

(B) SHOWING OF CAUSE.

ON THE OPERATOR'S SHOWING OF CAUSE, THE DEPARTMENT SHALL PROVIDE FOR A REASONABLE TIME, BUT NOT LESS THAN SIX MONTHS FOR THE OPERATOR TO RESTORE THE LAND TO COMPLY WITH THE PERMIT.

(C) FAILURE TO SHOW CAUSE.

ON FAILURE OF THE OPERATOR TO SHOW CAUSE, THE BOND OR CASH DEPOSIT SHALL BE FORFEITED NISI, AND NOTICE BY THE DEPARTMENT SHALL BE GIVEN TO THE OPERATOR AND LEGAL OWNER OF THE LAND IF DIFFERENT FROM THE OPERATOR AND LEGAL OWNER OF THE LAND IF DIFFERENT FROM THE OPERATOR AND SURETY OF THE FORFEITURE. IF A SHOWING OF INTENTION TO RESTORE IN COMPLIANCE WITH THE PERMIT IS NOT SUBMITTED TO THE DEPARTMENT WITHIN 30 DAYS FROM THE FORFEITURE NISI, THE BOND OR CASH DEPOSIT SHALL BE FORFEITED ABSOLUTE.

(D) RECLAMATION UPON FORFEITURE.

ON AN ABSOLUTE FORFEITURE, THE DEPARTMENT SHALL USE THE FUNDS MADE AVAILABLE BY THE FORFEITURE TO RECLAIM THE AFFECTED LAND AS PROMPTLY AND COMPLETELY AS POSSIBLE.

[[7-7B23]] 7-6A23. PROHIBITION.

NO OPERATOR MAY CONDUCT SURFACE MINING WITHIN THE STATE IF HE PREVIOUSLY HAS FORFEITED ANY BOND POSTED PURSUANT TO SURFACE MINING ACTIVITIES, UNLESS ON APPLICATION BY THE OPERATOR, HE REPAYS THE DEPARTMENT THE COST OF RECLAMATION IF THE DEPARTMENT HAD RECLAIMED THE LAND, PLUS INTEREST AT THE CURRENT RATE FOR THE TIME ELAPSED, LESS THE AMOUNT OF THE FORFEITED BOND. IF THE LAND IS STILL UNRECLAIMED, THE OPERATOR SHALL RECLAIM THE LAND COVERED BY THE FORFEITED BOND AT HIS OWN EXPENSE, INCLUDING ANY ADDITIONAL EROSIONAL, SEDIMENTATION, OR POLLUTION DAMAGE RESULTING FROM THE LACK OF PROPER RECLAMATION DURING THE INTERIM.

[[7-7B24]] 7-6A24. ANNUAL MINING AND RECLAMATION REPORTS.

(A) AT THE END OF EACH CALENDAR YEAR, FOLLOWING AS SOON AFTER DECEMBER 31 AS IS REASONABLE, THE OPERATOR SHALL FILE AN OPERATIONS AND PROGRESS REPORT WITH THE DEPARTMENT ON A FORM PRESCRIBED AND FURNISHED BY THE DEPARTMENT, WHICH SHALL:

(1) IDENTIFY THE MINE, THE OPERATOR, AND THE PERMIT NUMBER;

(2) IDENTIFY THE LOCATION OF THE OPERATION AS