial or institutional buildings.
- g. Public roads.
- h. Other public property designated by the department.

4. Irreparable environmental damage to lake or stream bodies despite adherence to the requirements of ss. 144.80 to 144.94, Stats. This subdivision does not apply to an activity which the department has authorized pursuant to statute, except that the destruction or filling in of a lake bed shall not be authorized notwithstanding any other provision of law.

(2) If an application for a prospecting permit is denied, the department, within 30 days from date of application denial, shall furnish the operator in writing the reasons for the denial.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.11 Permit review and modification. (1) Eighteen months after the issuance of a prospecting permit and annually thereafter until prospecting ceases, the department shall review the operator's prospecting permit, reclamation plan and bond to ascertain adequacy, compliance with state or federal laws enacted after the issuance of the permit and technological currency.

(2) If the department after review determines that the plan should be modified or the bond amount changed, the department shall notify the permit holder of the necessary modifications or changes. If the permit holder does not request a hearing within 30 days, the modifications or changes shall be deemed accepted.

(3) If the permit holder desires to modify the permit, an amended application shall be submitted to the department on forms provided by the department. If the proposed amendment substantially changes the scope of the original prospecting proposal, the department shall process the amended application as an original application for a prospecting permit. If the amended application is to cancel any or all of a prospecting site where no prospecting has taken place, the department may release the bond or security or portions thereof posted on the land being removed from the permitted prospecting site and cancel or amend the operator's prospecting permit.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.12 Inspections. (1) Any duly authorized officer, employe or representative of the department may enter and inspect any property, premises or place on or at a prospecting site at any reasonable time for the purpose of ascertaining the state of compliance with this chapter and ss. 144.80 to 144.94, Stats.

(2) No operator may refuse entry or access to any authorized representative of the department who requests entry for purposes of inspection and who presents appropriate credentials.

(3) No person may obstruct, hamper or interfere with any such inspection.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.

NR 131.13 Confidentiality. All data submitted by an applicant for a prospecting permit shall be considered confidential, unless the prospector expressly agrees to its publication.

History: Cr. Register, January, 1979, No. 277, eff. 2-1-79.