

one year or within the normal operating cycle of the business;"

Addition at Rule 1.04(47a) of a definition for "Fixed assets" to mean "plants and equipment, but does not include land or coal in place;"

Revision at Rule 1.04(71a) of the definition for "Net worth" to mean "total assets minus total liabilities and is equivalent to owners' equity;"

Addition at Rule 1.04(83b) of a definition for "Parent corporation" to mean "a corporation which owns or controls the applicant;"

Revision at Rule 1.04(89) of the definition for "Permit area" to require that the area "be identified through a complete and detailed legal description" as required by Rule 2.03.6;

Revision at Rule 1.04(92) of the definition for "Person" to clarify that it applies to listed entities conduction "surface coal mining and reclamation operations outside Indian lands;"

Addition at Rule 1.04(116) of a definition for "Self-bond" to mean "an indemnity agreement in a sum certain executed by the applicant or by the applicant and any corporate guarantor and made payable to the regulatory authority, with or without separate surety;"

Addition at Rule 1.04(135a) of a definition for "Tangible net worth" to mean "net worth minus intangibles such as goodwill and rights to patents or royalties;"

Recodification of existing Rule 2.02.7, concerning public availability of information, as Rule 2.02.8 and (1) addition of Rule 2.02.7(1), which requires that persons who intend to commercially use or sell coal extracted during coal exploration operations to first obtain a permit to conduct a surface coal mining operation, and (2) addition of Rule 2.02.7(2) which provides that no such permit need be obtained if the applicant demonstrates as set forth in the rule that such sale or commercial use of the extracted coal would be for testing purposes only;

Revision of Rule 2.03.3(8) to require that an applicant file three, rather than five, reproducible copies of the complete permit application with original signatures;

Revision of Rule 2.03.4(10), concerning information required by Rules 2.03.4 and 2.03.5, to delete the requirement that the information be submitted "on a form approved by the Board;"

Revision of Rule 2.03.6(1) to require that each permit application contain a "complete and detailed legal description of all lands within the proposed permit boundary," and clarification that it also contain a

"statement as to" whether the right upon which the applicant bases his or her legal right to enter and begin surface coal mining operations in the permit area is the subject of pending litigation;

Revision of Rule 2.07.3(2), concerning public notice of a proposed surface coal mining operation, to clarify that the rule applies not only to applications for a new permit but also to applications for a permit revision, a technical revision, or a renewal of an existing permit;

Revision of Rules 2.07.3(2) (e) and (f), concerning proposed permits in which, respectively, either the affected area would be within 100 feet of the outside right-of-way of a public road or the applicant seeks relocation or closure of a public road, to add the requirement that the public notice for the permit application include a "statement indicating that a public hearing in the locality of the proposed mining operation for the purpose of determining whether the interests of the public and affected landowners will be protected may be requested by contacting the Division in writing within 30 days after the last publication of the notice;"

Revision of Rules 2.07.3(3)(a) and (3)(a)(iii) to clarify that Colorado will, upon receipt of a complete application for a "technical revision," issue written notification of where a copy of the application may be "inspected" rather than "submitted;"

Revision of Rule 2.07.3(4)(a), concerning the requirement that the applicant make a copy of his or her complete application, excluding confidential information, available for the public to inspect or copy, to clarify that the rule applies to an application for a technical revision;

Revision of Rule 2.07.4(2), concerning the procedures applicable to Colorado's proposed decision, to clarify that the rule applies to decisions on applications for a permit, permit revision, or permit renewal;

Revision of Rule 2.07.4(3)(b) to state that if Colorado approves the granting of a permit, the permit will be issued "upon filing and approval of the performance bond pursuant to 2.07.4(2)(e);"

Revision of Rule 2.07.4(3)(c), concerning Colorado's issue and implementation of a proposed decision on an application package as final, to require that no permit shall be issued until the applicant has filed a performance bond that has been approved;

Addition at Rule 2.07.5(2)(c), concerning public availability of information in permit applications and information required by Rules 2.07.5(1)

(b) and (c) to be kept confidential, of the requirement that information requested to be held as confidential shall not be made publicly available until after the notice and opportunity to be heard is afforded both persons seeking disclosure and those persons opposing disclosure of information and such information is determined by Colorado not to be confidential, proprietary information;

Revision of Rule 2.07.6(2), concerning criteria for permit approval, to clarify that the rule applies to an application for a permit revision;

Revision of Rules 2.07.6(2)(d) and 2(d)(iii)(E), concerning the findings that must be made by Colorado prior to approval of an application for a permit or a permit revision, to clarify that the rules apply to the area affected by the proposed surface coal mining operations rather than to the proposed operation or proposed permit area;

Revision of Rules 2.07.6(2)(d)(iv) (A) through (C), concerning proposals to either relocate or close public roads, or to allow the affected area to be within 100 feet of a public road, to require that Colorado, or the appropriate public road authority designated as the responsible agency by Colorado, (1) provide opportunity for a public hearing and public notice if a hearing is requested and (2) if a hearing is held, make a written finding within 30 days of the close of the hearing as to whether the interests of the public and the affected landowners will be protected;

Revision of Rule 2.07.6(2)(d)(iv)(D), to require, whether a public hearing is held or not, that no affected area shall be allowed within 100 feet of the outside right-of-way line of a public road, nor may a public road be relocated or closed, unless the applicant has obtained all necessary approval of the authority with jurisdiction over the public road, and that Colorado or the public road authority has made a written finding that the interests of the public and the affected landowners will be protected;

Revision of Rule 2.07.7, concerning conditions of each permit issued by Colorado, to add at Rules 2.07.7 (6), (7), (8), and (9), conditions requiring that a permittee shall, respectively, (1) conduct operations only on lands specifically designated as the permit area and contain areas disturbed and affected within the boundaries authorized on permit application maps for the term of the permit and on areas subject to a performance bond; (2) conduct all operations only as described in the approved application, except as otherwise directed by Colorado in the permit; (3) comply with the terms and