**PHASE I RELEASE REQUEST**

**(Non-Governmental Operators Only)**

**(ARM 17.24.203)**

**Operators** must complete this form to request release of an Opencut Mining Permit. **Governmental** Operators are eligible for Phase II release only and cannot use this form for Phase I release.

**SECTION A – APPLICATION INFORMATION**

1. **Operator Name:**

**Site Name:**

**County:**

**Mailing Address:**

**City:**      

**State:**

**Zip:**

**Office Phone:**

**Cell Phone:**

**Contact Person Name:**

**Email:**     

1. **Opencut #:**
2. **Permitted Acreage:**
3. The Release Request Area was inspected on (mm/dd/yyyy):  by (Name):

(Must be inspected within 12 months of DEQ’s reciept of this form)

1. Does the Site have a locked gate or access route? If yes, provide information to allow Opencut access into the site. If the gate is locked and no combination is provided or the site is otherwise inaccessible, the site would not be inspected and the release request would be disapproved.

**No Yes Information:**

**SECTION B – Phase I Reclamation Requirements (non-governmental operators only)**

**Phase I:** Opencut will notify the existing landowner(s) using information obtained from Montana Cadastral for all approved or denied release requests. Before requesting a Phase I release, the **Operator** must inspect the site and confirm reclamation work was conducted in accordance with the current Permit. By completing this form in the field, Operators can assess site conditions relative to the release criteria the DEQ uses for most sites.

Note: During the Phase I release process, the bond will be recalculated at the current rates. Depending on the age of the permit, the bond may go up. As such, the Operator may want to postpone submitting this form until the site is ready for Phase II release.

Ensure all applicable boxes below are checked and answers match the site conditions at the time of the field assessment or the application will be disapproved. If you are unable to check a box below due to the site not meeting the Permit reclamation requirements, then the site is not ready for Phase I release and this form cannot be submitted.

## B1. Release Area *[ARM 17.24.203(4)]*

**PHASE I RELEASE** is requested for Entire Permitted Site or**acres** of the **0.0** acre permitted site.

If Entire Permitted Site is requested for Phase I Release skip to B3; otherwise, if only a portion of the permitted acreage is requested for Phase I release, proceed to B2 below.

## B2. Release of a Portion of the Site *[ARM 17.24.203(4) & ARM 17.24.221]*

1. A Boundary Coordinate Table (BCT) is provided indicating the proposed Phase I release area. (Do not submit a BCT for a Permit Boundary unless the site was permitted or amended prior to 2010).
2. A Site Map meeting the requirements of ARM 17.24.221and the Map Guideline <http://deq.mt.gov/Mining/opencut> is attached with this application.

## B3. Required Release Criteria *[ARM 17.24.203(4)]*

1. Reclaimed slopes were measured and were found equal to, or flatter than, the slopes specified in the permit.
2. Site has been graded to permitted final topography specified in the permit.
3. Soil surface is free of rocks that were not characteristic of the soil prior to disturbance.
4. Soil and Overburden (if applicable) were spread across the area to the following depths, as specified in the permit:

Soil  inches Overburden  inches  **Not Applicable**

1. **Yes No** Area was seeded with the seed mix specified in the permit (date seeded - mm/dd/yy):

If **No** list the seedmix the site was seeded to (landowner must complete the Landowner Certification below):

**Cropland Seed Mix:**

1. Release Request Area is free of trash, metal scrap, other wastes, asphalt and concrete debris.
2. An internal road remains. **Yes** **(must be permitted to remain or signed off by landowner** **and notarized for Phase II release)**

**No,** **an internal road does not remain onsite.**

1. A landowner mineral stockpile remains, is accessible by a road, and there is a shaped and seeded soil stockpile located within 100 feet, meeting the requirements of ARM 17.24.219(1)(b).

**Yes (must be permitted to remain or signed off by landowner and notarized for Phase II release)**

**No, mineral stockpiles do not remain onsite.**

1. Noxious and annual weeds in the Phase I Release Request Area are under control.
2. All permit boundary markers are in place to define release request area(s) and existing permit (exception cropland) in accordance with ARM 17.24.218(1)(a).
3. At least four photographs are provided taken from the north, south, east and west corners of each release request area. Photos are labeled to describe where they were taken and adequately represent that Phase I reclamation has been achieved.

(Photos must be taken within 12 months of DEQ’s reciept of this form)

1. Area requested for Phase I release meets the requirements of ARM 17.24.203(4).
2. Additional Comments (if applicable)

***If approved, the Phase I release area is no longer permitted for any Opencut operations except reclamation.***

**Operator certifies the information provided for this Phase I Release Request is complete and accurate:**

**Name (print or type):**

**Title:**

**Signature:**

**Date:**