

Legal Notice

Comprehensive Five-Year Bond Review for John Fanuzzi

The Department of Environmental Quality (DEQ) is conducting a comprehensive bond review for Operating Permit # 00089 issued to Black Diamond Quarry, Inc (Black Diamond), located at 2849, Hwy 89 South, Emigrant, MT 59027. The site is about 2.5 miles south of Emigrant, MT on private land in Section 5, Township 6 South, Range 8 East in Park County. The site consists of a total of about 120 acres of which about 55 acres have been disturbed.

DEQ has determined that the current bonding level does not represent the present costs of compliance with the Metal Mine Reclamation Act, administrative rules adopted thereunder, and the operating permit. DEQ is proposing a bond increase of \$828 (from \$143,319 to \$144,147). The bond increase is largely due to changes in fuel price, additional disturbance area, and indirect costs (mobilization, contingency, and administration).

The procedure for increasing bonds as a result of a comprehensive bond review is set forth in Section 82-4-338(3), MCA. The company and the public will have until May 15, 2020 to comment on the proposed bond increase. DEQ will issue a final bond determination after the comment period has expired. The company or any person with an interest that may be adversely affected by DEQ's final bond determination may obtain a contested case hearing before the Board of Environmental Review by filing with DEQ within 30 days of the issuance of the final bond determination a written request for hearing stating the reason for the request.

Requests for copies of the bond calculation associated with the comprehensive bond review, and any questions should be directed to Herb Rolfes, Operating Permit Section Supervisor, Hard Rock Mining Bureau, Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901, (406) 444-3841 or e-mail at hrolfes@mt.gov. The proposed bond calculation may also be viewed at DEQ offices located at 1520 E. 6th Ave., in Helena, MT.