

1501:14-1-09

Payment of fees and filing of performance bond.

- (A) ~~The applicant shall file the required~~ Required fees and surety bond, cash, an irrevocable letter of credit, or certificates of deposit are to be filed by the applicant within the time prescribed by the chief in the notification of intention to issue an order granting a surface mining permit, a renewal of a surface mining permit, or an amendment to a surface mining permit.
- (1) The requirement of division (A) of section 1514.04 of the Revised Code that the applicant file a surety bond, cash, an irrevocable letter of credit, or certificates of deposit in the amount of ten thousand dollars ~~shall do~~ not apply to permits of twenty or fewer acres issued prior to August 15, 2002. ~~These~~ For these permits, any of the following is to be filed: ~~shall instead file~~ a surety bond, cash, an irrevocable letter of credit, or certificates of deposit in the amount of two thousand dollars, or five hundred dollars per acre of land to be affected, whichever is greater.
- (2) The requirement of division (A) of section 1514.04 of the Revised Code that, if the amount of land to be affected is more than twenty acres, the applicant file a surety bond, cash, an irrevocable letter of credit, or certificates of deposit in the amount of five hundred dollars per acre of land to be affected that exceeds twenty acres ~~shall~~ apply to all surface mining applications and to all existing permits regardless of issuance date.
- (B) If the applicant fails to file the required fees and/or surety bond, cash, letter of credit, or certificates of deposit within the time prescribed by the chief pursuant to paragraph (A) of this rule, the chief ~~shall~~ will issue an order denying the issuance of the surface mining permit, renewal of the surface mining permit, or amendment to the surface mining permit, except that the chief may extend such time for good cause shown.
- (C) All performance bond ~~shall~~ is to be filed in the name of the applicant or permittee and in a format prescribed by the chief and shall meet the requirements for signature specified in paragraph (D) of rule 1501:14-1-04 of the Administrative Code.
- (D) All performance bond ~~shall~~ is to be filed at the address, "Division of Mineral Resources Management, Bonding Section, 2045 Morse Road, Building H, Columbus, Ohio 43229."
- (E) If the performance bond is in the form of a certificate of deposit, the applicant ~~shall~~ is to submit to the chief the original certificate of deposit and the assignment for the certificate of deposit.
- (F) The required fees ~~shall~~ are to be deposited with the treasurer of state to the credit of the mining regulation and safety fund created under section 1513.30 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 4/11/2024

Certification

Date

Promulgated Under: 119.03
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