

ARKANSAS DEPARTMENT OF POLLUTION
CONTROL & ECOLOGY

LOCATION - SUBJECT T. Harmony

MINUTE ORDER NO. 85-01

Mine (LIS 85-026)
PAGE 1 OF 1

The Commission hereby authorizes the Chairman to sign and issue the Order of Bond Forfeiture, LIS 85-026, attached hereto.

COMMISSIONERS

J.B.M.
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John P. Suttars
Acting CHAIRMAN

SUBMITTED BY: Phillip Deisch

DATE PASSED: 3-22-85

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

BEFORE THE COMMISSION ON POLLUTION CONTROL AND ECOLOGY

IN THE MATTER OF TITAN HARMONY MINE:
TITAN MINING, INC.; and
TITAN MINING, LTD.
(Permit No. 116)

LIS 85-026

ORDER OF BOND FORFEITURE

This Order of Bond Forfeiture is issued by the Commission on Pollution Control and Ecology pursuant to the authority of the Arkansas Open Cut Mining Act (Act 336 of 1977, as amended).

FINDINGS OF FACT

1. Notification that the Commission would consider whether to order forfeiture of the reclamation bond for this permit and of the right of the permittee to appear before the Commission and offer evidence in this matter was served upon the permittee and surety and their representatives by certified mail, a copy of the returned receipts are attached hereto as Exhibit 1 and Exhibit 2.

2. No objection or appearance by the permittee or surety or other interested parties has been made.

3. The bond for Permit No. 116 consists of:

(a) Certificate of Deposit No. 519280 dated 2/11/77 issued by Worthen Bank in the amount of \$5,000, made payable to Titan Mining, Ltd.

4. From the facts and matters before the Commission, it is found that there has been a failure of the permittee to perform reclamation of the mined areas and that the entire bond for such reclamation should therefore be forfeited to the Department.

IT IS, THEREFORE, ORDERED THAT the bond of permittee is hereby forfeited in the sum total of \$5,000 for the use of the Department in reclaiming the areas mined under Permit No. 116, and the Director shall take such actions necessary to collect said sum from Titan Mining, Inc., Titan Mining, Ltd., and/or the surety on said bond.

SO ORDERED this 22 day of March, 1985.

ARKANSAS COMMISSION ON POLLUTION
CONTROL AND ECOLOGY

John P. Saxton
Acting Chairman

ATTEST: Phyllis Daniels
Director

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

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(Permit No. 116)

LIS 85-026

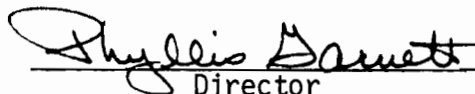
NOTIFICATION OF BOND
FORFEITURE DETERMINATION

TO: TITAN MINING, INC. and
TITAN MINING, LTD.
c/o CHARLES D. DAVIDSON
P.O. BOX 1300
LITTLE ROCK, AR 72203
(Trustee in Bankruptcy)

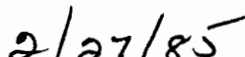
and

c/o DAVID KANE
321 FAIRFAX
LITTLE ROCK, AR 72205

The Director of the Arkansas Department of Pollution Control and Ecology hereby gives notice that the Commission on Pollution Control and Ecology will consider whether to order the forfeiture of the bonds for reclamation posted for the Titan Harmony Mine (Permit 116) on behalf of Titan Mining, Inc. and Titan Mining, Ltd., totalling \$5000.00 for failure to reclaim the mined areas, in accordance with the provisions of the Arkansas Open Cut Mining Act (Act 336 of 1977), at its regularly scheduled session on March 22, 1985, beginning at nine o'clock (9:00 A.M.) at 8001 National Drive, Little Rock, Arkansas. Any interested parties may appear and present evidence at that time and place concerning this matter.



Director



Date