

reclamation and enforcement officials in mining and reclamation practices and techniques;

(B) provision for the making of such reports to the Secretary as he may require; and

(C) authorization by State law and that it will be put into effect not later than sixty days after its approval by the Secretary.

(b) After approval of a plan, the Secretary, on the basis of such inspections, investigations, or examinations as he deems appropriate and reports submitted by the State, shall make a continuing evaluation of the effectiveness of the approved plan and the enforcement thereof. Whenever he determines, after notice to the State agency referred to in subsection (d) of section 5, and opportunity for a hearing:

(1) that the State, in administering the plan, has failed to comply substantially with it or to enforce it adequately, he shall notify the State thereof and if within a reasonable time the State has not taken adequate measures, in his judgment, to correct the situation, he may withdraw his approval of the plan and issue regulations for such State under section 8 of this Act; and

(2) that a revision of an approved plan is appropriate to effectuate the purposes of this Act, he shall notify the State thereof, and if within a reasonable time the State has not revised said plan and obtained the approval of the Secretary thereon, he may withdraw his approval of the plan and issue regulations for such State under section 8 of this Act.

FEDERAL REGULATION OF SURFACE MINES

SEC. 8. (a) If, at the expiration of two years after the effective date of this Act, a State fails to submit a State plan, or a State has submitted a plan which has been disapproved and has within such period failed to submit a revised plan for approval, the Secretary, in consultation with an advisory committee appointed pursuant to this Act, shall issue promptly regulations for the operation of surface mines and for the reclamation of surface mined areas in such State: *Provided*, That if the Secretary has reason to believe that a State will submit an acceptable plan within one additional year after the expiration of the two-year period, he may delay the issuance of Federal regulations for such one-year period of time. If a State has within two years after the effective date of this Act submitted a plan for approval and the two-year period provided in the first sentence of this section has expired before the Secretary has approved or disapproved the plan, the Secretary shall delay the issuance of Federal regulations pending the approval or disapproval of the plan. The Federal regulations issued by the Secretary for a particular State shall be consistent with the principles set forth in subsection (a) (1) of section 7 of this Act.

(b) The Secretary shall publish in the Federal Register the regulations which he proposes to issue for a particular State. Interested persons shall be afforded a period of not less than sixty days after the publication of such regulations within which to submit written data, views, or arguments. Except as provided in subsection (c) of this section, the Secretary may, after the expiration of such period and after consideration of all relevant matter presented, issue the regulations with such modifications, if any, as he deems appropriate.

(c) On or before the last day of a period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by the regulations which the Secretary proposes to issue may file with the Secretary written objections thereto stating the grounds therefor and requesting a public hearing on such objections. The Secretary shall not issue regulations respecting which such objections have been filed until he has taken final action upon them as provided in subsection (d) of this section. As soon as practicable after the period of filing such objections has expired the Secretary shall publish in the Federal Register a notice specifying the provisions of the regulations to which such objections have been filed.

(d) If such objections requesting a public hearing are filed, the Secretary, after notice, shall hold a public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. At the hearing any interested person may be heard. As soon as practicable after the completion of the hearing, the Secretary shall act upon such objections and make public his decision.