

~~degrees-from-the-horizontal, when-in--the--opinion--of--the--land
reclamation--committee--the--land--could--be--restored--to--its--original
contour. }~~

(2) THE BUREAU SHALL PREPARE AND SUBMIT TO THE
GENERAL ASSEMBLY ON JANUARY 1, 1990 A SUMMARY REPORT ON THE
EFFECTIVENESS OF STEEP SLOPE MINING IN THIS STATE.

(3) THE DEPARTMENT MAY DENY A STRIP MINING PERMIT ON
SLOPES OF 20 DEGREES OR MORE FROM THE HORIZONTAL IF IT FINDS THAT
ANY OF THE REQUIREMENTS OF THIS SUBTITLE OR REGULATIONS ADOPTED
UNDER AUTHORITY OF THIS SUBTITLE ARE NOT MET, INCLUDING A FINDING
THAT ANY OF THE FOLLOWING ARE TRUE:

(I) THE PROPOSED MINING POSES A LIKELIHOOD OF
HARM TO ANY PERSON OR PROPERTY;

(II) DRAINAGE AND STORMWATER RUNOFF COULD NOT
BE ADEQUATELY MANAGED;

(III) THE PROPOSED MINING WOULD ADVERSELY
AFFECT THE QUALITY OF THE WATER SUPPLY OR OF OTHER WATERS OF THE
STATE;

(IV) THERE IS SLOPE INSTABILITY AT THE SITE OF
THE PROPOSED MINING WHICH COULD NOT BE ADEQUATELY CONTROLLED;

(V) SOIL EROSION COULD NOT BE ADEQUATELY
CONTROLLED; OR

(VI) THE APPLICANT FAILS TO DEMONSTRATE AN
ABILITY TO IMPLEMENT THE REQUIREMENTS OF THE PERMIT AND MINING
AND RECLAMATION PLAN OR HAS A HISTORY OF FAILING TO COMPLY WITH
LAWFUL REQUIREMENTS APPLICABLE TO SURFACE MINING.

(4) IN ADDITION TO THE OTHER REQUIREMENTS OF THIS
SECTION, THE DEPARTMENT MAY REQUIRE AN OPERATOR OF STRIP MINING
ON ANY SLOPE TO COMPLY WITH:

(I) A MORE DETAILED REVIEW OF ENGINEERING
PLANS; AND

(II) A HIGHER FREQUENCY OF INSPECTIONS BY THE
DEPARTMENT.

~~{j}~~ (K) If the Director-of-the-Bureau DEPARTMENT does not
approve either the application for a permit or any amended
application, he promptly shall notify the operator by registered
or certified mail setting forth his reasons for the disapproval.
The operator then may take the steps required to have the
Bureau's DEPARTMENT'S objections removed.

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