

- I. Any proposal for the construction of wetlands as a reclamation objective shall be consistent with accepted practices utilizing the best available technology (BAT) and include the best management practices (BMP's) to attain the desired result. The proposal shall be attached to and be a part of this Plan subject to approval by the Division.
- J. The Operator shall file a Final Reclamation Report and Request for Release upon completion of reclamation responsibilities on affected acreage. A report may be filed on reclamation activities which partially completes the Operator's full responsibilities for total acreage affected. Said report and request shall be on forms as provided by the Division.

VII. ADDITIONAL OPERATOR SUBMISSIONS

1. BONDING

Upon approval by the Director of this Plan and/or any amendment to this Plan, the Operator shall, unless having been exempted by the Director, file the appropriate bond with the Director within sixty (60) days after the date of being furnished the approved forms. Bonding shall be in the form of a surety bond, government securities, letter of credit, cash or a combination thereof. Any bond filed with the director shall be written by a surety authorized to do business in Georgia.

If the Operator files a letter of credit in lieu of a surety bond pursuant to O.C.G.A. § 7-1-290(d) and the Director accepts same, the Operator shall be obligated to maintain such letter of credit in force and effect at all times until reclamation of lands affected under this Plan, as it now exists or is hereafter amended, shall have been completed or the full amount of such letter of credit shall be subject to forfeiture. But if the issuer of such letter of credit shall, by certified mail, serve notice of its intent to terminate or not to extend such letter of credit, Operator shall file a bond authorized by O.C.G.A. § 12-4-75(c) or another acceptable letter of credit as a substitute for the expiring letter of credit with the Division within sixty (60) days after receipt of such notice by the Division. Upon Operator's failure to do so, Operator shall be in default of this Plan and such default shall constitute authority for the Division to draw upon such letter of credit.

If the Operator is granted an exemption from bonding and subsequently violates any of the provisions of O.C.G.A. § 12-4-70, et seq., or the Rules and Regulations for Surface Mining, Chapter 391-3-3, both as amended, or this Plan or Approved Amendments, the Operator is subject to civil penalties and may be required by the Director to post a bond.

The Director shall review and reevaluate, at least every five years, the site operation, objective of this Plan, and estimated cost factors for completion of this Plan and shall require adjustments to bonding amounts as may be necessary to ensure adequate funding for site reclamation.

2. ANNUAL PERMIT STATUS REPORT

An Annual Permit Status Report shall be submitted by the Operator on forms provided by the Division. This report will be due on or before April 1 of each year, covering the prior calendar (Jan.- Dec.) year.