

THE OPERATOR BY REGISTERED MAIL OF ANY DEFICIENCIES NOTED. [[THE OPERATOR SHALL COMMENCE ACTION WITHIN 30 DAYS TO RECTIFY THESE DEFICIENCIES AND DILIGENTLY PROCEED UNTIL THEY ARE CORRECTED. IF THE DEPARTMENT DETERMINES THAT THE OPERATOR IS MAKING EVERY EFFORT TO COMPLY, THE DEPARTMENT MAY EXTEND PERFORMANCE PERIODS REFERRED TO IN THIS SECTION AND IN §[[7-7B19]] 7-6A19 FOR DELAYS CLEARLY BEYOND THE OPERATOR'S CONTROL]] THE OPERATOR SHALL PROCEED WITH MINING AND RECLAMATION AS SCHEDULED IN THE APPROVED MINING AND RECLAMATION PLAN. FOLLOWING EACH INSPECTION, THE DEPARTMENT SHALL NOTIFY THE OPERATOR OF ANY DEFICIENCIES NOTED. UPON FAILURE BY THE PERMITTEE TO CORRECT THESE DEFICIENCIES, THE DEPARTMENT MAY TAKE ACTION TO SUSPEND OR REVOKE THE PERMIT AS PROVIDED IN SECTION 7-6A18.

(C) [[IF THE DEPARTMENT FINDS THAT RECLAMATION OF THE PERMIT AREA IS NOT PROCEEDING IN ACCORDANCE WITH THE MINING AND RECLAMATION PLAN AND THAT THE OPERATOR HAS FAILED WITHIN 30 DAYS AFTER NOTIFICATION TO COMMENCE CORRECTIVE ACTION, OR IF THE DEPARTMENT FINDS THAT RECLAMATION HAS NOT BEEN PROPERLY COMPLETED IN CONFORMANCE WITH THE MINING AND RECLAMATION PLAN WITHIN TWO YEARS, OR LONGER IF AUTHORIZED BY THE DEPARTMENT, AFTER TERMINATION OF MINING ON ANY SEGMENT OF THE PERMIT AREA, IT SHALL INITIATE FORFEITURE PROCEEDINGS AGAINST THE BOND OR OTHER SECURITY FILED BY THE OPERATOR UNDER §7-7B20]] IF THE DEPARTMENT FINDS THAT RECLAMATION OF THE PERMIT AREA IS NOT PROCEEDING IN ACCORDANCE WITH THE MINING AND RECLAMATION PLAN, OR IF THE DEPARTMENT FINDS THAT RECLAMATION HAS NOT BEEN PROPERLY COMPLETED IN CONFORMANCE WITH THE MINING AND RECLAMATION PLAN WITHIN TWO YEARS OR LONGER IF AUTHORIZED BY THE DEPARTMENT, AFTER TERMINATION OF MINING ON ANY SEGMENT OF THE PERMIT AREA, OR IF THE PERMITTEE HAS NOT COMPLIED WITH CORRECTIVE REQUIREMENTS FOLLOWING REVOCATION OF A PERMIT, IT SHALL INITIATE FORFEITURE PROCEEDINGS AGAINST THE BOND OR OTHER SECURITY FILED BY THE OPERATOR. [[IN ADDITION, THE FAILURE CONSTITUTES GROUNDS FOR SUSPENSION OR REVOCATION OF THE OPERATOR'S PERMIT, AS PROVIDED IN §[[7-7B18]] 7-6A18.]]

[[7-7B26]] 7-6A26.

(A) AN OPERATION IS CONSIDERED ABANDONED IF NO MINERAL HAS BEEN PRODUCED OR OVERBURDEN REMOVED FOR A PERIOD OF ONE YEAR, AND THE OPERATOR HAS VACATED THE SITE OF THE OPERATION COVERED BY THE PERMIT WITHOUT HAVING COMPLIED WITH ALL THE REQUIREMENTS OF THE MINING AND RECLAMATION PLAN, VERIFIED BY INSPECTION AND WRITTEN REPORT MADE BY THE DEPARTMENT. IF THE OPERATOR, WITHIN 30 DAYS AFTER RECEIVING NOTIFICATION FROM THE DEPARTMENT TERMING THE OPERATION ABANDONED, DOES NOT SUBMIT SUFFICIENT EVIDENCE TO THE DEPARTMENT THAT THE OPERATION