

**COMMONWEALTH OF KENTUCKY  
ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR NATURAL RESOURCES  
DIVISION OF MINE RECLAMATION AND ENFORCEMENT  
FRANKFORT, KENTUCKY 40601**

**PERFORMANCE BOND**

APPLICATION (PERMIT) NUMBER \_\_\_\_\_

INCREMENT NUMBER (IF ANY) \_\_\_\_\_

BOND SUBSTITUTION FOR EXISTING BOND # \_\_\_\_\_

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) \_\_\_\_\_

- 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 (\$ \_\_\_\_\_).

- 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 bond will be observed and hereby bind ourselves, our heirs,  
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond 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 bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

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 bond 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 bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond 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: \_\_\_\_\_ BY: \_\_\_\_\_  
(PERMITTEE)

DATE: \_\_\_\_\_ OFFICIAL POSITION: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Subscribed and sworn to before me by \_\_\_\_\_ this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

NOTARY PUBLIC: \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_

**COMPLETE FOR SURETY BOND:**

SURETY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LOCAL AGENCY ISSUING BOND: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

BY: \_\_\_\_\_ OFFICIAL POSITION: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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