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STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES ) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. M-21-84 was duly approved and adopted by this Department on August 22, 1984. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 10<sup>th</sup> day of January, 1985.

*Carroll D. Besadny*  
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
RENUMBERING, RENUMBERING AND AMENDING, AMENDING,  
AND CREATING RULES

. . . . .  
. IN THE MATTER of renumbering ss. NR 130.03(2) .  
. through (14) & 130.10(1); renumbering and amending .  
. s. NR 130.11(2) & (3); amending ss. NR 130.03(7), .  
. 130.05(2)(b)4. & (c), 130.06 (intro.), (1)(a)2.a., b. & (3) . M-21-84  
. 130.07(2), 130.08(1), 130.09(2), 130.10(2) & (3), .  
. 130.11(1) & (4); and creating ss. NR 130.03(intro.), .  
. 130.03(2), (3), (10) & (12), 130.05(2)(d), .  
. 130.07(1)(d) and 130.10(1)(b) of the Wisconsin .  
. Administrative Code pertaining to metallic mineral .  
. exploration. .  
. . . . .

Analysis Prepared by Department of Natural Resources

Chapter NR 130, Wis. Adm. Code, contains licensing and notification procedures and specifications for the proper termination of exploration drilling sites. The proposed revisions include the incorporation of a 10 business day deadline for the department to issue or deny any exploration license after receiving a complete application. The terms "clay slurry", "concrete grout", "license year" and "neat cement grout" are defined as they are used in this chapter. The drillhole fees assessed by the department are increased to be \$100 for the first 20 drillholes and \$50 for each subsequent drillhole. The increased fees more accurately reflect the department's actual cost of administering the exploration program.

Other minor wording revisions have been made to further clarify existing requirements and procedures.

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Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.83 and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby renumbers, renumbers and amends, amends, and creates rules interpreting ss. 144.80 to 144.94 and 227.0105, Stats, as follows:

SECTION 1. NR 130.03(intro.) is created to read:

NR 130.03 DEFINITIONS. The following definitions are applicable to the terms used in this chapter:

SECTION 2. NR 130.03(2) to (14) are renumbered (4) through (9), (11), (13) and (14), respectively.

SECTION 3. NR 130.03(2) and (3) are created to read:

NR 130.03(2) "Clay slurry" means a fluid mixture of native clay formation or commercial clay or clay mineral products and water prepared with only the amount of water necessary to produce fluidity.

(3) "Concrete grout" means a mixture consisting of 94 pounds of type A portland cement and an equal or lesser volume of dry sand combined with approximately 6 gallons of water.

SECTION 4. NR 130.03(7) as renumbered is amended to read:

NR 130.03(7) "Explorer" means any person ~~intending to engage~~ who engages in exploration or who contracts for the services of drillers for the purpose of exploration.

SECTION 5. NR 130.03(10) and (12) are created to read:

NR 130.03(10) "License year" means the period of time commencing on July 1 of any year and ending on the following June 30.

(12) "Neat cement grout" means a mixture consisting of 94 pounds of type A portland cement and approximately 6 gallons of water.

SECTION 6. NR 130.05(2)(b)4. and (c) are amended to read:

NR 130.05(2)(b)4. One year after the issuance of the last ~~certificate(s)-~~ certificate of completion, and provided that the explorer is not holding an exploration license, the department shall release the bond if the department determines that the explorer has complied with provisions of this chapter.

(2)(c) A certificate of insurance certifying that the explorer 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-explorer-has-satisfied-state-or-federal-self-insurance~~ requirements covering all exploration of the explorer 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.

SECTION 7. NR 130.05(2)(d) is created to read:

NR 130.05(2)(d) A copy of the applicant's most recent annual report and Form 10K as filed with the securities and exchange commission. If these are not available, the applicant shall submit a report of the applicant's current assets and liabilities or other necessary data to establish that the applicant is competent to conduct exploration in this state.

SECTION 8. NR 130.06(intro.), (1)(a)2.a. and b., and (3) are amended to read:

NR 130.06 ISSUANCE. Upon satisfactory completion of all conditions contained in this chapter, the department shall issue an exploration license to the explorer ~~for-a-period-commencing-on-the-date-of-issuance-and terminating-on-the-30th-day-of-June-for-any-subject-to-the-following conditions+.~~ Licenses shall be issued within 10 business days after the department receives a complete application unless the application is for an upcoming license year. If the application is for an upcoming license year, the license shall be issued either within 10 business days after the department receives a complete application or on the following July 1, whichever is later. The issuance of an exploration license is subject to the following conditions:

a. Drillholes constructed in limestone, dolomite, shale, or pre-Cambrian formations (granite, gabbro, gneiss, schist, slate, greenstone, quartzite, etc.) may be filled with gravel or crushed rock from the bottom upward to a point 20 feet below the top of the first rock formation encountered below the surface or to a depth 40 feet below the ground surface, whichever is the greater depth, and the remainder of the drillhole from the top of the gravel or crushed stone to the ground surface shall then be filled with concrete or neat cement grout. If it is physically impractical to use gravel or crushed rock, the explorer may use clay slurry as a filling material after receiving approval from the department.

b. Drillholes constructed in sandstone formation may be filled with disinfected sand or pea gravel from the bottom upward to a point 20 feet below the top of the first rock formation encountered below the surface or to a depth 40 feet below the ground surface, whichever is the greater depth, and the remainder of the drillhole from the top of the sand or pea gravel to the ground surface shall then be filled with concrete or neat cement grout. If it is physically impractical to use sand or pea gravel, the explorer may use clay slurry as a filling material after receiving approval from the department.

(3) The fee for drilling the first ~~70~~ 20 drillholes or less in any license year shall be ~~\$50~~ \$100 per drillhole ~~per license year.~~ ~~The~~ and the fee for drilling each subsequent drillhole in that same license year shall be \$25 \$50 per drillhole ~~per license year.~~ All fees shall be paid to the department upon submission of the temporary abandonment report, if temporary abandonment occurs, or the permanent abandonment report, whichever comes first if temporary abandonment does not occur. For the purpose of determining the appropriate fee, drillholes will be assigned to the license year in which

drilling on that particular hole ceases and the drillhole is initially abandoned either temporarily or permanently.

SECTION 9. NR 130.07(1)(d) is created to read:

NR 130.07(1)(d) A copy of the applicant's most recent annual report and Form 10K as filed with the securities and exchange commission. If these are not available, the applicant shall submit a report of the applicant's current assets and liabilities and other necessary data to establish that the applicant is competent to conduct exploration in this state.

SECTION 10. NR 130.07(2) is amended to read:

NR 130.07(2) Renewal license shall be for a period commencing on the date of issuance and terminating on the ~~30th-day-of~~ following June of any year 30th. Renewal applications shall be reviewed and licenses issued under the same time limitations specified in s. NR 130.06.

SECTION 11. NR 130.08(1) is amended to read:

NR 130.08(1) ~~The statutes~~ Statutes, the-department's or rules of the department or any condition in the exploration license ~~has~~ have not been complied with; or

SECTION 12. NR 130.09(2) is amended to read:

NR 130.09(2) Within ~~30~~ 10 business days from the date of application, the department shall furnish the explorer in writing the reasons for the denial.

SECTION 13. NR 130.10(1) is renumbered (1)(a).

SECTION 14. NR 130.10(1)(b) is created to read:

NR 130.10(1)(b) A notice of intent to drill shall remain in effect for one year commencing on the date of receipt by the department of the notice. One year after the receipt of the notice, the explorer shall resubmit a notice of intent to drill on that parcel if the explorer wishes to continue exploration on the parcel.

SECTION 15. NR 130.10(2) and (3) are amended to read:

NR 130.10(2) The explorer shall notify the department prior to the actual commencement of drilling each drillhole on the parcel. This notice may be oral or written to the department's district office ~~where-the-exploration-is taking-place~~ in Rhinelander.

(3) The explorer shall give the department at least 24 hours advance notice of the explorer's intent to fill a drillhole. The 24-hour requirement may be reduced by the ~~department's-district-office-where-the-drillhole-is located~~ department. This notice may be oral or written and to the department's district office ~~where-the-drillhole-is-located~~ in Rhinelander.

Note: The address and telephone number of the department's district office in Rhinelander are: Department of Natural Resources

North Central District Headquarters

107 Sutliff

P.O. Box 818

Rhinelander, WI 54501

Telephone: (715) 362-7616

SECTION 16. NR 130.11(1) is amended to read:

NR 130.11(1) ~~The~~ Within 10 days after completion of temporary or permanent abandonment of a drillhole the explorer shall file duplicate original exploration abandonment reports with the department on forms supplied by the department and. All abandonment reports shall be signed by an authorized representative of the explorer attesting to the accuracy of the information contained therein ~~with-the-department-within-10-days-after completion-of-temporary-or-permanent-abandonment-of-a-drillhole.~~

SECTION 17. NR 130.11(2) and (3) are renumbered (3) and (2) respectively and amended to read:

NR 130.11(2) All abandonment reports shall be submitted to the department's district office ~~where-the-exploration-is-being-conducted~~ in Rhineland.

(3) ~~The~~ Following permanent abandonment of the drillhole, and revegetation and regrading of the drilling site, the explorer shall notify the department upon of completion of termination of each drillhole drilling site. This notification shall be made in writing and sent to the department's district office in Rhineland.

SECTION 18. NR 130.11(4) is amended to read:

NR 130.11(4) The department shall notify the explorer in writing of the satisfactory or unsatisfactory completion of termination. If termination is unsatisfactory, the department shall inform the explorer of all necessary



corrective measures. Following implementation of corrective measures, the explorer shall file written notice with the department's district office in Rhinelander specifying what measures were taken and stating that termination is complete. Failure of the explorer to comply with the department's corrective measures may result in license revocation or suspension in accordance with ~~section~~ s. NR 130.08, Wis. Adm. Code. Upon satisfactory completion of termination of a drilling site, the department shall issue a certificate of completion. No temporarily abandoned drilling site ~~will~~ may receive a certificate of completion until permanently abandoned in accordance with the provisions of this chapter.

Note: The address and telephone number of the department's district office in Rhinelander are: Department of Natural Resources

North Central District Headquarters

107 Sutliff

P.O. Box 818

Rhinelander, WI 54501

Telephone: (715) 362-7616

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 22, 1984.

The rules contained herein shall take effect as provided in  
s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin January 10, 1985

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

January 10, 1985

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard  
Revisor of Statutes  
411 West  
C A P I T O L

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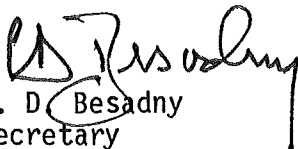
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Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. M-21-84. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

  
C. D. Besadny  
Secretary

Enc.

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