

Reclamation Advisory Memorandum RAM # 95

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

From: C. Thomas Bennett, Commissioner

Date: April 13, 1988

Subject: Bonding Procedures for Amendment Applications

Previously, DSMRE required that additional bond be filed before issuance of a permit amendment adding surface disturbance acreage. This will continue to be required when the amendment is incorporated into an original permit under a single area bond. See 405 KAR 10:010, Section 2(3). However, the procedure is being revised for certain amendments which are added to permits under an incremental bonding plan.

Now, an amendment can be issued prior to filing of additional bond if the amendment area is totally undisturbed and is added to the permit as a separate increment(s) or added to an existing undisturbed increment for which bond has not yet been filed.

If any part of a proposed amendment has been disturbed (a slide area, for example) and the permittee wishes to add the amendment as a new increment, then the bond ***must be filed*** for the new increment prior to issuance. If the permittee wishes to add the disturbed amendment to an existing increment which has been bonded, the bond will be reevaluated to include the amendment. The applicant will be required to file the additional bond prior to issuance of the amendment.

As with any incrementally bonded area, incremental acreage fees are acceptable. Also, as before, a certificate of liability insurance must be submitted for the new area prior to issuance of the amendment.

If you have any questions, please contact Robert Salyers or Fred Kirchhoff at the Division of Permits in Frankfort at (502) 564-2320.