

(B) THE DEPARTMENT SHALL DESIGNATE AN AREA AS UNSUITABLE FOR ALL OR CERTAIN TYPES OF COAL SURFACE MINING OPERATIONS IF THE DEPARTMENT DETERMINES THAT RECLAMATION AS REQUIRED BY THIS SUBTITLE IS NOT TECHNOLOGICALLY AND ECONOMICALLY FEASIBLE.

(C) ANY PERSON HAVING AN INTEREST WHICH IS OR MAY BE ADVERSELY AFFECTED SHALL HAVE THE RIGHT TO PETITION THE DEPARTMENT TO HAVE AN AREA DESIGNATED UNSUITABLE FOR SURFACE COAL MINING OPERATIONS OR TO HAVE SUCH A DESIGNATION TERMINATED. A PETITION SHALL DESCRIBE THE PETITIONER'S INTEREST, CONTAIN ALLEGATIONS OF FACT AND OTHER SUPPORTING DATA. WITHIN 10 MONTHS AFTER RECEIPT OF THE PETITION THE DEPARTMENT SHALL HOLD A PUBLIC HEARING IN THE COUNTY IN WHICH THE AREA IS LOCATED, AFTER PUBLICATION OF THE TIME AND PLACE OF SUCH A HEARING. PRIOR TO THE HEARING ANY PERSON MAY INTERVENE BY FILING ALLEGATIONS OF FACTS WITH SUPPORTING EVIDENCE. WITHIN 60 DAYS AFTER SUCH HEARING, THE DEPARTMENT SHALL ISSUE A WRITTEN DECISION REGARDING THE PETITION, AND THE REASONS THEREFORE.

(D) PRIOR TO DESIGNATING ANY LAND AREAS AS UNSUITABLE FOR SURFACE COAL MINING OPERATIONS, THE DEPARTMENT SHALL PREPARE A DETAILED STATEMENT ON (1) THE POTENTIAL COAL RESOURCES OF THE AREA, (2) THE DEMAND FOR COAL RESOURCES, AND (3) THE IMPACT OF SUCH DESIGNATION ON THE ENVIRONMENT, THE ECONOMY, AND THE SUPPLY OF COAL.

(E) THE DEPARTMENT SHALL CONDITION ALL PERMITS IN ORDER TO PROTECT LANDS IDENTIFIED PURSUANT TO THIS SECTION.

7-506.

(A) THE COMMITTEE SHALL ESTABLISH A REVEGETATION BOND FOR EACH OPEN-PIT MINING OPERATION AT THE TIME OF APPROVAL OF THE RECLAMATION PLAN. THE AMOUNT OF THE BOND SHALL BE BASED ON THE ESTIMATED COST OF REVEGETATION FOR THE AREA PERMITTED. THE AMOUNT OF THE BOND MAY NOT BE LESS THAN \$500 PER ACRE. THE BOND SHALL BE DEPOSITED WITH THE DEPARTMENT PRIOR TO ISSUANCE OF THE PERMIT. THE LIABILITY UNDER THE BOND SHALL BE FOR A PERIOD COINCIDENTAL WITH THE OPERATOR'S RESPONSIBILITY FOR REVEGETATION UNDER § 7-511. THE BOND MAY NOT BE RELEASED UNTIL THE COMMITTEE INSPECTS AND APPROVES THE REVEGETATION OF THE AREA FOR WHICH LIABILITY UNDER THE BOND EXISTS.

[(a)] (B) After receiving notification from the [director of the Bureau] DEPARTMENT that [an] THE application for a permit has been approved, but BEFORE THE PERMIT IS ISSUED [prior to commencing open-pit mining], the operator shall file [on a form furnished by the Bureau], a bond for [each] THE operation payable to the State and conditioned that the operator will perform faithfully every requirement of this subtitle, RULES AND REGULATIONS ISSUED PURSUANT TO THIS SUBTITLE AND PERMIT CONDITIONS. The amount of the bond shall be determined by the [Secretary] DEPARTMENT and may not be less than \$500 per acre based on