

For Official Use Only

DEQ #

Permit #

Air, Energy & Mining Division

 **Department of Environmental Quality USDI Office of Surface Mining Reclamation & Enforcement**

 **Mining Bureau – Coal Section Casper Field Office**

 **P.O. Box 200901 100 East B Street Room 2128**

 **Helena, MT 59620-0901 Casper, WY 82601-1918**

 **Phone: (406) 444-4970 Phone: (307) 261-6550**

**COLLATERAL BOND FORM**

**(CASH BOND, TRIBAL LANDS)**

**SPECIAL INSTRUCTIONS:**

1. The Department of Environmental Quality (DEQ) must have the original of this form and the original Check. A legible, accurate copy of these documents must be provided to the United States Department of Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE).

1. The Check must be made out to the Department of Environmental Quality –Mining Bureau.

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1.       (the Permittee) hereby submits to the State of Montana, Department of Environmental Quality (DEQ), Check No.      , issued by       (Bank) in the total amount of $      USD and dated     .

2. Upon receipt, DEQ shall cash Check No.       and place the funds in the Montana State Treasury in a noninterest bearing account. Pursuant to a Memorandum of Understanding executed by DEQ and OSMRE, although the Cash Bond is a joint bond covering both state and federal reclamation obligations, the Cash Bond is held by DEQ

3. These funds constitute a bond submitted to meet the reclamation bonding obligations for Surface Mine Permit No.      , which was issued pursuant to the Montana Strip and Underground Mine Reclamation Act, Title 82, Chapter 4, part 2, MCA, hereinafter called "the Act" and federal bonding obligations as provided in federal statutes and regulations administered by the OSMRE. The funds are hereafter

4. DEQ, OSMRE, or both agencies, may at any time after the Permittee fails to comply with state or federal laws, rules, or regulations or provisions of state or federal permits or licenses, the failure of which authorizes bond forfeiture, and after giving written notice to the Permittee, forfeit the Cash Bond.

5. Forfeiture of the Cash Bond may be made jointly or severally by the DEQ and the OSMRE. Bond forfeiture solely by OSMRE is effected by OSMRE providing to DEQ a copy of the written notice of bond forfeiture that the OSMRE has provided to the Permittee. Upon receipt of the notice, DEQ shall provide the amount of the Cash Bond forfeited to the OSMRE. Bond forfeiture solely by DEQ is effected by DEQ providing a written notice of bond forfeiture to the Permittee and providing OSMRE a copy of the written notice. Pursuant to the Memorandum of Understanding, if the bond is forfeited either by DEQ or OSMRE severally, the bond forfeiture proceeds shall be expended to satisfy both state and federal reclamation requirements.

6. The Cash Bond may be released only by execution of all the releases provided below by the DEQ and the OSMRE.

 Dated this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_.

Signature: Permittee

Title

 By

STATE OF )

 : ss.

County of )

This instrument was signed before me on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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

NOTARY PUBLIC for the State of \_\_\_\_\_\_\_\_\_

Residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

( S E A L ) My commission expires \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**DEQ AND OSMRE’S ACCEPTANCE**

Accepted: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Dan Walsh, Mining Bureau Chief Date

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

 Casper Field Office Director Date

 Office of Surface Mining Reclamation and Enforcement

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**DEQ AND OSMRE’S RELEASE**

The State of Montana, Department of Environmental Quality, hereby releases the foregoing cash bond in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dollars this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_.

Released: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Dan Walsh, Mining Bureau Chief Date

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

 Casper Field Office Director Date

 Office of Surface Mining Reclamation and Enforcement

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Proof of Agency for Permittee must be attached.