

~~(b) For the reclamation of PRE-LAW surface-mined lands other than coal abandoned and unreclaimed before July 1975, the Department may use funds received from the following sources:~~

~~(1) A forfeiture in excess of the amount required for reclaiming the area of land affected by the operation on which the liability was charged;~~

~~(2) A forfeiture relating to land which the Department determines to be physically impossible to reclaim; and~~

~~(3) Licensing fees, permitting fees, fines, funds received from the special reclamation fees established by § 7-6A-07 (e) (F), or any other source.~~

~~7-6A-08.~~

~~On receipt of an application and accompanying documents, the Department shall review it and make further inquiries, inspections, or examinations as necessary or desirable for proper evaluation. AND SHALL PROVIDE WRITTEN NOTIFICATION TO THE DEPARTMENT OF STATE PLANNING OF THE LOCATION OF THE SITE, ITS SIZE, AND THE PROPOSED MINING ACTIVITY. If the Department objects to any part of the application or accompanying documents, it shall notify promptly the operator by registered mail of its objections, setting forth its reasons, and shall afford the operator a reasonable opportunity to make amendments or take actions required to remove the objections. The Department shall submit a copy of the application and accompanying documents to the Department of State Planning for review with respect to matters that are the responsibility of that Department.~~

~~7-6A-09.~~

~~(b) The Department may deny the permit on finding that:~~

~~(1) Any requirement of this subtitle or any rule or regulation adopted under it will be violated by the proposed operation;~~

~~(2) The operation will have an unduly adverse effect on wildlife or fresh water, estuarine, or marine fisheries;~~

~~(3) The operator has failed to provide applicable permits covering the operation from all State and local regulatory agencies responsible for air and water pollution and sediment control;~~

~~(4) The operation will constitute a substantial physical hazard to a neighboring dwelling, house, school, church, hospital, commercial or industrial building, public~~