

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 27, 1980.

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CHAPTER 740

(Senate Bill 975)

AN ACT concerning

Strip Mining

FOR the purpose of amending the strip mining subtitle of the Natural Resources Article to more precisely conform with the provisions of the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87), so as to provide for State program approval under that Act, by amending the definition of strip mining; clarifying the procedures for hearings on permit applications; requiring the Department to deny a permit whenever the applicant owns or controls another strip mining operation which is in violation of any strip mining law or other law pertaining to air or water environmental protection; clarifying the impact of a land's unsuitable designation; providing that strip mining shall be prohibited in certain circumstances; providing that all violations of this subtitle be corrected within 90 days unless the Department determines in writing that further time is necessary; providing for Bureau inspections upon receipt of citizen complaints and the right of a complainant to accompany the inspector; clarifying the inspection and reporting provisions; establishing criminal penalties for willful interference with any inspector; requiring that civil penalties be assessed whenever the Bureau issues a cease and desist order on imminent danger or significant imminent environmental harm and that, in any case where a civil penalty assessment is made, that the operator must pay the assessment into escrow as a precondition to challenging the penalty or the underlying violation; limiting to 30 days the \$750 per day mandatory civil penalty for failure to correct a violation within the required time; and generally amending and clarifying the laws related to strip mining in Maryland.

BY repealing and reenacting, with amendments,

Article - Natural Resources  
Section 7-501(n), 7-505(b), (c), (d), and (h),  
7-505.1(e), 7-507(a), (c) and (f), 7-511(a),  
7-517(b) and (c), and 7-517.1  
Annotated Code of Maryland