

Section 15-514

Annotated Code of Maryland

(1993 Replacement Volume and 1995 Supplement)

BY adding to

Article - Environment

Section 15-514.1

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(1993 Replacement Volume and 1995 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Environment

15-101.

(d) "Director" or "Director of the Bureau" means Director of the Bureau of Mines.

15-501.

(o) "Operator" means any person, partnership, limited liability company, or corporation that removes or intends to remove more than 250 tons of coal from the earth by surface coal mining within 12 consecutive calendar months in any one location.

(t) "Permit" means a permit to conduct open-pit mining pursuant to this subtitle.

15-514.

(a) (1) If the Director determines that an operator has failed to comply with any provision of this subtitle, or any rule, regulation, or permit issued under this subtitle, or that the operator has not produced coal or removed overburden on the permit site for a period of 6 months, the Director may issue an order requiring the operator to show cause why the permit should not be revoked and give the operator 30 days in which to request a contested case hearing.

(2) (i) If a hearing is requested, the Director shall inform the permittee and all interested parties of the time and place of the hearing.

(ii) Any hearing held under this section shall be held in accordance with Title 10, Subtitle 2 of the State Government Article.

(3) If the operator fails to show cause why the permit should not be revoked, the Director shall revoke the permit and forfeit the bond posted by the operator in accordance with § 15-507 of this subtitle.

~~(4) IF THE DIRECTOR REVOKES A PERMIT UNDER THIS SUBSECTION, THE DIRECTOR MAY TRANSFER THE PERMIT TO ANOTHER OPERATOR.~~

(4) IF THE DIRECTOR REVOKES A PERMIT AND FORFEITS THE BOND UNDER THIS SUBSECTION, THE OPERATOR OF THE PERMIT FORFEITS: