

A photograph of a small-scale mining operation in a tropical setting. The scene shows a large, reddish-brown earthen pit or processing area. In the foreground, there is a large pile of light-colored gravel or crushed rock. Several people are visible working in the muddy area. The background is filled with dense green tropical forest under a clear blue sky. The text is overlaid in white, bold font.

Small-scale mining and  
environmental protection in Peru:  
What will new legislation bring?

# Environmental sector in Peru

**Ministry of  
Environment  
(2008)**

- **OEFA**   
ORGANISMO DE EVALUACIÓN  
Y FISCALIZACIÓN AMBIENTAL
-  **SERNANP**  
PERÚ
- SENAMHI
- IGP
- IIAP
- SENACE

# Mining activity strata

Large scale mining

Medium scale mining

Small scale mining

Artisanal mining



**Regional  
governments**

# Mining activity strata

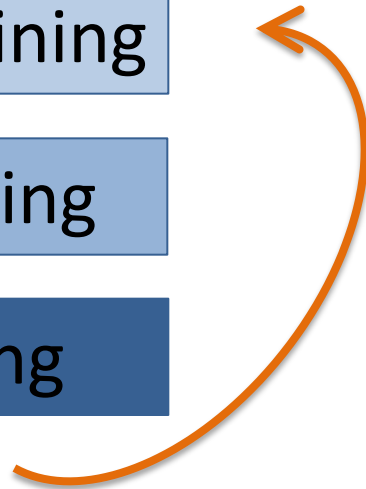
Large scale mining

Medium scale mining

Small scale mining

Artisanal mining

- Inadequate machinery for mining size
- Does not comply with technical, legal standards



# Mining activity strata

Large scale mining

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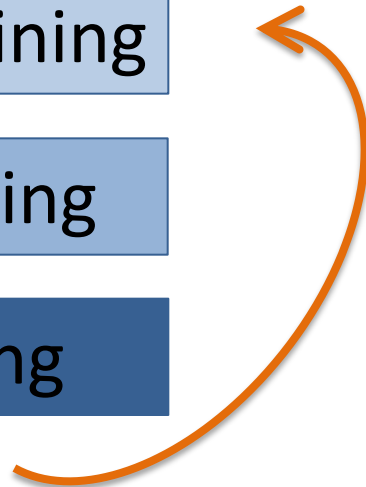
- Inadequate machinery for mining size
- Does not comply with technical, legal standards

Informal mining

- Operation permit granted under formalization process

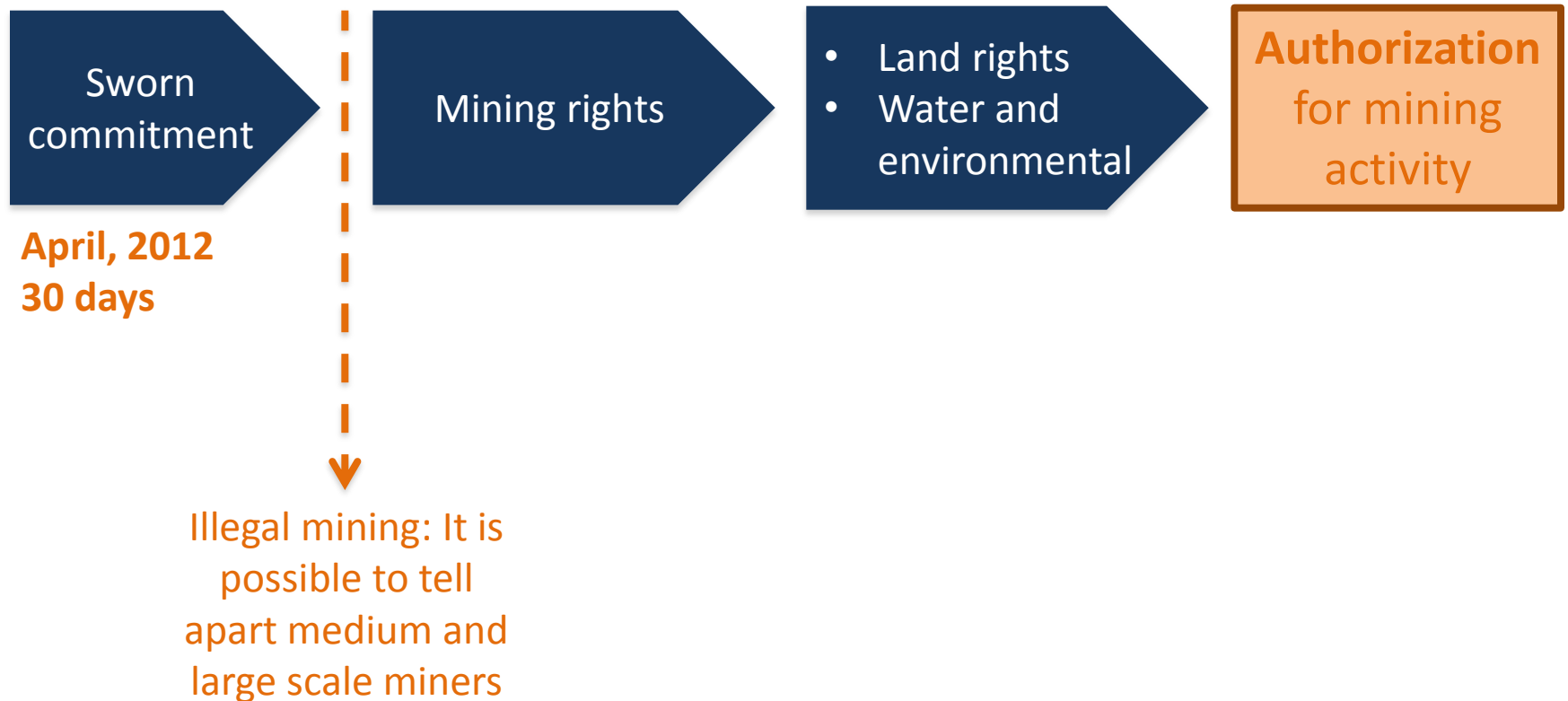
Illegal mining

- Developed in prohibited areas
- Not subject to formalization



# Informal mining

## Formalization process





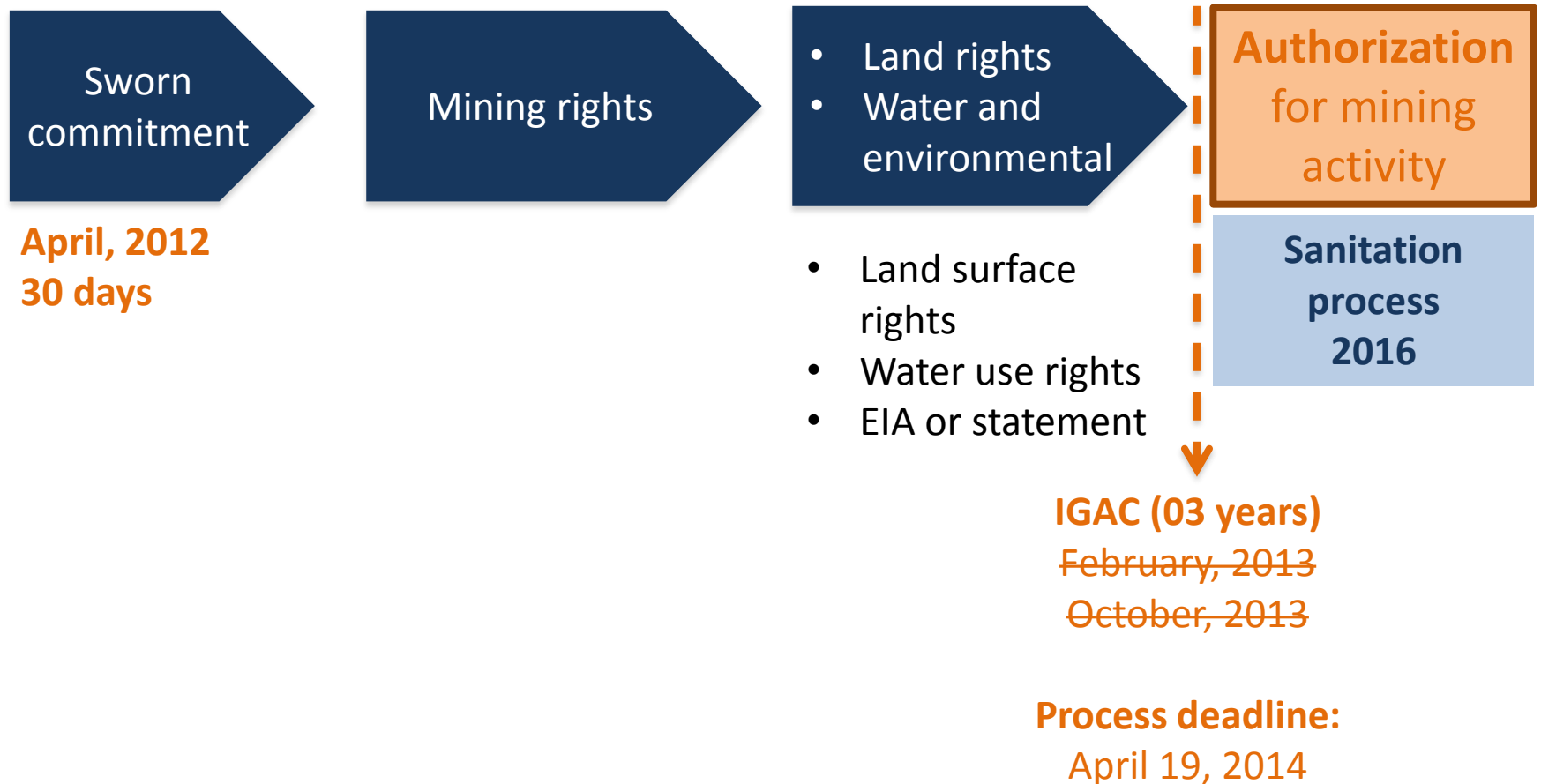
# Informal mining

## Formalization process



# Informal mining

## Formalization process





# Illegal mining

## Administrative measures

- Formalization
- Fiscalization
- Machinery registry
- Fuel control
- OEFA sanctioning procedures for medium/large miners

## Criminal measures

- Criminalization of illegal mining
- PCM
- Interdiction

# **Regulation 30230**

Economic measures to reactivate economy

July 12, 2014

- ① Penalty reduction – OEFA
- ① Natural protected areas
- ① Binding and not binding technical opinions
- ① Maximum permissible limits and Environmental quality standards

# ① Environmental penalties - OEFA

## Background

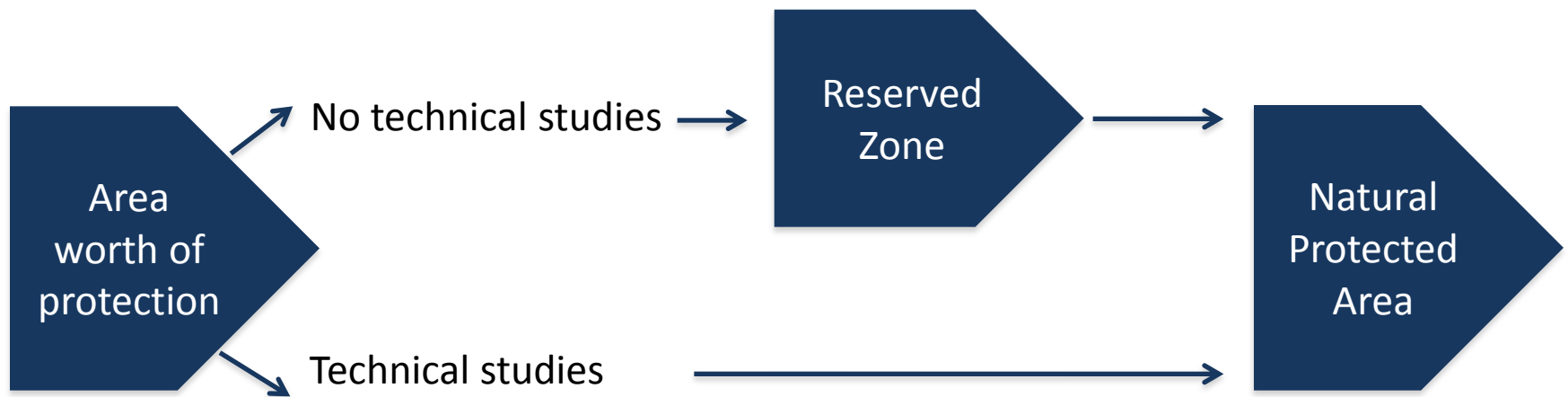
- Mining competencies since 2010
- Has imposed 845 sanctions from previous environmental agencies and 96 sanctions from direct supervisions (total of 5,517)
- Maximum sanction: US\$ 40.7 million, only applicable to harmful illegal activities
- Average sanction imposed: US\$ 92,700

# ① Environmental penalties - OEFA

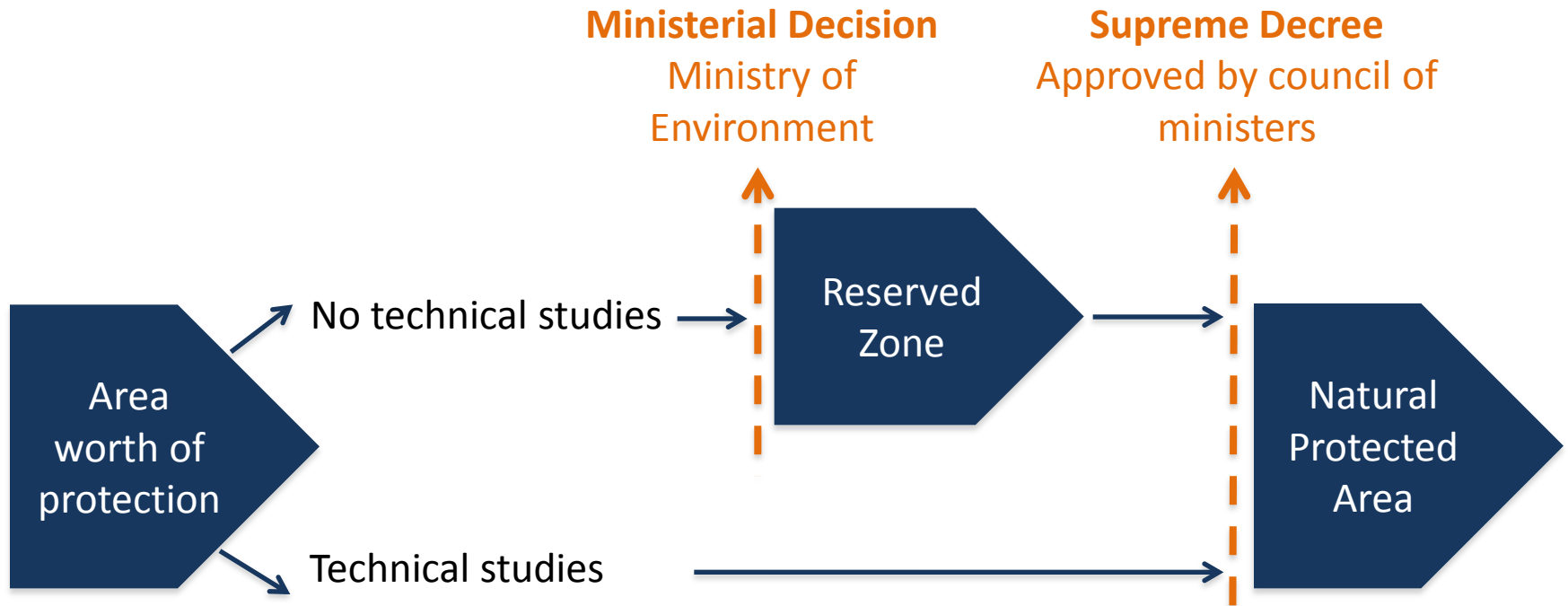
## Regulation 30230

- Three years to privilege prevention and correction. Exceptional sanctioning.
- Exceptional and modified administrative sanctioning procedures.
- Reduces sanctions to 50% of the valued amount, except: severe damage, non-authorized activities and repetitive infractions.

## ② Natural Protected Areas

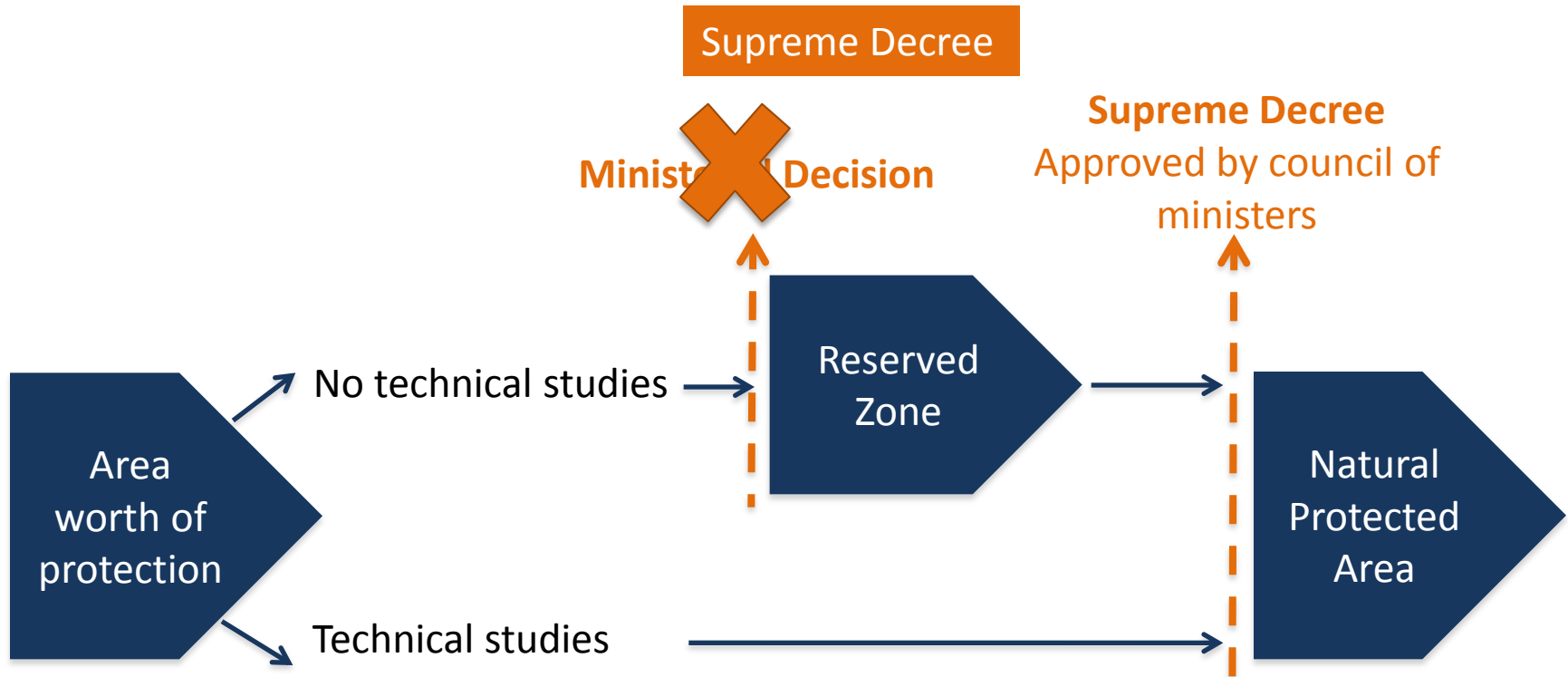


## ② Natural Protected Areas

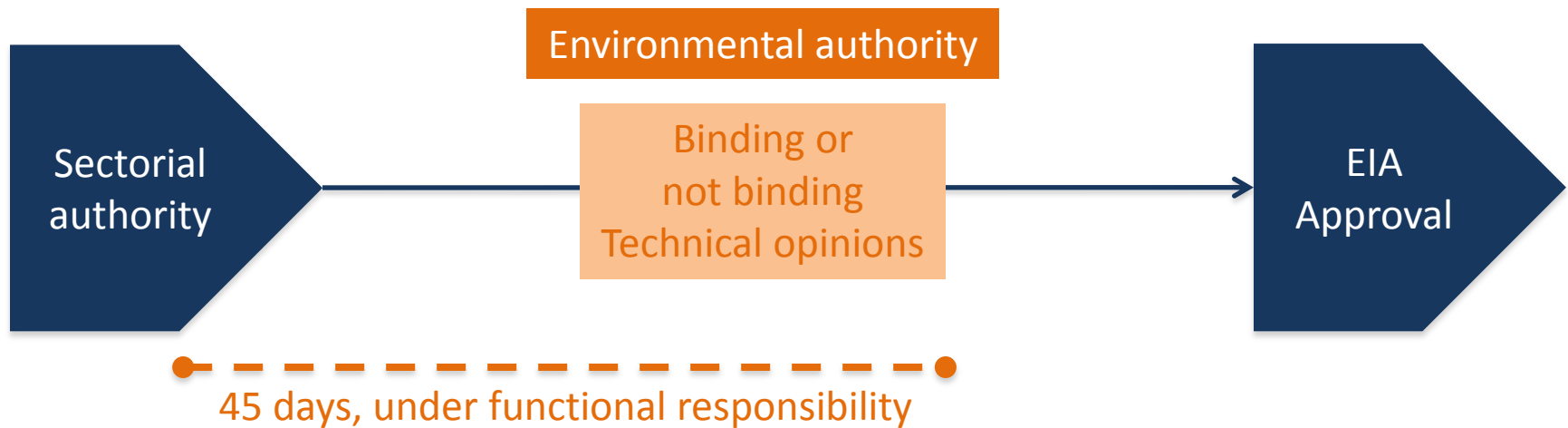




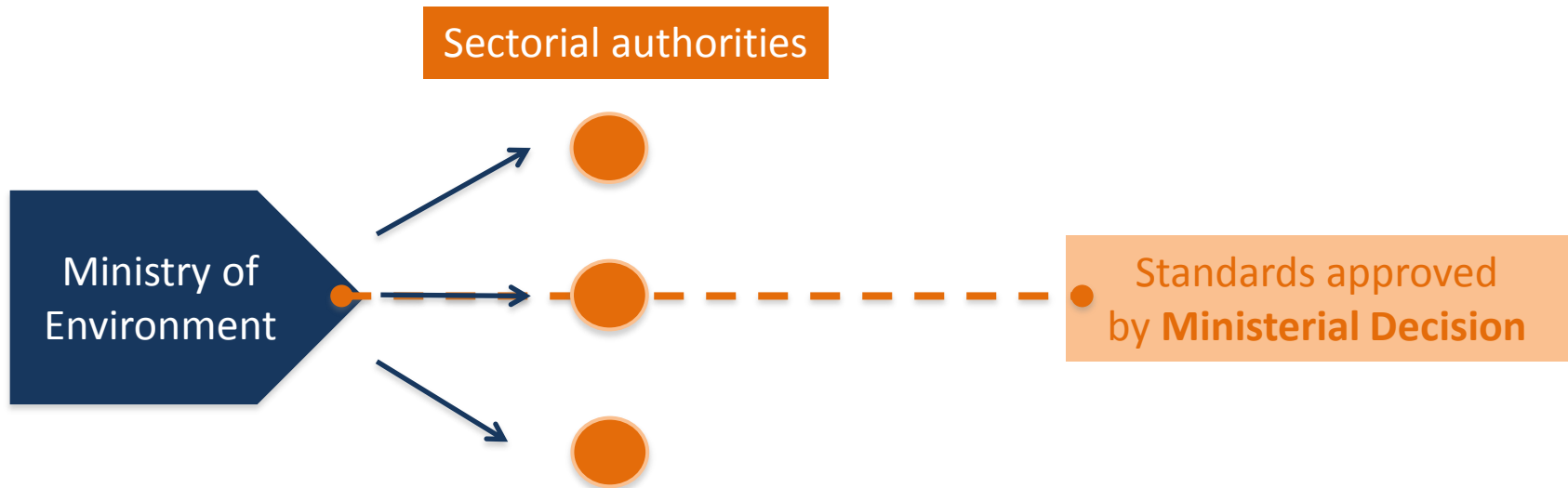
## ② Natural Protected Areas



# ③ Binding technical opinions



# ④ Maximum permissible limits and Environmental quality standards



# ④ Maximum permissible limits and Environmental quality standards

