

(a) Before any person [proceeds to mine coal by the open-pit method] CONDUCTS OPEN-PIT MINING, he shall obtain a permit on a form furnished by the Department for each separate operation. All permits shall require the operator to comply with all amendments to this subtitle and rules and regulations adopted pursuant thereto. A permit may not be issued if the Department determines that reclamation cannot be accomplished in accordance with the requirements of this subtitle or rules and regulations adopted pursuant thereto. The permit is valid for a term not to exceed 5 years, unless the Department suspends or cancels it prior to that time. If an applicant demonstrates that a specified longer term is necessary to obtain financing for equipment and opening the operation, the Department may grant a permit for such longer term. A permit may be renewed or amended following a hearing as provided in subsection (d) if the permit meets the requirements of this subtitle and rules and regulations adopted pursuant thereto, except that a hearing is not necessary for the approval of incidental boundary revisions. A permit may not be transferred or assigned without written approval from the Department. After 8 months from the date of federal approval of the State program, a person may not conduct open-pit mining without obtaining a permit issued pursuant to the approved State program, except that a person may continue to mine under a prior permit if an application for a permit is filed within 2 months following federal approval even if the permit has not been issued.

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(b) An operator who continues to operate beyond one year shall submit to the Director a new map at the end of each year of operation. The map shall show the area affected and reclamation progress during the preceding year. This mining and reclamation progress report shall contain information identical to that required for both the reclamation plan and the final reclamation report and show in detail the completed reclamation work. {Failure of the committee to act on a reclamation progress report within [60] 120 days after its submission constitutes approval of the report.} THE COMMITTEE SHALL REVIEW THE REPORT AND ACT UPON IT AT A REGULARLY SCHEDULED MEETING. The operator shall notify the Director of the Bureau if land has not been disturbed by any operation during the preceding year.

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(a) Within 30 days after completion of all coal removal, backfilling, regrading, and planting on the permit, the operator shall file with the Department a completion report on a form the Department furnishes, which identifies the operation and states the area of land affected by open-pit mining, and stating whether the operator intends to carry on deep mining on the premises. The operator shall attach to the completion report a map of the operation