40-10-3 (18) Surface Mining Operations means:

(a) Activities conducted on the surface lands in connection with ... surface operations and surface impacts incident to an underground mine...

(b) The areas upon which the activities occur or where the activities disturb the natural land surface. This areas shall also include any adjacent land, the use of which is incidental to the activities, all lands affected by the construction of new roads or the improvement or use of existing roads to gain access to the site of the activities ....

40-10-5: Activities Exempted (N/A).

40-10-9: Permit required for surface coal mining operations.

*violation. (1) No person shall engage in surf mine operations w/o a permit.

40-10-15: Bond received after permit appv'l.

40-10-17: Performance Stnds.

40-10-20:

(1) Civil penalty not > $5,000/viol.

(2) Public hearing.

(8) Failure to correct violtn $750.00

40-10-22 (c)

Inspection shows violation of SIP or air order ~~not~~

- violation not abated:

→ immediate order of cessation of operations.

(e) expires w/i 30 days

* 40-10-20 (1)

.... if a violation leads to a cessation order under 40-10-22, a civil penalty <u>shall</u> be assessed.