

the hearing may not be less than five days nor more than 15 days after the date of the notice, unless the Department and the [operator] PERMITTEE mutually agree on another date. The [operator] PERMITTEE may appear at the hearing, either personally or through counsel, and present evidence on his behalf. The Department shall render a decision regarding the violation within ten days from the date of the hearing.

(c) The Department may revoke the permit if the violation is not corrected.

(d) Any [operator] PERMITTEE whose permit is suspended or revoked shall be denied a new permit or a renewal of the old permit to engage in mining until he has complied fully with:

(1) [the] THE provisions of this subtitle[,];

(2) [any] ANY rules and regulations adopted under [it] THIS SUBTITLE[,]; and

(3) [the] THE terms and conditions of [his] THE PERMITTEE'S permit, including any modifications, and the approved mining and reclamation plan, and until [he] THE PERMITTEE has satisfactorily corrected all previous violations.

7-6A-19.

(a) The [operator] APPLICANT shall submit with his application for a surface mining permit a proposed mining and reclamation plan. The plan shall include at least the following:

(1) The purpose for which the land previously was used;

(2) The use which is proposed to be made of the land following reclamation;

(3) The manner in which the land is to be opened for mining and how the mining activity is to progress across the tract;

(4) The location of affected areas;

(5) The manner in which topsoil and subsoil are to be conserved and restored and, if conditions do not permit the conservation and restoration of all or part of the topsoil and subsoil, a full explanation of the conditions and alternate procedures proposed;

(6) Where backfilling is required, or where the proposed subsequent land use requires fill, the manner in which the compaction of the fill will be accomplished;

(7) The manner and type of landscaping and screening of the working areas which are exposed to public view during mining;