

(a) The Secretary shall establish within the Bituminous Coal Open-Pit Mining Reclamation Fund, from that portion of the fund which represents State contributions, a revolving account to provide assistance to landowners for the reclamation of orphaned lands.

(b) The Department shall administer the revolving account solely to provide interest-free loans to persons for the construction of orphaned land reclamation projects. The account shall be maintained by:

(1) Repayments of principal on loans made from the account; and

(2) Annual transfer of funds from the Bituminous Coal Open-Pit Mining Reclamation Fund to restore the account to a level sufficient to carry out an effective orphaned mine reclamation loan program during the succeeding year.

(c) During the first month of each fiscal year, the Department shall submit to the Department of Budget and Fiscal Planning an estimate of the amount of revenues that the account expects to receive from repayment of outstanding loans and the amount of funds from the Bituminous Coal Open-Pit Mining Reclamation Fund required to reestablish an adequate balance in the account to make loans during the next fiscal year.]

[7-514.2.

(a) If a project is approved, the property owner is eligible to receive an interest-free loan covering 100 percent of the first \$20,000 of project construction cost, 50 percent of the next \$10,000 of project construction cost, 25 percent of the next \$10,000 of project construction cost, and 10 percent of the part of construction cost exceeding \$40,000. However, if two or more property owners are included within a project and project construction costs exceed \$40,000, the land of each property owner is considered a separate project for the purpose of computing net project construction cost under this formula.

(b) Each loan shall constitute a lien on the benefited property for repayment to the State of net project construction cost.]

[7-514.3.

(a) The owner of any orphaned lands may file with the Department a written application requesting assistance in design and construction of an orphaned land reclamation project. The application shall be in a form and contain the information that the Department specifies. Each application form shall contain a notice warning that the applicant is responsible for maintenance of any project after it is constructed.