

(B) On application of the Department, verified by oath or affirmation, the circuit court of the county or city where the mining operation is located, [sitting in equity,] may enforce by injunction compliance with, or restrain the violation of any order, notice, PERMIT, rule, or regulation of the Department made pursuant to the provisions of this subtitle or restrain the violation or attempted violation of any of the provisions of this subtitle.

7-6A-30.

This subtitle, including reclamation requirements, does not apply to surface mining operations or mined lands in existence on the effective date JULY 1, 1975, nor to their continuance and extension for 18 months from that date, but subsequent operations of existing surface mines may be continued only by permit of the Department under the provisions of this subtitle.

7-6A-31.

(a) (1) The provisions of this subtitle do not apply to activities of ~~the~~ the State Highway Administration, ~~any~~ any county roads department in the State ~~or~~ any legally constituted public governing entities such as municipal corporations ~~or~~ to activities of any person acting under contract with any of these public agencies or entities, ~~on~~ on highway rights-of-way or borrow pits OWNED, OPERATED AND, OR maintained solely in connection with the construction, repair, and maintenance of the public roads systems of the State or other public facilities.

(2) This exemption does not become effective until the public agencies or entities have adopted reclamation standards applying to the activities and the standards are approved by the Department.

(b) The provisions of this subtitle do not apply to mining on federal lands when performed under a valid permit from the appropriate federal agency having jurisdiction over the land.

(c) Any or all of the provisions of this subtitle do not apply in any county if the Secretary determines that the county laws are as restrictive as the provisions of this subtitle with respect to regulating surface mining, reclamation and revegetation procedures, abandoned areas, and bonding requirements.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 28, 1985.

-----