

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

**** POLICY/PROCEDURE ****

INSPECTION & ENFORCEMENT 99-2

Replacement of Inspection & Enforcement 93-7. Remove from files

Subject: Bond Forfeiture Process

Effective: January 8, 1999

Purpose: To describe the procedure, establish time frames, and provide for tracking of bond forfeiture orders.

1. When the determination has been made to initiate the bond forfeiture processes PPD Inspection & Enforcement 89-08, the district inspector is to initiate the bond forfeiture process within fourteen (14) days. The initiation will require the inspector to:
 - a) Request the engineer to prepare and certify the bond forfeiture map when necessary. The final map filed by the operator may be used when available and appropriate. The attached form "Request for forfeiture Map" is to be used. The request form is to be sent to the regulatory engineer.
 - b) Draft the bond forfeiture order using the form in the enforcement cookbook. The acreage figures in the draft order may not be filled in until the bond forfeiture map acreage figures are appropriate. The draft will be completed during the time period of the map preparation.
2. The engineer, upon receipt of a "Request for Forfeiture Map", will prepare and certify the bond forfeiture map and return to the district inspector within ninety (90) days of receipt of the "Request for Forfeiture Map" form.
3. The district inspector upon receipt of the bond forfeiture map will finalize the draft order and send the draft order via-E-mail and the bond forfeiture maps to the field operations manager within fourteen (14) days.

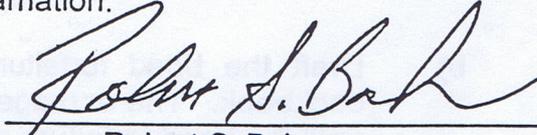
The Field Operations Manager will forward the draft order to the bonding supervisor who will include all current bonding information to the draft order and forward to the Field operations manager within (14) days of receipt.

5. The Field Operations Manager will review the finalized draft order, make corrections if necessary, and forward the final bond forfeiture order to the chief within ten (10) days of receipt from bonding supervisor.
6. The Chief (upon receipt of the typed order) will sign and return it to the field operations manager for Copying and distribution.

To ensure that the bond forfeiture orders are tracking through the system, the Field Operations Manager will maintain a database to track the important dates of the process.

The Field Operation's manager will also be responsible for monitoring the bond forfeiture orders on these permits that are bonded by a surety company. If the surety neither submits the "Reclamation Foreclosure Procedure and Time Schedule" form nor pays the Forfeited amount within sixty (60) days of receipt of the bond forfeiture order, then the form shall have prepared an order terminating the rights of the surety and demanding payment of the forfeited amount. The termination order shall be prepared and forwarded to the Chief within seven (7) days.

If the surety elects to perform reclamation the field operations manager shall forward the "Reclamation Foreclosure Procedure and time Schedule" form to the district supervisor for review and subsequent approval by the Chief. The field team leader will be responsible for conferring with the surety. The field team leader shall notify the field operations manager when the surety has completed the reclamation.


Robert S. Baker

RSB/cr