Logo, company name

Description automatically generated

**Air, Energy, & Mining Division**

**SURETY BOND RIDER GUIDE**

INSTRUCTIONS:

* Fill out this form in its entirety (except for the DEQ Sections).
* DO NOT fill out any of the **Official Use Only** areas on the form
* All Opencut bond forms are designed to be completed in Microsoft Word. It is recommended that the operator complete the OPERATOR sections and then email the form, in Word format, to the surety company for completion of the SURETY sections.
* Ensure that all blanks in the OPERATOR sections are consistent with the information provided in the *Opencut Mining Plan of Operation and Application*.
* **NOTE: all surety bond riders must include an updated Power of Attorney from the surety company. This POA must include an ink stamp or an embossed stamp. The DEQ will not accept printed/scanned stamps.**
* When submitting bonds, DO NOT include the guide/instruction page.

MAILING BONDS:

* All signed, original bonds must be mailed to the Helena office. The mailing address **is DEQ Opencut Mining Section, PO Box 200901, Helena, MT 59620.**
* For those wishing to deliver the bonds in-person, the physical address is 1520 E. 6th Avenue, Helena, MT 59601.

FROM / TO SECTIONS:

* FROM: the acreage and bond amount in this section must match the acreage and bond amount in the original surety bond or the most recent rider.
* TO: this section is for what is being changed on the bond (both acreage and the bond amount).
* Note that for both sections, the bond amount must be written out and also in a numerical format.

OPERATOR SIGNATURE SECTION – PAGE 1:

* Ensure that the operator signs here and lists their title.

OPERATOR ACKNOWLEDGEMENT SECTION – PAGE 1:

* On the “By” line, note that this line is for the OPERATOR NAME, not the name of the notary.
* The date in this section MUST MATCH the date of the above OPERATOR SIGNATURE SECTION.
* For notary seals, use an ink stamp or an embossed stamp in this area.

SURETY / AGENT SIGNATURE SECTION – PAGE 2:

* This section is for the surety and/or agent to sign and include their information.
* For notary seals, use an ink stamp or an embossed stamp in this area.

SURETY / AGENT ACKNOWLEDGEMENT SECTION – PAGE 2:

* On the “By” line, note that this line is for the AGENT NAME.
* The date in this section MUST MATCH the date of the above SURETY / AGENT SIGNATURE SECTION.
* For notary seals, use an ink stamp or an embossed stamp in this area.

DEPARTMENT OF ENVIRONMENTAL QUALITY SECTION – PAGE 2:

* DO NOT fill out any fields on this page.

Logo, company name

Description automatically generated

DEQ# \_\_\_\_\_\_\_\_\_\_\_\_ - OC

Permit # \_\_\_\_\_\_\_\_\_\_\_\_

**Official Use Only**

**Air, Energy, & Mining Division**

**SURETY BOND RIDER FOR OPENCUT MINING PERMIT**

The **signed original** must be mailed to the Helena office:

**Physical address**: 1520 E. 6th Ave, Helena MT 59601

**Mailing address**: DEQ Opencut Mining Section, PO Box 200901, Helena MT 59620

To be attached to and form a part of Bond No. **Surety Bond Number** executed by **Operator Name** as principal, and **Surety Company Name**  as Surety, in favor of the State of Montana, acting through the Department of Environmental Quality, effective as of **Date of original Surety Bond** in consideration of the mutual agreements herein contained, the Principal and the Surety agree this bond shall be retroactive in effect to guarantee faithful performance of all obligations of Title 82, Chapter 4, Part 4, MCA, the rules and regulations pursuant thereto, and the respective reclamation plans, incurred as a result of operations conducted pursuant to Opencut Mining Permit Number **OC#** and **Site Name** (Site Name) from the dates of issuance of this permit and all subsequent renewals and/or approved amendments and revisions. Nothing herein contained shall vary, alter, or extend any provisions or conditions of this bond except as herein expressly stated.

The purpose of this rider is to: **Enter what is changing on the Surety Bond or most current Rider**

FROM: **This must match current bond or Rider**

(Acreage) & (Amount written out and numerical)

TO: **Updated information**

(Acreage) & (Amount written out and numerical)

**OPERATOR SIGNATURE SECTION**

Dated this day of  , .

OPERATOR Signature Title

**OPERATOR ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County of

This instrument was signed or acknowledged before me on day of , ,

by

**Operator Name**

Notary Signature

(Notary Seal) Notary Public for the State of

Residing at

My Commission expires

**SURETY / AGENT SIGNATURE SECTION**

Dated this day of , .

SURETY / AGENT Signature Title

Agency Name:

(Surety Seal)

Full Mailing Address:

Telephone Number:

**SURETY / AGENT ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This instrument was signed or acknowledged before me on day of  , .

By .

**Agent Name**

Notary Signature

(Notary Seal) Notary Public for the State of

Residing at

My Commission expires .

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY SECTION**

Approved by: State of Montana Department of Environmental Quality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mining Bureau Signature Title Date

**For Official Use Only**

Bond #: **Surety Bond Number**