

**Illinois Department of Natural Resources
Office of Mines and Minerals
Land Reclamation Division**
One Natural Resources Way, Springfield, IL 62702

Telephone: (217) 782-4970
Email: DNR.Mmlrd@illinois.gov

APPLICATION FOR RELEASE OF PERFORMANCE BOND

_____ (permittee) HEREBY MAKES application for
RELEASE OF PERFORMANCE BOND, pursuant to Title 62 Illinois Administrative Code Section 1800.40,
at _____ Mine, Permit No. _____ for the areas shown on the attached map(s). This
application requests release of (acreage figures shall be given to the hundredth place):

_____ 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, and that all applicable reclamation
activities have been accomplished in accordance with the requirements of the State Act, the regulatory program
and the approved reclamation plan.

Signature of Official

Subscribed and sworn before me this ____ day of _____, 20____. My commission expires _____.

Signature of Official

NOTICE - This state agency is requesting disclosure of information that is necessary to accomplish this statutory purpose as outlined under 225 ILCS 720. 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.

**ILLINOIS DEPARTMENT OF NATURAL RESOURCES
OFFICE OF MINES AND MINERALS
LAND RECLAMATION DIVISION
PERMANENT PROGRAM BOND RELEASE APPLICATION**

INSTRUCTIONS

Submit an **electronic copy of the information requested below to the Department's Springfield office, Attention: Bond Unit Manager**. A CAD file of the release area map should be included with the electronic version of the application. The electronic version may be emailed to the DNR.Mmlrd@illinois.gov account or via a onedrive link that may be requested from the Department. Please note, **one (1) hard copy of the application map(s) are required** to be submitted for review and inspection purposes. Please contact the Department's Bond Unit Manager for information regarding where and to whom the hard copy map(s) should be mailed.

The Department will inform the permittee, in writing, if the application is deemed complete or if additional information is necessary. If complete, the Department will inform the operator to proceed with mailing letters, publishing the required advertisement per 62 Ill. Adm. Code 1800.40(a)(2), indicate the number of additional copies if required, and any additional instructions. The date the Department receives these additional copies is the official filing date of the release request.

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 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 re-notified.

INFORMATION REQUIRED FROM PERMITTEE

1. Pursuant to Section 1800.40(a)(2), 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 simple letter and list of all recipients and their addresses is satisfactory. Note - "adjoining" property owners are those whose parcel lines touch the area requested for bond release. If a requested area is bordered by a public road, then the property that touches the road or abuts the road right of way, immediately opposite the requested area, is also considered "adjoining". 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 submitted in the original application.
3. Provide a copy of the newspaper advertisement to be run that meets the requirements of Section 1800.40(a)(2). (See the attached Newspaper Notice Guide.) Also, identify in which newspaper the advertisement will appear. This legal notice shall be published at least once a week for four (4) consecutive weeks. All acreage figures used shall be given to the hundredth place.

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 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 a Surface Landowner and Adjoining Landowner Map that clearly identifies the land owner of each parcel that is in the request areas and each parcel that is adjoining the request areas.
5. Submit a copy of the currently approved post-mining land use map(s) of the same scale used in the original permit application, or the most currently approved post-mining land use change permitting action, 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. Soil capability must be depicted on the map by land use type. All acreage figures used shall be given to the hundredth place.

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

6. For a Phase I release, locate the request area on the map required in No. 4 above and list the acreage of the different land capability classes for the areas requested. Identify the acreage of each separate parcel requested for release. All acreage figures used shall be given to the hundredth place.

Pursuant to Section 1800.40(c)(1), for prime farmland and high capability land at surface mines, provide documentation of root medium and topsoil depth testing.

7. For a Phase II release, locate the request on the map required in No. 4 above and list the acreage of all land use/capability classes for the areas requested. Identify the acreage of each separate parcel requested for release. All acreage figures used shall be given to the hundredth place.

Pursuant to Section 1800.40(c)(2), for lands reclaimed to prime farmland standards, attach copies of productivity testing yield results documenting compliance with Section 1816/1817.116 and Part 1823. Where sediment ponds are to be left as a permanent impoundment, describe the provisions for sound future maintenance by the operator or landowner.

8. For a Phase III release, locate the request area on the map required in No. 4 above and list the acreage of all land use/capability classes for the areas requested. Provide a description of the status of any NPDES points or active groundwater monitoring wells located in a Phase III request area. Applicants should note that plugging information for inactive groundwater monitoring wells may be requested if the Department does not have this information on file. All acreage figures used shall be given to the hundredth place.

Pursuant to Section 1800.40(c)(3), for lands reclaimed to prime farmland, high capability cropland and pasture, and limited capability pasture requiring tonnage, attach copies of productivity testing yield results documenting compliance with Sections 1816/1817.116, 1823.15, and 1825.11.

For lands reclaimed to land uses and capabilities other than those described above, attach copies of vegetation ground cover results, tree and shrub count results, or other documentation proving compliance with Sections 1816/1817.116 and 1816/1817.117.

9. Provide an explanation for any information not provided as required above.
10. Attach a completed "Application for Release of Performance Bond Form SCML-6".

NEWSPAPER NOTICE GUIDE

Pursuant to 62 Ill. Adm. Code 1800.40(a)(1), the following information shall be supplied:

Notice of Completed Reclamation and Request for Bond Release

1. Include the company name, mine name, permit number, and date of issuance. Note – if the release request area includes one or more IBR sites, also include the date of issuance for each IBR involved.
2. Include the total number of acres approved, and the total number of acres currently remaining under bond. Note - if the release request area is restricted to ONLY one IBR site, only the acreage associated with that IBR site may be used. All acreage figures used shall be given to the hundredth place.
3. Indicate permit year(s) in which bond release request area was affected by mining operations, including increment number, if applicable.
4. Provide precise location by Section, Township, Range, and County, also provide either a legal description or a map.
5. List the total amount of bond currently held under this permit in dollars. List the acreages by phase requested for release and provide one of the following statements, as appropriate:
 - “An applicable portion of the existing bond is also being requested for release.” (*use for Phase requests that do NOT close out the permit*)
 - or
 - “The entire portion of the existing bond is also being requested for release.” (*use for Phase requests that close out the permit*)
6. List the appropriate acreage of each Phase requested and the type of reclamation work performed and list the year(s) in which reclamation was completed in accordance with the approved reclamation plan:
 - Phase I: completion of final grading, replacement of subsoil and topsoil, and establishment of drainage control,
 - Phase II: completion of vegetation establishment in accordance with the approved plan (e.g. establishment of permanent vegetation), assurance that no suspended solids are contributing to streamflow or runoff outside the permit area, and at least one (1) year of productivity has been achieved on prime farmlands, and/or
 - Phase III: successful completion of all surface coal mining reclamation activities in accordance with the approved plan, and expiration of all required vegetation liability.
7. Include the following statement: “Written comments or objections to the proposed bond release and requests for a public hearing, pursuant to 62 Ill. Adm. Code 1800.40(d), 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. All written comments, objections, and requests for public hearing shall be filed with the Illinois Department of Natural Resources, Office of Mines and Minerals, Land Reclamation Division, One Natural Resources Way, Springfield, Illinois 62702-1271 within thirty (30) days following the last advertisement of this notice.”