

annual report shall be furnished to the Bureau not later than the twenty-fifth day of January each year for the preceding year.

(b) Any mine inspector directed by the Bureau of Mines may enter upon and inspect all open pit operations for the purpose of determining conditions of safety and for compliance with the provisions of this subheading and all rules and regulations promulgated pursuant thereto. If an operator fails to comply with the requirements of this subheading, or any rules or regulations promulgated pursuant thereto, the mine inspector shall report the matter to the Director, who shall immediately notify the operator by registered mail of such failure and requiring compliance within a specified time. Unless the operator complies with the subheading and such rules and regulations within the time specified, the Director, after hearing and final determination, may cancel the permit on this operation and/or suspend the open pit mining operator's license, and may issue a cease and desist order requiring the operator immediately to cease open pit mining within this State until it is determined by the Director that the operator is in full compliance. A mine inspector may order the immediate stopping of any operation that is started by an unlicensed operator or without the operator thereof having first obtained a permit as required by this subheading.

(c) If an operator continues to operate beyond one year, the ~~mine inspector~~ DIRECTOR shall be furnished with a new map at the end of each year of operation, on which is outlined the area affected and progress of reclamation during the preceding year.

#### 665. Backfilling and Planting.

(a) Each operator shall comply with the requirements of this section.

(b) He shall regrade in a manner to be established by rules and regulations of the Director, in accordance with, but not limited to, the following:

(1) If spoil banks have been created, grade the surface of the spoil banks so as to reduce the depressions between the peaks of the spoil to a surface which restores the terrain to as near normal as is satisfactory to the Bureau. The grading shall be done in such a way as will minimize erosion due to rainfall and will also eliminate steep grades between peaks and make the surface more suitable for tree cutting or logging operations or cattle grazing or other suitable uses. The grading shall be done in a manner which will minimize, as far as practicable, the presence of large rocks, or materials which would be toxic to plant life, on the surface of the graded area.

(2) If the overburden deposits are composed of materials which are suitable for the support of tree growth, or the growth of grasses or other reclamation vegetation, or if such material can be expected to become suitable by natural leaching and weathering processes, the overburden material shall be graded so as to cover the final pit. The operator shall exercise measures required so as not to lose or make unavailable overburden material for the grading required by paragraphs (1) and (2).

(c) If the outside spoil deposit is made on a steep hillside, rocks that have rolled down into a cleared valley shall be placed back at the toe of the hillside or deposited at some equally suitable location.