

DRAFTER'S NOTE:

Error: Stylistic errors in § 7-6A-03 of the Natural Resources Article.

Occurred: Ch. 581, Acts of 1975.

7-6A-07.

(d) (1) Except as waived by the provisions of paragraph (3) of this subsection, the application shall be accompanied by an agreement, in a form specified by the Department, signed by the applicant and the landowner, if he is a different person from the applicant, stating that:

(ii) If a bond forfeiture is ordered, the Department[, its representatives,] AND ITS REPRESENTATIVES and contractors may enter the land and take actions necessary to carry out reclamation which the operator has failed to complete; and

(i) In addition, before a surface mining permit is issued [every] THE applicant shall pay a special reclamation fee of \$30 for each acre of land affected. The payment shall be based on the same number of acres as that for which bond is required.

(k) Any person who violates the provisions of this section or who knowingly or intentionally has filed false information in the application for a permit, or who has not fully complied with all provisions and requirements of the permit, is guilty of a misdemeanor, and, on conviction, is subject to a fine [that is sufficient to cover the cost of reclaiming the land affected or not more than \$25,000] OF NOT MORE THAN \$25,000 OR AN AMOUNT SUFFICIENT TO COVER THE COST OF RECLAIMING THE LAND AFFECTED, WHICHEVER IS LESS. The fine shall be paid into the Surface Mined Land Reclamation Fund.

DRAFTER'S NOTE:

Error: In § 7-6A-07 of the Natural Resources Article, extraneous comma in (d)(1)(ii), incorrect word usage in (i), and ambiguous language in (k).

Occurred: Ch. 581, Acts of 1975.

7-6A-09.

(d) If the Department denies an application for a permit, it shall notify the applicant in writing, stating the reasons for its [denial and] DENIAL, any modifications in the application which would make it acceptable, AND THE APPLICANT'S RIGHT TO A HEARING. The applicant may modify [his] THE application or [file an appeal as provided in Title 1] REQUEST A HEARING. [The appeal shall be taken] THE REQUEST FOR A HEARING SHALL BE RECEIVED BY THE DEPARTMENT within 60 days after notice of disapproval has been mailed to the applicant at the address shown on [his] application.