**Section 1800.13 Period of Liability**

a) Performance bond liability shall be for the duration of the surface coal mining and reclamation operation and for a period which is coincident with the operator's period of extended responsibility for successful revegetation provided in 62 Ill. Adm. Code 1816.116 or 1817.116 or until achievement of the reclamation requirements of the State Act, regulatory programs, and permit, whichever is later.

b) Isolated and clearly defined portions of the permit area requiring extended liability may be separated from the original area and bonded separately with the approval of the Department. Such areas shall be limited in extent and not constitute a scattered, intermittent, or checkerboard pattern of failure. Access to the separated areas for remedial work may be included in the area under extended liability if deemed necessary by the Department.

c) If the Department approves a long-term, intensive agricultural post-mining land use, in accordance with 62 Ill. Adm. Code 1816.133 or 1817.133, the five year period of liability shall commence at the date of initial planting for such long-term agricultural use.

d) Bond liability

1) The bond liability of the permittee shall include only those actions which he or she is obligated to take under the permit, including completion of the reclamation plan, so that the land will be capable of supporting the post-mining land use approved under 62 Ill. Adm. Code 1816.133 or 1817.133.

2) Implementation of an alternative post-mining land use approved under 62 Ill. Adm. Code 1816.133 and 1817.133 which is beyond the control of the permittee, need not be covered by the bond. Bond liability for prime farmland shall be as specified in Section 1800.40(c)(2).

(Source: Amended at 24 Ill. Reg. 5898, effective March 21, 2000)