

this section, and in the amount that the Secretary determines necessary to assure completion of reclamation and revegetation. The Bureau may exempt a person from the bonding requirements of this paragraph, if the Bureau determines that the prospecting activity proposed in the application will not substantially disturb the land surface. Any such exemption shall be in written form and shall state the reason for the exemption.

(b) Each person who prospects an area shall reclaim it, including backfilling and revegetation in accordance with the standards that the Bureau adopts for open-pit mining operations.]

7-514.6.

(A) A PERSON WHO CONDUCTS ANY PROSPECTING ACTIVITY WHICH ~~RESULTS-IN-SUBSTANTIAL-DISTURBANCE-TO-THE-NATURAL-LAND-SURFACE-OR CAUSES--SERIOUS--HARM--TO--WATER-SUPPLY-OR-WATER-QUALITY~~ SHALL BE SUBJECT TO THE RECLAMATION REQUIREMENTS AND TO THE ENFORCEMENT AND PENALTY PROVISIONS OF THIS SUBTITLE.

(B) A PERSON WHO INTENDS TO PROSPECT FOR COAL IN AN AREA NOT INCLUDED IN A VALID SURFACE COAL MINING PERMIT SHALL FILE A NOTICE OF INTENT TO PROSPECT WITH THE DEPARTMENT AT LEAST 2 WEEKS PRIOR TO THE COMMENCEMENT OF ANY SURFACE DISTURBANCE ASSOCIATED WITH PROSPECTING.

(C) THE NOTICE OF INTENT TO PROSPECT SHALL BE IN WRITING AND SUBMITTED ON FORMS PRESCRIBED BY THE DEPARTMENT. THE NOTICE SHALL INCLUDE:

- (1) A DESCRIPTION OF THE AREA TO BE PROSPECTED;
- (2) A DESCRIPTION OF THE LEGAL BASIS UPON WHICH THE PERSON WHO INTENDS TO PROSPECT CLAIMS THE RIGHT TO ENTER AND CONDUCT PROSPECTING OPERATIONS ON THE AREA;
- (3) A DESCRIPTION OF THE INTENDED PROSPECTING OPERATIONS;
- (4) A STATEMENT OF THE PERIOD OF THE PROPOSED PROSPECTING; AND
- (5) A PLAN FOR RECLAMATION OF THE AREA IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SUBTITLE UPON COMPLETION OF THE PROSPECTING.

(D) A PERSON WHO PROPOSES TO CONDUCT PROSPECTING OPERATIONS WHICH ARE REASONABLY LIKELY TO CAUSE SUBSTANTIAL DISTURBANCE TO THE LAND SURFACE OR CAUSE SERIOUS HARM TO WATER SUPPLY OR WATER QUALITY MAY NOT COMMENCE ANY DISTURBANCE RELATED TO THE PROPOSED PROSPECTING PRIOR TO OBTAINING THE WRITTEN APPROVAL OF THE DEPARTMENT AND SUBMITTING TO THE BUREAU A BOND IN A FORM ACCEPTABLE UNDER SECTION 7-506(C) OF THIS SUBTITLE, PAYABLE TO THE STATE, CONDITIONED ON THE FAITHFUL PERFORMANCE OF THE REQUIREMENTS OF THIS SECTION. THE BOND SHALL BE IN THE AMOUNT