

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1979.

Approved May 14, 1979.

-----

CHAPTER 391

(House Bill 1448)

AN ACT concerning

Strip Mining

FOR the purpose of amending the laws related to strip mining of coal in order to conform to the requirements of the Federal Surface Mining Control and Reclamation Act of 1977, Public Law 95-87; authorizing the Department of Natural Resources to implement a federally approved strip mining program for the benefit of the citizens of Maryland; requiring that by a certain date from federal approval of the State program, all existing strip mine operations must obtain a new permit; modifying the requirements for obtaining a strip mining permit and for suspension and revocation of such permits; requiring reclamation to be in accordance with certain minimum standards, including restoration to approximate original contour, and prohibiting permits for areas which it is determined cannot be reclaimed in accordance with such standards; requiring certain reports related to reclamation of strip mined areas; modifying the requirements related to bonds for reclamation of strip mined areas; providing for the designation of certain areas as unsuitable for strip mining; providing for the issuance of cease and desist orders without prior notice to operators when conditions or practices are discovered which create an imminent danger to the health or safety of the public or which cause or may be expected to cause imminent environmental harm; altering the criminal penalty provisions of the law; providing for mandatory civil penalties upon certain violations of the strip mining law; providing that in the case of violations by a corporation, any officer, director or agent of the corporation who willfully and knowingly participated in the violation shall be subject to all penalty provisions; ensuring that the water rights of individuals shall in no case be abridged by the strip mining laws; directing that the use of explosives in strip mining be regulated; authorizing the Department of Natural Resources to administer oaths issue subpoenas in connection with any hearing under the strip mining laws; providing that the surface effects of deep mining shall be subject to all applicable provisions of the strip mining laws; and relating