

### § 3697. Fees Due and Delinquent

(a) The annual reporting fee and Mining Operation Annual Report (MRRC-2) are due and payable to the Department of Conservation not later than July 1 for the prior reporting year, by the owner or operator of record on the preceding December 31. The initial reporting fee for a new surface mining operation, together with an initial report, are due and payable to the Department of Conservation not later than thirty (30) days after permit approval. An owner or operator of a surface mining operation submitting an annual reporting fee or annual report after July 1, or more than thirty (30) days after permit approval, shall be assessed a penalty fee and interest as provided in Public Resources Code Section 2207(c) and (d)(5).

(b) Except as otherwise provided in (c), for the purposes of this article, surface mining operations are deemed to be discrete operations per each reclamation plan required.

(c) Multiple site surface mining operations are deemed to be those ~~active~~ surface mining operations which meet all of the following criteria:

(1) one or more surface mining operations are operated on one or more sites by a single operator or mining company;

(2) the total annual combined mineral production for all sites is less than 100 troy ounces ~~for precious metals,~~ if precious metals are the primary mineral commodity produced, or less than 100,000 short tons if aggregate products/industrial minerals are the primary mineral commodity produced, or less than 1,000 pounds if base metals/other metals are the primary mineral commodity produced ~~product is not precious metals;~~

(3) ~~all of the sites included are active~~ no sites are reporting from the method of fee assessment set forth in Section 3698, sub-sections (b),(d), or (e) ;

(4) all of the operator or company's entire active surface mining operations located in the State of California are tied to, or located on, the listed sites; and

(d) In addition to the criteria provided in (c), multiple site mining operator's submittal of the annual report form (Mining Operation Annual Report, Form MRRC-2) shall be accompanied by a multiple site form (Multiple Site Single Fee Request, Form MRRC-4M) supplied by the Department of Conservation.

*Authority: Section 2207, Public Resources Code. Reference: Section 2207, Public Resources Code.*