(b) (1) Upon approval of the backfilling and planting report required by subsection (a) of this section, the Department shall release that portion of the liability on the bond representing the open-acre amount determined under § 7-506(b)(2)(ii) of this subtitle in accordance with provisions set forth in § 7-506(h) of this subtitle.

(2) (I) 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] THE period [of 5 full years after the approval] SPECIFIED IN SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH unless liability is extended by the Department to insure compliance with the requirements of this subtitle, rules and regulations or permit conditions.

(II) ON LAND ELIGIBLE FOR REMINING, THE PERIOD OF OPERATOR RESPONSIBILITY IS 2 FULL YEARS AFTER THE APPROVAL OF THE REPORT. THE AUTHORITY FOR THIS SUBPARAGRAPH SHALL TERMINATE ON SEPTEMBER 30, 2004 OR ON ANY LATER DATE AUTHORIZED UNDER THE FEDERAL SURFACE MINING CONTROL AND RECLAMATION ACT.

(III) FOR ANY REPORTED AREA OTHER THAN LAND ELIGIBLE FOR REMINING, THE PERIOD OF OPERATOR RESPONSIBILITY IS 5 FULL YEARS AFTER THE APPROVAL OF THE REPORT.

(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 paragraph (2) of this subsection; provided, however, that no bond shall be fully released until all reclamation requirements of this subtitle are fully met.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved May 18, 1995.