

15A NCAC 05G .0104 ABANDONMENT PLAN: BONDING REQUIREMENTS

(a) After reviewing an application, the department shall determine whether it should be approved and notify the applicant of its determination. No application shall be approved unless it contains an abandonment plan acceptable to the department. If the application is approved, the department will determine the amount of the performance bond that will be required and issue to the applicant a bond form to be used in securing the bond. A person shall not engage in exploration activity for the discovery of uranium until a bond in the required amount has been filed with the department and an exploration permit has been issued.

(b) The amount of the bond that will be required is to be determined as follows:

- (1) The applicant shall provide the department with an estimate of the total length of the vehicular access roads which will involve the cutting of vegetation and/or grading and of the number of exploratory drill holes and test pits;
- (2) The minimum amount of any bond shall be five thousand dollars (\$5,000.00). In addition to the minimum bond amount of five thousand dollars (\$5,000.00), an additional bond amount shall be required at the rate of two dollars (\$2.00) per each linear foot of vehicular access road and of two hundred dollars (\$200.00) per each exploratory drill hole or test pit; and
- (3) If the department determines that the amount of the bond required under Subparagraph (b)(2) of this Rule is either excessive or inadequate due to specific site conditions, the department may negotiate a different bond amount that will assure adequate abandonment in the event of bond forfeiture.

(c) A permittee shall be in violation of its permit if the length of the vehicular access roads or the number of exploratory drill holes or test pits exceeds the length or number authorized by the amount of its bond.

*History Note: Authority G.S. 74-78; 74-79; 74-86;
Eff. December 1, 1983.*