

**15A NCAC 05H .1406 INSPECTION AND APPROVAL OF RECLAMATION FOR BOND RELEASE
OR FORFEITURE**

- (a) The permittee shall proceed with reclamation as scheduled in the approved Reclamation Plan pursuant to Rule .2102 of this Subchapter.
- (b) The permittee shall notify the Department in writing that it has completed reclamation of an area of disturbed land in accordance with Rule .2103 of this Subchapter.
- (c) After receipt of the notice as required by Paragraph (b) of this Rule, the Department shall conduct an inspection to determine whether the permittee has complied with the Reclamation Plan in accordance with Rule .2102 of this Subchapter and the reclamation conditions of the Oil or Gas Well Permit.
- (1) If the Department determines from its inspection of the area in accordance with this Rule that reclamation has been properly completed, it shall notify the permittee in writing.
 - (2) If the Department determines from its inspection of the area that reclamation is deficient based on Rule .2102 of this Subchapter, then the Department shall notify the permittee in writing of all such deficiencies. The permittee shall commence action within 30 days to rectify these deficiencies and shall take corrective actions until the deficiencies have been corrected. The Department shall conduct follow-up site inspections in accordance with this Subparagraph and Rule .0203 of this Subchapter to ensure the permittee has taken the corrective actions.
- (d) The Department shall initiate enforcement actions if it finds any of the following conditions in accordance with Rule .0901 of this Subchapter:
- (1) the reclamation of the disturbed land within the permitted area is not proceeding in accordance with the Rule .2103 of this Subchapter or the Reclamation Plan;
 - (2) the permittee has failed within 30 days after notice to commence corrective action; or
 - (3) the final reclamation has not been properly completed in conformance with the Reclamation Plan and G.S. 113-421(a3).

*History Note: Authority G.S. 113-391(a)(5); 113-391(b); 113-410; 113-421(a3);
Eff. March 17, 2015.*