ILLINOIS DEPARTMENT OF MINES AND MINERALS
Richard R. Shockley
Director

LAND RECLAMATION DIVISION
300 WEST JEFFERSON STREET - SUITE 300
P.O. BOX 10197
SPRINGFIELD, ILLINOIS 62791-0197
TELEPHONE: (217) 782-4970

LAND RECLAMATION DIVISION MEMORANDUM NO. 89-9

TO: All Coal Mine Operators

FROM: Paul J. Ehret, Supervisor
Land Reclamation Division

DATE: July 5, 1989

RE: Permanent Program Bond Release Requests

The Division has prepared the enclosed "Bond Release Guidelines" to assist permittees in meeting requirements when applying for bond release under the permament regulatory program effective February 1, 1983. The guidelines reflect all regulations adopted to and including those approved in the Federal Register of October 25, 1988.

Most problems encountered to date in requests for bond release have involved the required newspaper notice of the release request. The Department has prepared the enclosed "Newspaper Notice Guide" to help minimize time delays and added expense which result from publishing incomplete or incorrect notices.

Time frames are very important in permanent program bond release processing. The Department deems an application for bond release as having been filed when all required copies have been received at the Springfield Office. The applicant must also submit the certificate of publication for the bond release within 30 days of filing. This results in a very tight schedule for submission of all copies of the release request and receiving the certificate of publication. It is very desirable for the applicant to time submittals such that copies of the bond release application for distribution to the county and interagency committee arrive in Springfield at the same time or shortly after the first day of publishing the newspaper notice. By following this procedure, there is time to obtain the certificate of publication after 4 notices and submit it to the Department within the 30 day period.

If you have any questions regarding the enclosed "Guidelines" please contact Mr. Don Pflederer at our Springfield Office.

ILLINOIS DEPARTMENT OF MINES AND MINERALS
LAND RECLAMATION DIVISION
PERMANENT PROGRAM BOND RELEASE GUIDELINES
DATED: JUNE 15, 1989

INSTRUCTIONS

Submit one copy (3 copies of any maps) of the information requested below to the Assistant Permit Coordinator in Springfield for routing to the reclamation specialist. The Department will inform the operator in writing if the application is deemed complete (Completeness Letter) or if additional information is needed. If complete, the Department will inform the operator to proceed with mailing letters * and advertisement per 62 Ill. Adm. Code 1800.40(a)(2) and indicate the number of additional copies needed.

PLEASE DO NOT INITIATE THESE ACTIONS UNTIL YOU RECEIVE WRITTEN NOTIFICATION FROM THE DEPARTMENT THAT THE APPLICATION IS COMPLETE. **

* The Department will furnish a list of agencies and addresses required to be notified by permittee, if permittee requests assistance.

** The Department is not mandated to require "completeness review". However, permittees may proceed without completeness review at their own risk. Incomplete and inaccurate bond release applications will be subject to rejection and must be re-filed, republished and appropriate parties re-notified.

INFORMATION REQUIRED FROM PERMITTEE

1. Submit a copy of each letter to be sent by permittee to adjoining property owners, surface owners, local government agencies (e.g., county board, mayor of nearest town, sewage treatment, water company, if applicable), etc. Distinguish between surface owners and adjoining property owners. A sample letter and list of all recipients is satisfactory. (Pursuant to Rule 1800.40(a)(2)). *

2. Provide a copy of the newspaper advertisement to be run pursuant to 1800.40(a)(2). Also, state in which newspaper the advertisement will appear and the anticipated date of first publication. This legal notice shall be published at least once a week for four (4) consecutive weeks. A copy of the public notice shall be submitted to the Department within 30 days of filing of the application (Section 6.08(a) of the Act.).

3. Submit three (3) copies of map(s) which clearly delineate the area for which bond release is requested. The Department will mail you a completeness letter requesting more copies of the entire bond release request package after review for completeness. The date the Department receives these additional copies at the Department's Springfield office is the official filing date of the release request. These added copies are

distributed to the county clerk(s), the interagency committee and OSM by the Department.

4. If the release is for Phase III (if for an increment of the permit area the increment has been previously approved by the Department), a detailed narrative must be provided which explains that the final released area will be capable of supporting the proposed post-mining land use independent of the successful completion of reclamation on areas still under bond or yet undisturbed, pursuant to 1800.40(c)(3). Locate and give acreage of all land capability classes for which a Phase III release is being requested. Show acreage of each parcel.

5. For a Phase II release, attach all necessary documentation required to establish compliance with 62 Ill. Adm. Code 1816.116, 1816.117, 1817.116, 1817.117, 1823.15, and 1825.11, where applicable. Locate and give acreage of all land capability classes for which a Phase II release is being requested. Show acreage of each parcel.

6. For Phase I, locate and give the acreages of the different land capability classes. Identify the acreage of each parcel.

? not in reg.

7. Provide the current name, address and phone number of each surface owner (of release request area), if different from that in the original application. (1800.40(a)(2)).

8. Provide the current name, address and phone number of each lessee of the release request area. (1800.40(a)(2)).

9. Attach copy of completed "Application For Release Of Performance Bond SCMLR6" (form will be furnished by the Department upon request, a copy is attached to these instructions).

NEWSPAPER NOTICE GUIDE
(Newspaper notice must contain the following information at a minimum.)

Notice of Completed Reclamation and Request for Bond Release

Company	Mine
Permit Number	Date of Issuance
Renewal Number	Date of Issuance
(if permit was renewed)	

1. Indicate permit year(s) in which bond release request area was affected by mining operations, including increment number, if applicable.

2. Show precise location and acreage by Section, Township, Range, and County. List legal location or include map.

3. Type and amount of bond under this permit (in dollars or percentage of total held) being requested for release, by increment or tract.

4. Describe reclamation work performed, by increment or tract (release request area.

a) State calendar year of completion of : final grading, planting, etc. - (see your SCML4 reports for this information).

b) List types of reclamation for each Phase of release requested in each increment or tract (release request area), i.e., capability (prime farmland, high capability, non-cropland capability) and land use (cropland, pasture, wildlife, forest, etc.).

5. By reclamation phase (62 Ill. Adm. Code 1800.40(c)), describe reclamation results achieved, relating to compliance with the Act, regulations and permit (eg., soil replacement, vegetation results).

6. Include a statement saying: "Written objections to the proposed bond release and requests for a public hearing, pursuant to 62 Ill. Adm. Code 1800.40(e), may be filed with the Department by any person with a valid legal interest which might be adversely affected by release of the bond, or the responsible officer or head of any Federal, State, or local governmental agency which has jurisdiction by law or special expertise with respect to any environmental, social, or economic impact involved in the operation or which is authorized to develop and enforce environmental standards with respect to such operations. The objections and requests for hearing, if any, shall be filed within thirty (30) days following the last advertisement of this notice. Objections and requests for hearing may be sent to Illinois Department of Mines and Minerals, 300 West Jefferson Street, Suite 300, P. O. Box 10197, Springfield, Illinois 62791-0197."

SCMLR-6

Department of Mines and Minerals
Division of Land Reclamation
300 West Jefferson Street, Suite 300, P. O. Box 10197
Springfield, Illinois 62791-0197

APPLICATION FOR RELEASE OF PERFORMANCE BOND

_____ HEREBY MAKES application for RELEASE
(permittee)

OF PERFORMANCE BOND pursuant to 62 Ill. Adm. Code 1800.40 at

_____ for the areas shown on the attached maps.
(mine)

The application is for Permit #_____ and includes lands affected by mining activity during fiscal year(s) _____ to _____.

This application requests release of:

_____ acres of Phase I Reclamation

_____ acres of Phase II Reclamation

_____ acres of Phase III Reclamation

Increment #_____ (if applicable)

I _____, hereby affirm that all information provided in
(name of official)

this application is true and correct to the best of my knowledge.

_____
Signature of Official

Subscribed and sworn before me this _____ day of _____, 19___.

My commission expires _____.

_____
Notary Public

NOTICE - This state agency is requesting disclosure of information that is necessary to accomplish this statutory purpose as outlined under Ill. Rev. Stat., Ch. 96 1/2, par. 4501 et seq. Disclosure of this information is voluntary; however, failure to comply may result in this form not being processed. This form has been approved by the Forms Management Center.