ILLINOIS DEPARTMENT OF MINES AND MINERALS

Ronald E. Morse
Director

PROTECTING OUR RESOURCES

LAND RECLAMATION DIVISION
300 WEST JEFFERSON STREET - SUITE 300
P.O. BOX 10197
SPRINGFIELD, ILLINOIS 62791-0197
TELEPHONE: (217) 782-4970
FAX: (217) 524-4819

LAND RECLAMATION DIVISION
MEMORANDUM NO. 93- 4

TO: All Coal Mine Operators

DATE: July 30, 1993

FROM: Fred Bowman, Supervisor
Land Reclamation Division

RE: Permanent Program Bond Release Requests

Enclosed you will find a revised Permanent Program Bond Release Application to be used when submitting bond releases for areas affected by mining after February 1, 1983.

To help expedite the review process please address each of these eight (8) points individually and in sequence. A revised "Newspaper Notice Guide" is also enclosed.

If you have any questions concerning the bond release application or guide please contact Mr. Donald Pflederer at our Springfield office.

ILLINOIS DEPARTMENT OF MINES AND MINERALS
LAND RECLAMATION DIVISION
PERMANENT PROGRAM BOND RELEASE APPLICATION

INSTRUCTIONS

Submit three (3) copies of the information requested below to the Assistant Permit Coordinator in Springfield for routing to the Reclamation Specialist and OSM. The Department will inform the operator in writing if the application is deemed complete or if additional information is needed. If complete, the Department will inform the operator to proceed with mailing letters and publishing the required advertisement per 62 Ill. Adm. Code 1800.40(a)(2) and indicate the number of additional copies needed. The date the Department receives these additional copies is the official filing date of the release request. The additional copy(ies) are distributed to the county clerk(s) by the Department.

PLEASE DO NOT MAIL THE NOTIFICATION LETTERS OR PUBLISH THE ADVERTISEMENT UNTIL YOU RECEIVE WRITTEN NOTIFICATION FROM THE DEPARTMENT THAT THE APPLICATION IS COMPLETE.

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 disapproval and must be refiled, republished and appropriate parties renotified.

INFORMATION REQUIRED FROM PERMITTEE

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

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

2. Provide the name and address of all surface owners and lessees. Indicate if these are different from those in the original application.

3. Provide a copy of the newspaper advertisement to be run pursuant to 1800.40(a)(2). (See the attached Newspaper Notice Guide.) Also, state in which newspaper the advertisement will appear. This legal notice shall be published at least once a week for four (4) consecutive weeks.

The first publication of the news ad shall take place in a newspaper of general circulation in the locality of the coal mining operation within five (5) calendar days, before or after filing the additional required copies of the application at the Department's Springfield office.

A certificate of publication shall be submitted within forty five (45) days of filing the additional required copies of the application at the Department's Springfield office.

4. Submit three (3) copies of the approved post mining land use map(s) of the same scale used in the original permit application which clearly delineate the bond release request area. The legend on the map(s) shall indicate the number of acres requested for release by phase.

   The location of NPDES discharge points which receive drainage from the proposed release area and groundwater monitoring wells within, or down gradient of the proposed release area shall be located on the map.

5. For a Phase I release locate the request area on the map required in No. 4 above and give the acreage of the different land capability classes for the areas requested.

6. For a Phase II release locate the request on the map required in No. 4 above and give acreage of all land use/capability classes for the areas requested. Identify the acreage of each separate parcel requested for release.

   For lands reclaimed to prime farmland standards attach copies of productivity testing yield results documenting compliance with 62 Ill. Adm. Code 1816.116 and 1823 pursuant to Section 1800.40(c)(2).

7. For a Phase III release locate the request area on the map required in No. 4 above and give acreage of all land use/capability classes for the areas requested.

   For lands reclaimed to capabilities other than prime farmland standards attach copies of productivity testing yield results, stand count results, or tree and shrub count results (which ever is appropriate depending on capability and land use) documenting compliance with 62 Ill. Adm. Code 1816.116, 1816.117, 1817.116, 1817.117 and 1825.11.

8. Attach completed Application For Release of Performance Bond Form SCML6.

NEWSPAPER NOTICE GUIDE

The newspaper notice must contain the following information at a minimum.

1. Company and mine name.

2. Permit number and the date of issuance.

3. A map of the release area or the location by section, township, range, and county. If a written description of the area is used, the description shall be broken down to the section.

4. The number of acres requested for release broken down by the phase of release requested.

5. Type and total amount of bond filed for this permit.

6. The percentage of the bond held on the release area, that is being requested for release. (60% for Phase I, 25% for Phase II and 15% for Phase III)

7. Describe reclamation work performed:

   a) State calendar year of completion and the reclamation work performed, i.e. final grading, root medium replacement and topsoil replacement, erosion control for Phase I, II & III; and the date of planting for Phase II & III. Planting dates should match those shown on previously submitted SCML4s.

   b) Describe the reclamation results achieved by indicating the capabilities (prime farmland, high capability, or limited capability) of the release area for a Phase I release and the land uses and capabilities for Phase II & III releases.

8. 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 St., Suite 300, P.O. Box 10197 Springfield, Illinois 62791-0197."

SCML-6

Illinois Department of Mines and Minerals
Division of Land Reclamation
300 West Jefferson Street, Suite 300, P.O. Box 10197
Springfield, Illinois 62791-0197
Telephone: (217) 782-4970
Fax: (217) 524-4819

APPLICATION FOR RELEASE OF PERFORMANCE BOND

_____ (permittee) HEREBY MAKES

application for RELEASE OF PERFORMANCE BOND pursuant to 62 Ill. Adm. Code 1800.40

at _____ (mine) for the areas shown on the attached map(s).

This application requests release of:

_____ acres of Phase I Reclamation

_____ acres of Phase II Reclamation

_____ acres of Phase III Reclamation

Increment No. _____ (if applicable)

I _____ (name of official), hereby affirm that

all information provided in this application is true and correct to the best of my knowledge.

_____
Signature of Official

NOTICE - This state agency is requesting disclosure of information that is necessary to accomplish this statutory purpose as outlined under Ill. Rev. Stat. ch. 96½, 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.