

(B) (1) UPON APPROVAL OF THE BACKFILLING AND PLANTING REPORT REQUIRED BY SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT MAY SHALL RELEASE A THAT PORTION OF THE LIABILITY ON THE BOND ~~REQUIRED--BY REPRESENTING THE OPEN-ACRE AMOUNT DETERMINED UNDER § 7-506(B) 7-506(B)(2)(II)~~ OF THIS SUBTITLE IN ACCORDANCE WITH PROVISIONS SET FORTH IN § 7-506(H) OF THIS SUBTITLE.

(2) [The Department shall inspect the premises within one month after the planting report is filed to determine if the planting has been done in accordance with the approved reclamation plan. If the Department determines that the reported area has been planted according to the approved plan the report shall be approved.] If the report REQUIRED BY SUBSECTION (A) OF THIS SECTION is approved, the operator shall be responsible for the successful revegetation of the reported area for a period of 5 full years after the approval unless liability is extended by the [Committee or] Department to insure compliance with the requirements of this subtitle, rules and regulations or permit conditions. [Not sooner than 2 years after the report is approved, the Department may release a portion of the revegetation bond in accordance with the requirements of § 7-506 of this subtitle. However, the Department shall at all times retain bonds in an amount sufficient to insure reclamation by the Department in the event of forfeiture.]

(3) NO SOONER THAN 2 YEARS AFTER THE REPORT REQUIRED BY SUBSECTION (A) OF THIS SECTION IS APPROVED, IF THE REVEGETATION HAS BEEN ESTABLISHED ON THE AREA IN ACCORDANCE WITH THIS SUBTITLE AND THE APPROVED RECLAMATION PLAN AND THE COMMITTEE HAS APPROVED THE REVEGETATION ON THE AREA, THE DEPARTMENT MAY RELEASE AN ADDITIONAL PORTION OF THE BOND REQUIRED BY § 7-506(B) OF THIS SUBTITLE IN ACCORDANCE WITH § 7-506(H) OF THIS SUBTITLE.

(4) THE DEPARTMENT SHALL AT ALL TIMES RETAIN BONDS IN AN AMOUNT SUFFICIENT TO INSURE COMPLETION OF THE RECLAMATION PLAN BY THE DEPARTMENT IN THE EVENT OF FORFEITURE.

(5) WHEN THE OPERATOR HAS SUCCESSFULLY COMPLETED ALL SURFACE COAL MINING AND RECLAMATION ACTIVITIES, THE DEPARTMENT MAY RELEASE THE REMAINING PORTION OF THE BOND, BUT NOT BEFORE THE EXPIRATION OF THE PERIOD SPECIFIED FOR OPERATOR RESPONSIBILITY IN SUBSECTION (B))(2) OF THIS SECTION; PROVIDED, HOWEVER, THAT NO BOND SHALL BE FULLY RELEASED UNTIL ALL RECLAMATION REQUIREMENTS OF THIS SUBTITLE ARE FULLY MET.

[7-512.

If the Department does not approve the planting report, it shall notify the operator in writing, setting forth the reasons. The operator shall take the steps required to remove any objection.]

[7-513.