

"Spoil pile" shall mean the overburden and reject coal as it is piled or deposited in open pit mining.

"Area of land affected" shall mean the area of land from which the overburden is removed.

648C. Before any operator shall hereafter engage in open pit mining of bituminous coal within the State, he shall register with the Bureau of Mines of this State by filing a certificate, on a form to be provided by the Bureau, and giving information sufficient to identify the operator, and an estimate of the number of acres of land that the operator will affect by open pit mining during one year immediately following the date of filing. Contemporaneously with and as a part of said registration, the operator shall file with the Bureau of Mines a bond on a form to be prescribed and furnished by the Bureau, payable to the State and conditioned that the operator shall faithfully perform all of the requirements of this sub-title. The bond shall be in the amount of ~~Three Hundred Dollars (\$300.00) per acre based upon the number of acres of coal which the operator estimates that will be stripped by open pit mining during one year immediately thereafter, provided, that no bond shall be for less than Five Thousand Dollars (\$5,000.00).~~ **TWO HUNDRED AND FIFTY DOLLARS (\$250.00) ONE HUNDRED DOLLARS (\$100.00) PER ACRE BASED UPON THE NUMBER OF ACRES OF COAL WHICH THE OPERATOR ESTIMATES WILL BE STRIPPED BY OPEN PIT MINING, NOT TO EXCEED FOUR ACRES AT EACH OPERATION UNDER ONE PERMIT TO BE ISSUED FOR EACH SUCH OPERATION BY THE DIRECTOR, PROVIDED, THAT NO BOND SHALL BE FOR LESS THAN ONE THOUSAND DOLLARS (\$1,000.00) FOUR HUNDRED DOLLARS (\$400.00).** DURING THE STRIPPING OPERATION UNDER SUCH PERMIT, THE DIRECTOR OF THE BUREAU OF MINES MAY REQUIRE AN ADDITIONAL BOND IF, IN HIS DETERMINATION, THE ORIGINAL BOND IS NOT SUFFICIENT, OR HE MAY REQUIRE THE OPERATOR TO BACK FILL BEFORE STRIPPING ANY FURTHER AREA UNDER THE PERMIT, AND FOR FAILURE OF THE OPERATOR TO COMPLY, THE DIRECTOR MAY STOP THE FURTHER OPERATIONS UNDER THE PERMIT GRANTED; HOWEVER, THE ORIGINAL OR ANY ADDITIONAL BOND REQUIRED OF THE OPERATOR MAY BE RELEASED DURING SUCH OPERATION TO THE EXTENT THAT THE TERMS OF THE BOND HAVE BEEN COMPLIED WITH CONCERNING ANY ACRE OR ACRES. THE DIRECTOR OF THE BUREAU OF MINES SHALL REFUSE A PERMIT FOR ANY OPERATION IF, IN HIS DETERMINATION, THE PROVISIONS OF THIS SUB-HEADING CANNOT BE FULLY COMPLIED WITH. *Liability under such bond shall be for the duration of open pit mining at each operation, and for a period of ~~ten years~~ ONE YEAR thereafter, unless released prior thereto in a manner elsewhere provided by this sub-title. Such bond shall be signed by the operator and a corporate surety licensed to do business in the State: Provided, however, that the operator may elect to deposit cash or United States Government securities with the department in lieu of the surety bond hereinafter required. The cash deposit or par value of such securities shall be equal to the sum required for a bond and shall be upon the same terms and conditions. The Director of the Bureau of Mines, hereinafter called the "Director", shall, upon receipt*