

**27—50.40(207) Eligible lands and water.**

**50.40(1)** Coal mined lands and associated waters are eligible for reclamation activities if:

- a.* They were mined or affected by mining processes;
- b.* They were mined prior to August 3, 1977, and left or abandoned in either an unreclaimed or inadequately reclaimed condition; and
- c.* There is no continuing responsibility for reclamation by the operator, permittee or agent of the permittee under statutes of the state or federal government, or the state as a result of bond forfeiture. Bond forfeiture will render lands or water ineligible only if the amount forfeited is sufficient to pay the total cost of the necessary reclamation.

**50.40(2)** Lands and water which were mined or affected by mining for minerals and materials other than coal shall be eligible for reclamation activities if:

- a.* The conditions of subrule 50.40(1) have been met;
- b.* The reclamation has been requested by the governor;
- c.* All reclamation with respect to abandoned coal mined land and water has been accomplished within the state or the reclamation is necessary for the protection of the public health and safety.