

[[7-7B14]] 7-6A14. EFFECTIVE DATE OF MODIFICATION OR RENEWAL.

NO MODIFICATION OR RENEWAL OF A PERMIT BECOMES EFFECTIVE UNTIL ANY REQUIRED CHANGES HAVE BEEN MADE IN THE PERFORMANCE BOND OR OTHER SECURITY POSTED UNDER THE PROVISIONS OF §[[7-7B20]] 7-6A20, SO AS TO ASSURE THE PERFORMANCE OF OBLIGATIONS ASSUMED BY THE OPERATOR UNDER THE PERMIT AND THE MINING AND RECLAMATION PLAN.

[[7-7B15]] 7-6A15. NEW PERMIT IN LIEU OF MODIFICATION OR RENEWAL.

IN LIEU OF A MODIFICATION OR RENEWAL, AN OPERATOR MAY APPLY FOR A NEW PERMIT IN THE MANNER PRESCRIBED BY §§ [[7-7B07 AND 7-7B19]] 7-6A07 AND 7-6A19.

[[7-7B16]] 7-6A16. TRANSFER OF PERMIT.

(A) WHEN ONE OPERATOR SUCCEEDS TO THE INTEREST OF ANOTHER IN ANY UNCOMPLETED MINING OPERATION BY VIRTUE OF A SALE, LEASE, ASSIGNMENT, OR OTHERWISE, THE DEPARTMENT MAY RELEASE THE FIRST OPERATOR FROM ALL LIABILITIES IMPOSED UPON HIM BY THIS SUBTITLE WITH REFERENCE TO THE OPERATION AND TRANSFER THE PERMIT TO THE SUCCESSOR OPERATOR, IF BOTH OPERATORS HAVE COMPLIED WITH THE REQUIREMENTS OF THIS SUBTITLE AND THE SUCCESSOR OPERATOR ASSUMES THE DUTIES AND RESPONSIBILITIES OF THE FIRST OPERATOR WITH REFERENCE TO RECLAMATION OF THE LAND ACCORDING TO THE AUTHORIZED MINING AND RECLAMATION PLAN AND POSTS SUITABLE BOND OR OTHER SECURITY REQUIRED BY §[[7-7B18]] 7-6A20.

(B) THE SUCCESSOR OPERATOR SHALL PAY A \$100 FEE ON FILING A TRANSFER OF PERMIT.

[[7-7B17]] 7-6A17. DEPARTMENTAL MODIFICATION OF PERMIT OR OF MINING AND RECLAMATION PLAN.

(A) IF THE DEPARTMENT DETERMINES FROM THE INSPECTIONS OF THE AFFECTED LAND REQUIRED BY §[[7-7B25]] 7-6A25 THAT THE ACTIVITIES UNDER THE MINING AND RECLAMATION PLAN AND OTHER TERMS AND CONDITIONS OF THE PERMIT FAIL SUBSTANTIALLY TO ACHIEVE THE PURPOSES AND REQUIREMENTS OF THIS SUBTITLE, THE DEPARTMENT SHALL GIVE THE OPERATOR WRITTEN NOTICE OF:

- (1) THE DEPARTMENT'S DETERMINATION,
- (2) THE DEPARTMENT'S INTENTION TO MODIFY THE MINING AND RECLAMATION PLAN AND OTHER TERMS AND CONDITIONS OF THE PERMIT IN A STATED MANNER, AND
- (3) THE OPERATOR'S RIGHT TO A HEARING ON THE