

**Illinois Department of Natural Resources  
Office of Mines and Minerals  
Division of Land Reclamation  
One Natural Resources Way, Springfield, IL 62702-1271  
Telephone: (217) 782-4970  
Fax: (217) 524-4819**

**APPLICATION FOR RELEASE OF PERFORMANCE BOND**

\_\_\_\_\_ (permittee) HEREBY MAKES application for  
RELEASE OF PERFORMANCE BOND, pursuant to Title 62 Illinois Administrative Code Section 1800.40,  
at \_\_\_\_\_ Mine, Permit No. \_\_\_\_\_ for the areas shown on the attached map(s).

This application requests release of:

\_\_\_\_\_ acres of **Phase I Reclamation**

\_\_\_\_\_ acres of **Phase II Reclamation**

\_\_\_\_\_ acres of **Phase III Reclamation**

**Increment No.** \_\_\_\_\_ (if applicable)

I, \_\_\_\_\_ (name of official), hereby affirm that all information  
provided in this application is true and correct to the best of my knowledge, and that all applicable reclamation  
activities have been accomplished in accordance with the requirements of the State Act, the regulatory program  
and the approved reclamation plan.

\_\_\_\_\_  
Signature of Official

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Signature of Official

NOTICE - This state agency is requesting disclosure of information that is necessary to accomplish this statutory purpose as outlined under 225 ILCS 720. Disclosure of this information is voluntary; however, failure to comply may result in this form not being processed. This form has been approved by the Forms Management Center.

**ILLINOIS DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF MINES AND MINERALS  
LAND RECLAMATION DIVISION  
PERMANENT PROGRAM BOND RELEASE APPLICATION**

**INSTRUCTIONS**

Submit one (1) electronic copy of the information requested below to the Department, including a CAD file of the release area map. The bond release request submittal may be emailed to [DNR.Mmlrd@illinois.gov](mailto:DNR.Mmlrd@illinois.gov) . If files are too large to send via email, bond release requests may be submitted to the Department in accordance with the procedure outlined in Operator Memorandum No. 2021-01 Revised.

The Department will inform the permittee, in writing, if the application is deemed complete or if additional information is necessary. If complete, the Department will inform the operator to proceed with mailing letters, publishing the required advertisement per 62 Ill. Adm. Code 1800.40(a)(2), indicate the number of additional copies required, if any, and requesting an updated CAD file, if necessary. The date the Department receives these additional copies is the official filing date of the release request.

**DO NOT MAIL THE NOTIFICATION LETTERS OR PUBLISH THE ADVERTISEMENT UNTIL YOU RECEIVE WRITTEN NOTIFICATION FROM THE DEPARTMENT THAT THE APPLICATION IS COMPLETE.**

The Department is not mandated to require "completeness review". However, permittees proceed without completeness review at their own risk. Incomplete and inaccurate bond release applications will be subject to disapproval and must be refiled, republished, and appropriate parties re-notified.

**INFORMATION REQUIRED FROM PERMITTEE**

1. Pursuant to Section 1800.40(a)(2), submit a copy of letters to be sent by the permittee to adjoining property owners, surface owners, local government agencies (e.g., county board, planning agencies, mayor of nearest town, sewage and water treatment authorities, water companies, if applicable), etc. Distinguish between surface owners and adjoining property owners. A simple letter and list of all recipients and their addresses is satisfactory.

The Department will furnish a list of agencies and addresses required to be notified by the permittee, if the permittee requests assistance.

2. Provide the name and address of all surface owners and lessees. Indicate if these are different from those submitted in the original application.
3. Provide a copy of the newspaper advertisement to be run that meets the requirements of Section 1800.40(a)(2). (See the attached Newspaper Notice Guide.) Also, identify in which newspaper the advertisement will appear. This legal notice shall be published at least once a week for four (4) consecutive weeks.

The first publication of the news ad shall take place in a newspaper of general circulation in the locality of the coal mining operation within five (5) calendar days after filing the additional required copies of the application at the Department's Springfield Office.

A certificate of publication shall be submitted within forty-five (45) days of filing the additional required copies of the application at the Department's Springfield Office.

4. Submit a Surface Land Owner and Adjacent Land Owner Map that clearly identifies the land owner of each parcel that is in the request areas and each parcel that is adjacent to the request areas.
5. Submit a copy of the currently approved post-mining land use map(s) of the same scale used in the original permit application, or the most currently approved post-mining land use change permitting action, which clearly delineate the bond release request area. The legend on the map(s) shall indicate the number of acres requested for release by phase. Soil capability must be depicted on the map by land use type.

The location of NPDES discharge points which receive drainage from the proposed release area and active groundwater monitoring wells within, or down gradient of the proposed release area shall be located on the map.

6. For a Phase I release, locate the request area on the map required in No. 4 above and list the acreage of the different land capability classes for the areas requested. Identify the acreage of each separate parcel requested for release.

Pursuant to Section 1800.40(c)(1), for prime farmland and high capability land at surface mines, provide documentation of root medium and topsoil depth testing.

7. For a Phase II release, locate the request on the map required in No. 4 above and list the acreage of all land use/capability classes for the areas requested. Identify the acreage of each separate parcel requested for release.

Pursuant to 1800.40(c)(2), for lands reclaimed to prime farmland standards, attach copies of productivity testing yield results documenting compliance with Section 1816/1817.116 and Part 1823. Where sediment ponds are to be left as a permanent impoundment, describe the provisions for sound future maintenance by the operator or landowner.

8. For a Phase III release, locate the request area on the map required in No. 4 above and list the acreage of all land use/capability classes for the areas requested. Provide a description of the status of any NPDES points or active groundwater monitoring wells located in a Phase III request area. Applicants should note that plugging information for inactive groundwater monitoring wells may be requested if the Department does not have this information on file.

Pursuant to Section 1800.40(c)(3), for lands reclaimed to prime farmland, high capability cropland and pasture, and limited capability pasture requiring tonnage, attach copies of productivity testing yield results documenting compliance with Sections 1816/1817.116, 1823.15, and 1825.11.

For lands reclaimed to land uses and capabilities other than those described above, attach copies of vegetation ground cover results, tree and shrub count results, or other documentation proving compliance with Sections 1816/1817.116 and 1816/1817.117.

9. Provide an explanation for any information not provided for item Nos. 5 through 8.
10. Attach a completed "Application for Release of Performance Bond Form SCML-6".

## NEWSPAPER NOTICE GUIDE

Pursuant to 62 Ill. Adm. Code 1800.40(a)(1), the following information shall be supplied:

### Notice of Completed Reclamation and Request for Bond Release

1. Include the company name, mine name, permit number, and date of issuance. Note – if the release request area includes one or more IBR sites, also include the date of issuance for each IBR involved.
2. Include the total number of acres approved, and the total number of acres currently remaining under bond. Note - if the release request area is restricted to ONLY one IBR site, only the acreage associated with that IBR site may be used.
3. Indicate permit year(s) in which bond release request area was affected by mining operations, including increment number, if applicable.
4. Provide precise location by Section, Township, Range, and County, also provide either a legal description or a map.
5. List the total amount of bond currently held under this permit in dollars. List the acreages by phase requested for release and provide one of the following statements, as appropriate:
  - “An applicable portion of the existing bond is also being requested for release.” (*use for Phase requests that do NOT close out the permit*)

or

  - “The entire portion of the existing bond is also being requested for release.” (*use for Phase requests that close out the permit*)
6. List the appropriate acreage of each Phase requested and the type of reclamation work performed and list the year(s) in which reclamation was completed in accordance with the approved reclamation plan:
  - Phase I: completion of final grading, replacement of subsoil and topsoil, and establishment of drainage control,
  - Phase II: completion of vegetation establishment in accordance with the approved plan (e.g. establishment of permanent vegetation), assurance that no suspended solids are contributing to streamflow or runoff outside the permit area, and at least one (1) year of productivity has been achieved on prime farmlands, and/or
  - Phase III: successful completion of all surface coal mining reclamation activities in accordance with the approved plan, and expiration of all required vegetation liability.
7. Include the following statement: “Written comments or objections to the proposed bond release and requests for a public hearing, pursuant to 62 Ill. Adm. Code 1800.40(d), may be filed with the Department by any person with a valid legal interest which might be adversely affected by release of the bond, or the responsible officer or head of any Federal, State, or local governmental agency which has jurisdiction by law or special expertise with respect to any environmental,

social, or economic impact involved in the operation or which is authorized to develop and enforce environmental standards with respect to such operations. All written comments, objections, and requests for public hearing shall be filed with the Illinois Department of Natural Resources, Office of Mines and Minerals, Land Reclamation Division, One Natural Resources Way, Springfield, Illinois 62702-1271 within thirty (30) days following the last advertisement of this notice.”