

APPENDIX A
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF MINING AND RECLAMATION

**APPLICATION AND AGREEMENT
 FOR
 LAND RECLAMATION FINANCIAL
 GUARANTEE**

To be completed by Permittee:	To be completed by Department of Environmental Protection:
(1) Name of Permittee:	Anniversary Date of Permit:
(2) License Number:	Amount of Land Reclamation Financial Guarantee:
(3) Permit Number:	Annual Fee:
(4) County:	Initial Fee:
(5) Township:	Date(s), Amount(s) of Releases, adjusted annual fee:

We, _____ ("Permittee"),
 (Name of Permittee)

(1) a Corporation, incorporated under the laws in the State of _____, or
 (Name of State)

(2) a(n) _____
 (Limited/General Partnership, Registered Fictitious Name Business or Individual)

with its principal place of business at _____
 (Permittee Address)

conduct mining operations on the surface coal mining permit identified above. In order to provide the additional bond necessary to satisfy the requirement for conventional bonding on this permit, we, the Permittee, request a Land Reclamation Financial Guarantee in the amount of \$ _____

1. **Conditions of Assistance.** We, the Permittee, agree to the following:

- (a) Submittal of an annual report verifying the extent of the various components of the operational area;
- (b) Payment of the nonrefundable annual fee on or before the anniversary date of this permit;
- (c) Replacement of this Land Reclamation Financial Guarantee upon the occurrence of a postmining discharge on or hydrologically connected to this permit.

2. **Amount and Duration of Land Reclamation Financial Guarantee.** Liability upon this Land Reclamation Financial Guarantee shall be for the amount specified herein, and that amount shall become

a part of the total bond for this permit, such liability shall apply to that acreage for the permit, including any and all prior or subsequent authorizations and permit renewals to mine or otherwise operate under that permit. Liability upon this Land Reclamation Financial Guarantee shall continue for the duration of mining activity, including its reclamation as provided in the law, the regulations and the conditions of the permit, at the operation conducted hereunder and for a period of five (5) years thereafter, unless released in whole or in part by the Department prior thereto, as provided by the Law. The amount of this Land Reclamation Financial Guarantee cannot be increased.

3. **Additional Bond.** This Land Reclamation Financial Guarantee is submitted pursuant to Mining Permit No. _____, originally issued on _____ . This Land Reclamation Financial Guarantee assumes and covers any and all liability and obligations accrued and to be accrued under the Law from the above permit issuance date until such time as the Department shall release, in writing, the bond and this Land Reclamation Financial Guarantee of such liability and obligations. This Land Reclamation Financial Guarantee is an additional bond, supplementing all other bonds posted or to be posted for the permit.

7. **Transfer of Permit.** This Land Reclamation Financial Guarantee is not transferable to subsequent permittees.

8. **Bond Release.** This Land Reclamation Financial Guarantee shall be the first bond released from this permit.

9. **Termination.** This agreement and Land Reclamation Financial Guarantee shall terminate (a) upon the release of the entire amount of the Land Reclamation Financial Guarantee or (b) upon the Permittee replacing the Land Reclamation Financial Guarantee with an appropriate bond, or (c) upon the failure of the Permittee to pay the annual fee within 30 days after the anniversary date of the permit. In the event the Permittee fails to make timely payment of the annual fee, the Permittee must immediately provide the appropriate additional bond or the Department will take appropriate enforcement actions, including cessation of operations, for failure to maintain adequate bond.

IN WITNESS WHEREOF, We, the Permittee, set their hands and seals, intending to be legally bound hereby, as of the _____ day of _____, 200_ .

PERMITTEE:

(Print Permittee Name)

By: _____
(Signature of Permittee or Responsible Official and Title)