

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
FRANKFORT, KENTUCKY 40601

Application Number (Permit #): _____

Increment Number (if applicable): _____

Amendment, Revision, or Renewal Number (if applicable): _____

- 1. Cash Bond _____
- 2. Surety Bond Number _____
- 3. Certificate of Deposit Number _____
- 4. Letter of Credit Number _____

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned _____
as Principal and _____ as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of _____
Dollars and 00/100 (\$ _____)

- 1. which sum is herewith deposited with the Cabinet's Department for Natural Resources
- 2. for the payment of which sum is to be well and truly made
- 3. which sum is herewith deposited with the Cabinet's Department for Natural Resources, by and through its Escrow Agent _____
- 4. which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number _____, all applicable laws, regulations, and the terms of this supplemental assurance will be observed and hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This supplemental assurance is effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under KRS 350.068, 405 KAR 10:030, and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

WHEREAS, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in the Commonwealth of Kentucky; that in said application the Principal estimates that _____ acres of land situated in _____ County, Kentucky will be affected by surface coal mining and reclamation operations authorized by the permit issued pursuant to the aforesaid application requiring this supplemental assurance.

Now if the said _____, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this supplemental assurance then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of forfeiture of supplemental assurance, pursuant to 405 KAR 16:020 and 405 KAR 10:050, the Cabinet shall forfeit the entire amount of supplemental assurance for the permit or increment(s) to which the supplemental assurance applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL (Permittee): _____ BY: _____

DATE: _____ OFFICIAL POSITION: _____

SIGNATURE: _____

Subscribed and sworn to before me by _____

this the _____ day of _____, _____.

NOTARY PUBLIC: _____ MY COMMISSION EXPIRES: _____

STATE NOTARY LICENSED: _____

COMPLETE FOR SURETY BOND:

SURETY: _____

ADDRESS: _____

LOCAL AGENCY ISSUING: _____

ADDRESS: _____

BY: _____ OFFICIAL POSITION: _____

SIGNATURE: _____ DATE: _____

NOTE: The person who signs for a surety company must file with the supplemental assurance a copy of the Power of Attorney showing authority to sign. All supplemental assurance executed by an out-of-state agency shall be countersigned by a resident Kentucky agent.

COUNTERSIGNED BY: _____ AGENT FOR: _____

ADDRESS: _____