

unless--{previously--released--by--the--Secretary}--LIABILITY--IS EXTENDED--BY--THE--DEPARTMENT--TO--INSURE--COMPLIANCE--WITH---THE REQUIREMENTS--OF--THIS-SUBTITLE, RULES-AND-REGULATIONS, OR PERMIT CONDITIONS. PROVIDED THAT A BOND MAY NOT BE FULLY RELEASED UNTIL ALL REQUIREMENTS OF THIS SUBTITLE, REGULATIONS ADOPTED IN ACCORDANCE WITH THIS SUBTITLE, AND PERMIT CONDITIONS HAVE BEEN MET.

7-5A-10.

[(d) On an absolute forfeiture, the Department shall use the funds made available by the forfeiture to reclaim the affected land as promptly and completely as possible. Any amount remaining from the bond, cash or security proceeds after the affected land is reclaimed shall be deposited to the credit of the Abandoned Mine Drainage Fund.]

(D) (1) FUNDS RECEIVED FROM FORFEITURE ON BONDS SHALL BE DEPOSITED IN THE DEEP MINING FUND AND BE USED TO RECLAIM THE LAND AFFECTED BY THE OPERATION ON WHICH THE LIABILITY WAS CHARGED ON THE BOND AND TO PERFORM THE REQUIREMENTS OF THIS SUBTITLE, REGULATIONS ISSUED UNDER THIS SUBTITLE, AND PERMIT CONDITIONS THAT THE OPERATOR HAS FAILED TO PERFORM.

(2) FUNDS RECEIVED ON A FORFEITURE IN EXCESS OF THE AMOUNT REQUIRED TO RECLAIM THE LAND AFFECTED AND TO PERFORM THE REQUIREMENTS THAT THE OPERATOR HAS FAILED TO PERFORM MAY BE USED TO RECLAIM ANY OTHER LAND AFFECTED BY DEEP MINING.

7-5A-13.

[(c) The Secretary shall conduct at least annual reclamation inspections of the completed or abandoned mine site to determine the adequacy of reclamation work, especially with respect to the effectiveness of mine opening seals and lack of severe subsidence. If an inspection reveals inadequate reclamation, the operator shall be notified in writing and given an opportunity to correct the situation.]

[(d) No later than five years from the filing day of the completion report, the Secretary shall refund or forfeit bond in accordance with this subtitle.]

SECTION 2. AND BE IT FURTHER ENACTED, That the existing regulations in COMAR 08.13.02 shall remain in effect under § 7-5A-05.1 of the Natural Resources Article until any changes are proposed and adopted by the Secretary of Natural Resources under § 7-5A-03 of the Natural Resources Article.

SECTION -2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.