

(c) *If within two years after the completion of the strip mining operation deep mining has not been initiated at the proposed locations, reclamation shall be completed in accordance with this sub-heading.*

**667. Planting Required.**

*Within one year after the operation has been backfilled in compliance with the proposal earlier submitted, the operator shall plant trees, shrubs, or grasses of a variety approved by the State Forester upon the land affected by open pit mining, but the operator may be relieved from the obligation to plant trees, shrubs, or grasses required by this section if the State Forester finds that the planting is not reasonable, practicable, or likely to succeed, or if the State Forester upon application by the landowner approves the use of the land for a purpose other than the growing of trees, shrubs, or grasses, or if the operator, in lieu of planting trees, shrubs, or grasses, pays to the Director of Bureau of Mines fifty dollars (\$50.00) per acre of land affected by open pit mining. Funds received by the Director in lieu of the planting shall be paid by him into the Bituminous Coal Open Pit Mining Reclamation Fund and used by him as hereinafter prescribed for the use of funds derived from the forfeiture of bonds. When deemed necessary, the Director may extend the period of time provided in this subheading. The planting shall be done in accordance with a plan or procedure prescribed by the State Forester. The trees, shrubs, or grasses shall become the property of the landowner, unless the operator and the landowner agree otherwise. The operator shall plant only seeds, plants, or seedlings secured from a source approved by the State Forester.*

**668. Planting Report.**

*Within one week after planting is completed the operator shall file a planting report with the Director of Bureau of Mines, on a form to be prescribed and furnished by the Director giving the following information: (1) identification of the operation; (2) the type of planting; (3) the date of planting; (4) the area of land planted; and (5) such other relevant information as the Director may require. The Director of the Bureau of Mines shall submit this report to the State Forester, who shall inspect the premises, either in person or by his duly authorized representative, within one month after the planting report is filed. If the State Forester finds that the planting has been done in a workmanlike manner and that the area reported has been planted in accordance with the prescribed plan or procedure, or if the operator has been relieved from the obligation to plant trees, shrubs, or grasses as hereinabove provided, he shall so notify the Director of Bureau of Mines, who shall release the bond and collateral in proportion to the area planted or relieved from planting. Upon such release the State Treasurer shall immediately return to the operator the amount of cash or securities specified therein.*

**669. Disapproval of Planting.**

*If, upon inspection, the State Forester does not approve the planting he shall notify the Bureau and the operator in writing, setting forth the reasons therefor. The operator shall then take such steps as are required to remove the objections.*