

27—60.80 (208) Reclamation.

60.80(1) *Schedule.* The operator, upon filing a mine report indicating the conclusion of all mining activities, will have a period of three years to complete all reclamation activities.

60.80(2) *Requirements.* The operator shall grade all remaining affected lands, except stockpiles, processing areas, pit floors, and highwalls, to allowable slopes within six months following the filing of the final report. Stockpiles and processing areas shall be graded or the material exported from the site within one year following the final report.

60.80(3) *Extension of time.* The operator shall be allowed a three-month extension of time on subrule 60.80(2) provided a written request is filed at least 30 days (or 20 working days) prior to the original deadline. Only one extension will be allowed the operator per release request.

60.80(4) *Grading.* All lands affected by the mining process, with the exception of pit floors, highwalls and water impoundments, shall be graded to slopes having a maximum one-foot vertical rise for every four feet horizontal distance or graded to blend with the surrounding terrain.

60.80(5) *Waste disposal.* In grading the site all mining-related waste products and machinery incompatible with the care and growth of vegetation shall be removed from the site and disposed of in a manner consistent and acceptable with state law. Materials acceptable for on-site disposal, such as concrete and clay products free of reinforcing shall be buried a minimum of three feet below final grade.

Boulders and stones incompatible with the proposed postmining use of the site shall be buried or removed from the site.

60.80(6) *Vegetation.* Seeding of an area with grasses and legumes shall be accomplished within three months following the conclusion of all earthwork, weather permitting. Erosion control methods shall be used where necessary to prevent rill and gully formation. The operator shall be responsible for attaining a ground cover of acceptable species of grass, legume, shrub, tree or crop.

The vegetation shall be allowed at least one growing season to become established prior to the filing of a release request by the operator.

If necessary, additional seedings shall be performed to establish a viable vegetative cover.

60.80(7) *Failure to comply.* Failure to adhere to the reclamation schedule may be grounds for an administrative order, revocation of the operator's license to mine, or initiation of bond forfeiture proceedings.

60.80(8) *Variance.* The division may grant a variance from rule 27—60.80(208) provided the operator submits a complete application that meets the requirements of rule 27—60.85(208). Examples of variances would include wetland areas, building sites, or use of overburden materials for protective berms and screens.