

THE REASONS FOR ITS DENIAL AND ANY MODIFICATIONS IN THE APPLICATION WHICH WOULD MAKE IT ACCEPTABLE. THE OPERATOR MAY MODIFY HIS APPLICATION OR FILE AN APPEAL AS PROVIDED IN TITLE 1. THE APPEAL SHALL BE TAKEN WITHIN 60 DAYS AFTER NOTICE OF DISAPPROVAL HAS BEEN MAILED TO THE OPERATOR AT THE ADDRESS SHOWN ON HIS APPLICATION.

[[7-7B10]] 7-6A10. CONDITIONS FOR A PERMIT.

(A) CONDITIONS.

ANY PERMIT ISSUED SHALL BE EXPRESSLY CONDITIONED UPON COMPLIANCE WITH ALL REQUIREMENTS OF THE APPROVED MINING AND RECLAMATION PLAN FOR THE OPERATION AND WITH FURTHER REASONABLE AND APPROPRIATE REQUIREMENTS AND SAFEGUARDS DEEMED NECESSARY BY THE DEPARTMENT TO ASSURE THAT THE OPERATION WILL COMPLY FULLY WITH THE REQUIREMENTS AND OBJECTIVES OF THIS SUBTITLE. THE CONDITIONS MAY INCLUDE A REQUIREMENT OF VISUAL SCREENING, VEGETATIVE OR OTHERWISE, TO SCREEN THE VIEW OF THE OPERATION FROM PUBLIC HIGHWAYS, PUBLIC PARKS, OR RESIDENTIAL AREAS EXISTING AT THE TIME OF THE ORIGINAL APPLICATION, IF THE DEPARTMENT FINDS SCREENING TO BE FEASIBLE AND DESIRABLE.

(B) VIOLATIONS.

VIOLATION OF THESE CONDITIONS SHALL BE TREATED AS A VIOLATION OF THIS SUBTITLE AND CONSTITUTES A BASIS FOR SUSPENSION OR REVOCATION OF THE PERMIT.

[[7-7B11]] 7-6A11. LENGTH OF TERM OF PERMIT.

(A) A SURFACE MINING PERMIT SHALL BE GRANTED FOR SUCH PERIOD AS REQUESTED AND DEEMED REASONABLE, BUT NOT EXCEEDING 25 YEARS. IF THE MINING OPERATION HAS BEEN COMPLETED AND THE RECLAMATION REQUIRED UNDER THE APPROVED MINING AND RECLAMATION PLAN IS COMPLETED PRIOR TO THE EXPIRATION OF THE PERMIT, THE PERMIT MAY TERMINATE. TERMINATION OF A PERMIT DOES NOT RELIEVE THE OPERATOR OF ANY OBLIGATIONS WHICH HE HAS INCURRED UNDER HIS APPROVED MINING AND RECLAMATION PLAN OR OTHERWISE. IF THE OPERATOR WISHES TO CONTINUE OPERATION OF HIS PREPARATION PLANT, HIS PERMIT MAY REMAIN VALID BUT SHALL BE MODIFIED.

(B) A PERMIT SHALL BE VOID IF SURFACE MINING HAS NOT COMMENCED WITHIN TWO YEARS OF ITS ISSUANCE.

[[7-7B12]] 7-6A12. PERMIT MODIFICATION.

(A) ANY OPERATOR ENGAGED IN SURFACE MINING UNDER A SURFACE MINING PERMIT MAY APPLY AT ANY TIME FOR MODIFICATION OF THE PERMIT. THE APPLICATION SHALL BE IN WRITING ON FORMS FURNISHED BY THE DEPARTMENT AND FULLY