

(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 road, or other public or private property in existence at the time of application for the permit;

(5) The operation will have a significantly adverse effect on the uses of a publicly owned park, forest, or recreation area in existence at the time of application for the permit;

(6) The operator does not possess a valid surface mine operator's license from the State; [or]

(7) The operator has not corrected all violations which he may have committed under any prior permit and which resulted in (i) revocation of his permit, (ii) termination of the operation by order of the Department, (iii) forfeiture of part or all of his bond or other security, [or] (iv) conviction of a misdemeanor under §§ 7-6A-06[(c)] (E), 7-6A-07[(b)] (H), or (v) any other court order issued against the operator as a result of departmental action[.]; OR

(8) Previous experience with similar operations indicates a substantial probability that the operation will result in substantial deposits of sediment in stream beds or lakes, landslides, or other water pollution.

7-6A-24.

(a) [At the end of each calendar year, following as soon after December 31 as is reasonable, the] THE operator shall file an operations and progress report with the Department BY MARCH 31 OF EACH YEAR, on a form prescribed and furnished by the Department, which SHALL COVER THE PRECEDING CALENDAR YEAR AND shall:

(1) Identify the mine, the operator, and the permit number;