

Kentucky Department for Environmental Protection
Division of Waste Management
Solid Waste Branch
300 Sower Boulevard, Second Floor
Frankfort, KY 40601
(502) 564-6716

FOR OFFICIAL USE ONLY. DO NOT
WRITE IN THIS SPACE

Merchant Electric Generating Facility (MEGF) Surety Bond

1. Agency Interest Number			
2. Board Case No (if applicable):			
3. Issuer Information			
Surety Issuer Name:		Mailing Address:	
City:	State:	Zip Code:	
Agency Name:		Mailing Address:	
City:	State:	Zip Code:	
Agency Contact Person:		Title:	
Email Address:	Phone Number: () -	Cell Number (optional): () -	
Bond Amount:	Bond Number:	Issue Date: - -	
4. MEGF Construction Certificate Holder Information			
Company Name:		Mailing Address:	
City:	State:	Zip Code:	
Contact Person:		Title:	
Email Address:	Phone Number: () -	Cell Number: () -	
5. MEGF Information			
Facility Name:		Physical Address:	
City:	State:	Zip Code:	
6. Surety Bond			

Know all persons by these presents, that the undersigned, _____, as Surety for the MEGF, _____, is held and firmly bound unto the Energy and Environment Cabinet in the penal sum of _____ dollars (\$ _____) by the submission of this surety bond.

The penal sum is to assure the proper completion of the decommissioning plan in accordance with the Board construction certificate issued to the MEGF, for the site located at or near _____ (insert county, state), and all applicable laws, rules, and regulations.

Furthermore, it is understood that the obligation under this surety bond extends to environmental degradation occurring off the MEGF site but proximately resulting from the construction, operation, or closure of approved facility activity.

If the MEGF faithfully performs all the requirements of the above designated Board construction certificate issued pursuant thereto, the applicable laws, rules, and regulations, then this obligation shall be released; otherwise, it is agreed that the undersigned, _____, as Surety, shall pay said penal sum to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of a Demand Letter.

This surety bond is subject to the Uniform Customs and Practice for Documentary Credits (2007 revision) International Chamber of Commerce (Publication No. 600).

The Issuer further agrees that unless expressly stated otherwise herein, the terms and obligations represented by this surety bond shall be governed by the Uniform Commercial Code of the Commonwealth of Kentucky and/or any other pertinent Kentucky law.

Litigation concerning this Surety Bond shall be taken to the Franklin Circuit Court, Commonwealth of Kentucky.

NOTE: The person who signs for a surety company shall file, along with the bond, a copy of the Power of Attorney showing authority to sign.

7. Certification

Name of MEGF:	
Name of Signatory (Issuer):	Signature:
Title:	Date: / /
Subscribed and sworn to before me by:	
Notary public signature:	
My commission expires: / /	

IMPORTANT NOTE: All information submitted on this form will be subject to public disclosure to the extent provided by Kentucky law. Persons filing this form may make claims of confidentiality in accordance with 400 KAR 1:060.