

(iii) [forfeiture] FORFEITURE of part or all of his bond or other security[,];

(iv) [conviction] CONVICTION of a misdemeanor under §§ 7-6A-06[(e),] (F) AND 7-6A-07[(h)] ~~(J)~~ (K) OF THIS SUBTITLE[,]; or

(v) [any] ANY other court order issued against the [operator] APPLICANT 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.

(c) In the absence of any of these findings, a permit shall be granted. However, no permit becomes effective until the [operator] APPLICANT has deposited with the Department an acceptable performance bond or other security pursuant to § 7-6A-20 of this subtitle. [If at any time the bond or other security, or any part of it, lapses for any reason other than a release by the Department, and the lapsed bond or security is not replaced by the operator, pursuant to § 7-6A-20, the permit to which it pertains automatically becomes void and has no further effect and the operation shall be declared terminated by order of the Department.]

(d) If the Department denies an application for a permit, it shall notify the [operator] APPLICANT in writing, stating the reasons for its denial and any modifications in the application which would make it acceptable. The [operator] APPLICANT may modify his application or file an appeal as provided in Title 1. The appeal shall be taken within 60 days after notice of disapproval has been mailed to the [operator] APPLICANT at the address shown on his application.

7-6A-10.

(a) Any permit issued shall be expressly conditioned upon compliance with all requirements of the approved mining and reclamation plan for the operation and with further reasonable and appropriate requirements and safeguards deemed necessary by the Department to assure that the operation will comply fully with the requirements and objectives of this subtitle. The conditions may include a requirement of visual screening, vegetative or otherwise, to screen the view of the operation from public highways, public parks, or residential areas existing at the time of the original application, if the Department finds screening to be feasible and desirable.

(b) Violation of these conditions shall be treated as a violation of this subtitle [and constitutes a basis for suspension or revocation of the permit.] SUBJECT TO THE REMEDIES AND PENALTIES UNDER § 7-6A-07~~(J)~~ (K), § 7-6A-18, OR § 7-6A-29 OF THIS SUBTITLE.