

(2) IF THE DEPARTMENT DETERMINES THAT THE SUPPLY HAS BEEN AFFECTED BY OPEN-PIT MINING OPERATIONS AFTER ALL BONDS ON THE OPERATION HAVE BEEN FULLY RELEASED, INSTEAD OF REQUIRING THE OPERATOR TO REPLACE THE WATER SUPPLY UNDER SUBSECTION ~~(B)~~ (C) OF THIS SECTION, THE DEPARTMENT SHALL USE FUNDS FROM THE RESERVE UNDER § 7-514.1 OF THIS SUBTITLE TO REPLACE THE WATER SUPPLY. THE USE OF FUNDS FROM THE RESERVE MAY NOT BE CONSTRUED TO EXTEND ANY PERMIT WHERE BONDS HAVE BEEN FULLY RELEASED.

(F) (1) IF, AFTER FINAL ADMINISTRATIVE AND JUDICIAL REVIEW OF THE DEPARTMENT'S DETERMINATION OR ORDER ISSUED UNDER SUBSECTION ~~(B)~~ (C) OF THIS SECTION, IT IS DETERMINED THAT THE WATER SUPPLY CONTAMINATION, DIMINUTION, OR INTERRUPTION DID PROXIMATELY RESULT FROM THE OPERATOR'S OPEN-PIT MINING OPERATION, AND IF THE DEPARTMENT HAS EXPENDED MONEYS FROM THE BITUMINOUS COAL OPEN-PIT MINING RECLAMATION FUND TO REPLACE THE WATER SUPPLY, THE OPERATOR SHALL REIMBURSE THE FUND FOR ALL MONEYS EXPENDED BY THE DEPARTMENT TO REPLACE THE WATER SUPPLY.

(2) IF, AFTER FINAL ADMINISTRATIVE AND JUDICIAL REVIEW OF THE DEPARTMENT'S DETERMINATION OR ORDER ISSUED UNDER SUBSECTION ~~(B)~~ (C) OF THIS SECTION, IT IS DETERMINED THAT THE WATER SUPPLY CONTAMINATION, DIMINUTION, OR INTERRUPTION DID NOT PROXIMATELY RESULT FROM THE OPERATOR'S OPEN-PIT MINING OPERATION, AND IF THE DEPARTMENT HAS EXPENDED MONEYS FROM THE FUND TO REPLACE THE WATER SUPPLY, THE PROPERTY OWNER SHALL REIMBURSE THE FUND FOR ALL MONEYS EXPENDED BY THE DEPARTMENT TO REPLACE THE WATER SUPPLY.

(3) (I) IF, AFTER FINAL ADMINISTRATIVE AND JUDICIAL REVIEW OF THE DEPARTMENT'S DETERMINATION OR ORDER ISSUED UNDER SUBSECTION ~~(B)~~ (C) OF THIS SECTION, IT IS DETERMINED THAT THE WATER SUPPLY CONTAMINATION, DIMINUTION, OR INTERRUPTION DID NOT PROXIMATELY RESULT FROM THE OPERATOR'S OPEN-PIT MINING OPERATION, AND IF THE OPERATOR HAS REPLACED THE WATER SUPPLY, THE OPERATOR MAY REQUEST REIMBURSEMENT FROM THE DEPARTMENT FOR THE ACTUAL DIRECT COSTS INCURRED BY THE OPERATOR TO REPLACE THE WATER SUPPLY.

(II) THE REQUEST SHALL BE IN WRITING, SIGNED BY THE OPERATOR, AND SHALL INCLUDE A STATEMENT OF THE ACTUAL DIRECT COSTS INCURRED BY THE OPERATOR TO REPLACE THE WATER SUPPLY, AND A STATEMENT THAT THE OPERATOR IS NOT ELIGIBLE FOR REIMBURSEMENT FOR ALL OR ANY PART OF THE COSTS FOR WHICH REIMBURSEMENT IS REQUESTED FROM ANY OTHER SOURCE.

(III) THE DEPARTMENT SHALL REIMBURSE THE OPERATOR FOR THE OPERATOR'S ELIGIBLE COSTS TO REPLACE THE WATER SUPPLY FROM THE BITUMINOUS COAL OPEN-PIT MINING RECLAMATION FUND, OTHER THAN FUNDS COLLECTED UNDER § 7-505(E) OF THIS SUBTITLE.

(G) (1) THE OPERATOR SHALL BE LIABLE FOR ANY EXPENDITURES FROM THE BITUMINOUS COAL OPEN-PIT MINING RECLAMATION FUND IN