

**350.095 Responsibility for successful revegetation -- Cabinet administrative regulations.**

- (1) The permittee shall assume responsibility for successful revegetation as required in KRS 350.435 for a period of five (5) full years after the last year in which augmented seeding, fertilizing, irrigation, or other work occurs. The cabinet shall promulgate administrative regulations which shall include provisions to assure compliance with KRS 350.435, 350.093, and other applicable provisions. The cabinet may by administrative regulation set forth different requirements when it approves a long-term, intensive, agricultural postmining land use as part of the mining and reclamation plan.
- (2) On lands eligible for remining, the permittee shall assume the responsibility for successful revegetation for a period of two (2) full years after the last year in which augmented seeding, fertilizing, irrigation, or other work occurs in order to assure compliance with the applicable standards. After September 30, 2004, the period of authority of this subsection shall be coincident with the period of authority of sec. 515(b)(20)(B) of Pub. L. No. 95-87, the "Surface Mining Control and Reclamation Act of 1977," as amended, 30 U.S.C. sec. 1265(b)(20)(B).

**Effective:** March 18, 2005

**History:** Amended 2005 Ky. Acts ch. 114, sec. 2, effective March 18, 2005. -- Amended 1994 Ky. Acts ch. 172, sec. 3, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 429, sec. 12, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 62, sec. 11. -- Amended 1978 Ky. Acts ch. 330, sec. 19, effective May 3, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(7). -- Amended 1972 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 70. -- Created 1966 Ky. Acts ch. 4, sec. 9