

Reclamation Advisory Memorandum RAM # 76

Kentucky Natural Resources and Environmental Protection Cabinet Department for Surface Mining Reclamation and Enforcement

From: Charles Martin, Acting Commissioner

Date: April 2, 1984

Subject: Revision to RAM #73: Maximum Period of Bond Deferral Reduced from 5 Years to 3 Years

Background

In RAM #73, issued February 6, 1984, the Department established a bond deferral policy to assist transitioning permittees who, because of coal market conditions, may wish to delay filing bond and beginning operations under permanent program permits. Under that policy, the filing of the reclamation performance bond for a technically acceptable transition comprehensive application could be delayed for up to five years, subject to certain conditions and restrictions.

Need for Revised Policy

The Department has determined that a three-year deferral period is more consistent with the intent of P.L. 95-87 than the five-year period established in RAM #73. Since a three-year deferral period would still be sufficient to provide the kind of relief intended by RAM #73, the Department is replacing the five-year deferral period with a three-year deferral period.

Revised Policy

Subject to certain conditions and restrictions, the filing of the reclamation performance bond for a transition comprehensive application which is technically acceptable may be delayed for up to three years.

This revised policy applies not only to all future requests for deferrals, but also to any deferrals which have already been granted or requested under RAM #73.

The policy and procedures set forth in RAM #73 are unchanged except for this reduction in the maximum deferral period from five years to three years.