

**40-10-8 Exploration rules issued by division -- Contents -- Confidential information not to be publicly available -- Penalty for violation -- Division approval required for removal of excess coal.**

- (1) Coal exploration operations which substantially disturb the natural land surface shall be conducted in accordance with exploration rules issued by the division. The rules shall include, at a minimum:
  - (a) the requirement that prior to conducting any exploration under this section, any person must file with the division notice of intention to explore, and the notice shall include a description of the exploration area and the period of proposed exploration; and
  - (b) provisions for reclamation in accordance with performance standards in Section 40-10-17 of all lands disturbed in exploration, including excavations, roads, drill holes, and the removal of necessary facilities and equipment.
- (2) Information submitted to the division pursuant to this section as confidential concerning trade secrets or privileged commercial or financial information which relates to the competitive rights of the person or entity intending to explore the described area shall not be available for public examination.
- (3) Any person who conducts any coal exploration activities which substantially disturb the natural land surface in violation of this section or rules issued pursuant to it shall be subject to the provisions of Section 40-10-20.
- (4) No person shall remove more than 250 tons of coal pursuant to an exploration permit without the specific written approval of the division.

Amended by Chapter 219, 1994 General Session