

121 representative, either public or private, owning, controlling, or managing a mining operation or  
122 proposed mining operation.

123 (20) "Order" means written information provided by the division or board to an  
124 operator or other parties, describing the compliance status of a permit or mining operation.

125 (21) "Owner" means a natural person, corporation, association, partnership, receiver,  
126 trustee, executor, administrator, guardian, fiduciary, agent, or other organization or  
127 representative, either public or private, owning, controlling, or managing a mineral deposit or  
128 the surface of lands employed in mining operations.

129 (22) "Permit area" means the area of land indicated on the approved map submitted by  
130 the operator with the application or notice to conduct mining operations.

131 (23) "Permit" means a permit or notice to conduct mining operations issued by the  
132 division.

133 (24) "Permittee" means a person holding, or who is required by Utah law to hold, a  
134 valid permit or notice to conduct mining operations.

135 (25) "Person" means an individual, partnership, association, society, joint stock  
136 company, firm, company, corporation, or other governmental or business organization.

137 (26) "Reclamation" means actions performed during or after mining operations to  
138 shape, stabilize, revegetate, or treat the land affected in order to achieve a safe, stable,  
139 ecological condition and use which will be consistent with local environmental conditions.

140 (27) "Small mining operations" means mining operations ~~that~~ **which** that ~~disturb or~~  
140a will disturb  
141 ~~five~~ 10 or less surface acres at any given time ~~that~~ **in an unincorporated area of a county or five**  
141a **or less surface acres at any given time in an incorporated area of a county** ~~that~~ .

142 (28) "Unwarranted failure to comply" means the failure of a permittee to prevent the  
143 occurrence of a violation of the permit or a requirement of this chapter due to indifference, lack  
144 of diligence, or lack of reasonable care, or the failure to abate a violation of the permit or this  
145 chapter due to indifference, lack of diligence, or lack of reasonable care.

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**Legislative Review Note**  
as of 2-25-11 6:34 AM

**Office of Legislative Research and General Counsel**