

*SUBJECT:* **Bond Calculation for Permit Renewal**

*DATE:* **September 8, 2003**

*Approval:* **Joe Parker, Acting Director, DMR**

In the June 27, 2003 Federal Register, the Office of Surface Mining approved a change to 38CRS- 2- 11.5.a to require the agency to make a determination as to the adequacy of the existing bond at renewal. The approved section reads “All existing permits for surface mining operation in the four major categories set forth in subdivision 11.5b of this subsection shall be reviewed by the Secretary at the time of a renewal, and a determination as to the adequacy of existing bond and shall not be renewed by the Secretary until the appropriate amount of bond has been posted.”

The reviewer shall compare the information in the existing bond calculation using the matrix(s) with information submitted with the renewal and the inspector to determine if there has been any changes in any of the criteria’s used to determine correct bond amount. The reviewer and inspector shall make this determination within 15 working days of the end of comment period or submittal of the certificate of publication and the applicant is to be notified of the bond determination if there is an increase in amount to be posted for the renewed operation. If there is an increase in the amount to be posted, the new bond shall be submitted and approved prior to approval of the renewal.

This applies to Renewal submitted after July 1, 2003