conditions of the permit, all applicable performance standards of the Act, and the requirements of Colorado's rules; and (4) maintain continuous, uninterrupted bond coverage in adequate amount;

Revision of Rule 2.08.4 to clarify by reorganization of Rules 2.08.4 (1) through (3) the types of permitting modifications pertinent to, respectively, permit revisions, technical revisions, and minor revisions, and to state at Rule 2.08.4(4) that the operator may not implement any permit revision, technical revision, or minor revision prior to obtaining final approval;

Deletion of Rule 2.08.4(1)(c), which provided allowance for a permit revision in order to continue operation after the cancellation or material reduction of the liability insurance policy, capability of self-insurance, or performance bond, upon which the original permit was issued;

Recodification of existing Rules 2.08.4 (4) and (5) as Rules 2.08.4 (5) and (6), and revision of Rule 2.08.4 (6) (b) (i) to specify that availability of the informal conference process need not be included in the newspaper advertisement for a technical revision;

Addition to Rule 2.08.4(6)(b)(ii) to provide a 10-day public comment period on technical revision applications;

Recodification of existing Rule 2.08.4(6)(b)(ii) as Rule 2.08.4(6)(b)(iii) and revision of it to delete the statement that the "requirements of the State Administrative Procedure Act shall not apply to the conduct of the public hearing" provided for by the rule;

Revision of Rule 2.08.6(4)(a), concerning findings made upon permit transfer, sale, or assignment of rights, to correctly cite the reference to Rule 2.07.6(2)(h);

Revision of Rule 3.02.4(1)(c) to provide for a self-bond as an acceptable form of performance bond;

Revision of Rule 3.02.4(2)(e) to identify at (1) Rule 3.02.4(2)(e)(i) the conditions for a self-bond that must be met by the applicant or its corporate guarantor; (2) Rule 3.02.4(2)(e)(ii) the terms of a corporate guarantee for an applicant's self-bond based on a parent corporate guarantor; (3) Rule 3.02.4(2)(e)(iii) the terms of a nonparent corporate guarantee for an applicant's self-bond based on any corporate guarantor; (4) Rule 3.02.4(2)(e)(iv) the percent net worth of the applicant, parent corporate guarantor, or nonparent corporate guarantor necessary to support the total amount of the outstanding and proposed selfbonds; (5) Rule 3.02.4(2)(e)(v) the terms of an indemnity agreement if Colorado

accepts an applicant's self-bond; (6) Rule 3.02.4(2)(e)(vi) the right of Colorado to require updated information within 90 days after the close of each fiscal year following the issuance of a self-bond or corporate guarantee; and (7) Rule 3.02.4(2)(e)(vii) the requirement that if at any time during the period when a self-bond is posted, the certain financial conditions of the applicant, parent or nonparent corporate guarantors change, the permittee shall notify Colorado immediately and shall within 90 days post an alternate form of bond in the same amount of the selfbond and that the provisions of Rule 3.02.4(2)(b)(v) shall apply should the permittee fail to do so;

Addition of Rule 3.03.1(5) to specify terms for release of bond liability on areas associated with temporary drainage and sediment control facilities and clarify that the bond liability period does not restart when sediment control facilities are removed and reclaimed;

Addition of Rule 3.03.3 to provide for termination of jurisdiction over a reclaimed site of a completed surface coal mining and reclamation operation;

Recodification of Rules 4.02.2(2)(a) and (b) to add paragraph (c) which requires that the name, address, and telephone number of the Colorado Division of Minerals and Geology be included on mine identification signs which are posted at the entrance to mine sites;

Revision of Rules 4.03.1(d) and 4.03.2(1)(f) to require a showing that a road meets the performance standards of Rules 4.03.1 and 4.03.2, respectively, rather than an engineer's construction or reconstruction certification for haul and access roads not within the disturbed area for which the construction or reconstruction was complete prior to August 1, 1995;

Revision of Rule 4.05.2(7), concerning discharges of water from areas disturbed by surface coal mining and reclamation operations, to reference the Environmental Protection Agency effluent limitations at 40 CFR Part 434;

Revision of Rule 4.08.3(2)(b)(i) to remove the provision forbidding a blasting area in excess of 300 acres;

Revision of Rule 4.11.3, concerning coal mine waste returned to underground mine workings, to reference Rule 2.05.3(9);

Revision of Rule 5.02.2(4)(b) to clarify that an inactive site is one for which at least 85, rather than 100, percent of the performance bond has been released;

Addition of Rule 5.02.2(8) to allow for a decreased inspection frequency on abandoned sites which would be subject to public notice and opportunity for comment and based on assessment of earthen structures, erosion and sediment control, proximity to occupied dwellings, schools and other public or commercial buildings, the degree of stability of reclaimed and/or unreclaimed areas, and the rate at which adverse environmental or public health and safety conditions have and can be expected to progressively deteriorate;

Revision of Rule 5.02.5(1) to allow any person believing that a violation of "the Act, the rules, or the permit, or if imminent danger or harm exists" to request an inspection, and revision of Rule 5.02.5(1)(a) to set forth specific time frames in which the inspection is to be conducted;

Addition of Rules 5.03.2(1)(e) and 5.03.2(2)(h), concerning cessation orders and notices of violation, to allow Colorado to refrain from issuing a cessation order or a notice of violation for a violation at an abandoned site, if abatement of the violation is required under any previously issued order or notice;

Revision of Rule 5.03.2(3) to allow Colorado to refrain from issuing a failure-to-abate cessation order for failure to abate a violation or failure to accomplish an interim step, if the operation is an abandoned site;

Revision of Rules 5.03.3.1 (1)(a), (2)(a) (i) and (ii), and (2)(b), concerning show cause orders and patterns of violations, to incorporate notices of violation issued by the Colorado Department of Health, Water Quality Control Division (which cite a one day exceedance of EPA's effluent standards referenced in Rule 4.05.2) into Colorado's pattern of violation and show cause process;

Revision of Rule 5.03.6, concerning costs, expenses, and attorney's fees, to include wording in the introductory paragraph specifying that any sum awarded for costs and expenses may include those costs and expenses incurred in seeking the award; and

Addition of Rule 5.03.6(4)(e) to provide that appropriate costs and expenses including attorney's fees may be awarded from Colorado to "any person, other than a permittee or his representative, who initiates or participates in any administrative proceeding under the Act, and who prevails in whole or in part, achieving at least some degree of success on the merits, upon a finding that such person made a substantial contribution to a full and fair determination of the issues."

Colorado also proposes minor editorial revisions at Rule 2.07.7(1), concerning permit conditions; Rule 2.08.6(2)(b)(iii), concerning transfer, assignment, or sale of permit rights; and Rule 4.08.4(10), concerning the table