

(8) Reclamation work shall be required to be integrated into the mining cycle, and appropriate time limits shall be established for the completion of reclamation.

(9) Periodic reports by the operator on the progress, methods, and results of reclamation efforts shall be required.

(10) Provision shall be made for the reporting and evaluation by the Secretary of environmental changes in active and dormant coal mining areas in order to provide data upon which the effectiveness of the reclamation requirements and their enforcement may be evaluated.

SEC. 102. (a). The Secretary, after consultation with the national advisory committee established pursuant to section 5(a) of this Act, shall publish in the Federal Register standards, rules and regulations which he proposes to promulgate pursuant to section 101. Interested persons shall be afforded a period of not less than thirty days after the publication of such standards within which to submit written data, views, or arguments. Except as provided in subsection (b) of this section, the Secretary may, after the expiration of such period and after consideration of all relevant matter presented, promulgate such standards.

(b) 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 any standard, rule or regulation which the Secretary proposes to adopt may file with the Secretary written objections thereto stating the grounds therefor, and requesting a public hearing (subject to the provisions of the Administrative Procedure Act) on such objections. The Secretary shall not adopt any proposed rule or regulation respecting which such objections have been filed until he has taken final action upon them as provided in subsection (c) 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 proposed standards, reclamation requirements, and regulations to which such objections have been filed.

(c) If such objections requesting a public hearing are filed, as soon after the expiration of the period for filing such objections as practicable, the Secretary, after due 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 his decision public. Such decisions shall be based only on substantial evidence of record at the hearing and shall set forth detailed findings of fact on which the decision is based.

(d) Any person aggrieved by a decision of the Secretary under subsection (c) of this section may obtain a review of such decision by the United States District Court of Appeals for the District of Columbia by filing in such court, within twenty days following the issuance of such decision, a petition asking that the decision of the Secretary be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the Secretary, and thereupon the Secretary shall certify and file in the court the record upon which the decision complained of was issued. The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1245 of title 28, United States Code. The commencement of a proceeding under subsection (d) of this section shall not, unless specifically ordered by the court, operate as a stay of the Secretary's decision.

(e) Following adoption of rules and regulations by the Secretary pursuant to the provisions of this section any person or operator who willfully fails or refuses to comply with such regulations shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine of not less than \$5,000 nor more than \$10,000, or undergo imprisonment not exceeding six months, or both. Such fine shall be payable to the Secretary, who shall credit it to the reclamation fund established under title VI of this Act.

SEC. 103. (a) Any State which, at any time, desires to secure the benefits of the financial assistance provided in titles II and III of this Act, and to