

**SURFACE MINING CONSERVATION AND RECLAMATION ACT
RECLAMATION AND REMINING INCENTIVES REPORT
2008**

**Prepared for:
Senate Environmental Resources and Energy Committee
and
House Environmental Resources and Energy Committee**

**Prepared by:
Pennsylvania Department of Environmental Protection
Office of Mineral Resources Management**



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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I. Executive Summary

In accordance with the requirements of Section 4.11(b) of the Commonwealth's Surface Mining Conservation and Reclamation Act (SMCRA) regarding the Department's reclamation and remining programs, this report is submitted to the Senate Environmental Resources and Energy Committee and to the House Environmental Resources and Energy Committee. This report provides the status of the Department's reclamation and remining programs authorized under the SMCRA Sections 4.8, 4.9, 4.10, 4.12, 4.13, and 18. Information is current to December 31, 2008.

Since its inception, Pennsylvania's reclamation and remining incentives programs have been very successful. Coal mine operators using these programs have reclaimed 5,045 abandoned mine land (AML) acres equivalent to \$27,301,271 in reclamation value.

The Government-Financed Reclamation Contracts program benefits the public and the mining operators by establishing contracts for mining companies to conduct operations that will reclaim abandoned mine lands sites at little or no cost to the public. Between January 1991 and December 31, 2008, 197 contracts were issued, with a total reclamation value of \$7,939,200.

The Remining Operator Assistance Program (ROAP) creates an incentive to remine and reclaim abandoned mine land areas by providing financial assistance for most of the cost of permitting the remining area. Between August 1996 and December 31, 2008, 30 operators requested participation in this program on 60 remining sites. Through December 31, 2008, 45 projects have resulted in approved remining permits that have reclaimed 409.2 acres of abandoned mine land with an approximate reclamation value of \$2,455,200.

Under the Financial Guarantees program, the Department of Environmental Protection provides low-cost bonding of remining areas. As of December 31, 2008, 158 coal mine operators used Financial Guarantees to bond 599 mining permit increments. Those operations have reclaimed 2,393.8 acres of abandoned mine land, saving the Commonwealth an estimated \$16,689,600.

The Bond Credits program also provides an incentive for operators to reclaim an abandoned area by earning a "bond credit" under a Consent Order and Agreement with the Department. Four licensed mine operators have completed five Bond Credit projects. Five projects have been completed under this program, reclaiming 31 acres. In 2006 Sky Haven Coal, became the fifth company to use the Bond Credit program. Sky Haven is reclaiming the Maney bond forfeiture site. The Maney Project is ahead of schedule and will be completed in 2009. The five completed projects represent a reclamation value of \$217,271.

The Department has not promulgated regulations nor established final criteria for the Designating Areas Suitable for Remining program. Presently, this program is not workable. It sounds good in theory; however, there is not a practical way to implement the program.

**Summary of Reclamation and Remining Incentives Programs
1996 – 2007**

Program	Year	Number of Companies	Number of Projects	AML Acres Reclaimed as of 12/31/07	Reclamation Value of Projects Completed by 12/31/07
Government-Financed Rec. Contracts	91-07	77	171	1,511.5	\$6,069,000
Remining Operator Assistance Program	97-07	30	60	360.3	\$2,161,800
Financial Guarantee	96-07	154	567	2,2653.1	\$15,918,600
Bond Credits	96-07	5	6	31	\$217,271
Totals			804	4,555.9	\$24,366,671

**Summary of Reclamation and Remining Incentives Programs
2008**

Program	Year	Number of New Companies	Number of New Projects	AML Acres Reclaimed During 2008	Reclamation Value of Projects Completed 2008
Government-Financed Rec. Contracts	2008	6	26	311.7	\$1,870,200
ROAP	2008	No new ones	No new ones	48.9	\$293,400
Financial Guarantee	2008	4	32	128.5	\$771,000
Bond Credits	2008	0	0	0	0
Totals	2008			489.1	\$2,934,600

II. Conclusions and Recommendations

The Department recommends (1) Section 4(d) of SMCRA be amended to allow reclamation bonds posted for “lands eligible for remining” to be released similar to the provisions of the federal Surface Mining Control and Reclamation Act (SMCRA). This would mean reducing the minimum amount of time bonds are held after reclamation work is complete from 5 years to 2 years; (2) continuing the reclamation and remining incentives programs; and (3) continuing to identify and develop reclamation and remining incentives.

The Department has developed four of the five reclamation and remining incentive programs authorized by the 1992 amendment to the Surface Mine Conservation and Reclamation Act (SMCRA): Government-Financed Reclamation Contracts, Remining Operator’s Assistance Program (ROAP), Financial Guarantees and Bond Credits. The fifth program - Designating Areas Suitable for Remining - is not practical. In the time the four programs have been available, coal mine operators have used them to aid in completing reclamation of 5,045 acres of abandoned mine land. This equates to an approximate reclamation value of \$27,301,271 (completed reclamation areas only). In general, it takes several years to negotiate leases, obtain permits, and then remine and reclaim a site. There are many projects in progress with remining or reclamation not yet completed.

Department costs to operate the programs are minimal. Existing staff absorbed the reclamation and remining program work as additional duties.

These programs are encouraging abandoned mine land reclamation at a dramatic cost saving to the Commonwealth. The environment is being enhanced, the mine operators are receiving support, and the Commonwealth’s abandoned mine land burden is being reduced. The “Reclaim PA” program aims to maximize reclamation of Pennsylvania’s \$15 billion abandoned mine legacy. Remining by industry is a major component of this reclamation effort. This program encourages reclamation with financial incentive for operators to remine and reclaim abandoned mine lands as opposed to surface mining on virgin lands. These remining incentives have become the keystone in the Commonwealth’s “Reclaim PA” program. The Department will continue to identify and develop incentives to encourage and expand reclamation and remining operations.

- The Department will continue these reclamation and remining incentive programs.
- The Department will continue to identify and develop incentives to encourage reclamation and expand reclamation through remining operations.
- The Department will initiate changes to Chapter 86 to update the regulations to make the existing remining incentives more compatible with conventional bonding. Currently Remining Financial Guarantees are intended to cover only a remining area, while under DEPs conventional bonding process, the bonded area

floats across the entire surface of the permit to cover the area being actively mined. The Department has begun the process to update the Chapter 86 regulations.

III. Background

This report has been prepared in accordance with the requirements of Section 4.11(b) and (c) of the Surface Mining Conservation and Reclamation Act (SMCRA). Section 4.11(b) requires the Department to prepare a report regarding the Department's reclamation and remining programs to the Senate Environmental Resources and Energy Committee and to the House Environmental Resources and Energy Committee. Section 4.11(b) was added to the SMCRA by passage of Act 173 on December 18, 1992. This report summarizes the status of the Department's reclamation and remining programs authorized under the SMCRA Sections 4.8, 4.9, 4.10, 4.12, 4.13, and 18.

There are five primary reclamation and remining programs authorized by these sections of the SMCRA:

- Section 4.8 - Government-Financed Reclamation Contracts
- Section 4.9 - Designating Areas Suitable for Reclamation by Remining
- Section 4.10 - Remining Operator's Assistance Program
- Section 4.12 - Financial Guarantees to Insure Reclamation
- Section 4.13 - Reclamation Bond Credits

Section 18 of the SMCRA includes the creation of the Remining Environmental Enhancement Fund and the Remining Financial Assurance Fund. The status of both of these funds is included in Sections V and VI, of this report, respectively.

In addition to the program descriptions contained in this report, appropriate tables for each program showing site/operator lists, project cost, reclamation dollar value, acres reclaimed and pertinent dates are included in the appendices to this report. Many of the remining incentive program descriptions refer to a "remined area." A "remined area," as defined in these descriptions, includes the abandoned mine land (AML) area to be reclaimed and up to 300 feet of adjacent previously unmined area that is needed to complete the reclamation.

This report was submitted to the Mining and Reclamation Advisory Board (MRAB) as required by Section 4.11(c)(5) of SMCRA. The MRAB's comments are included as Appendix A.

IV. Individual Program Descriptions

A. SMCRA Section 4.8 - Government-Financed Reclamation Contracts

The Government-Financed Reclamation Contracts program involves contracted operations that will reclaim abandoned mine land sites at little or no cost to the public. This program was previously known as the No-Cost Government-Financed Reclamation Contracts Program. Regulations were deemed unnecessary for implementation of this program. This program allows removal of incidental coal or coal refuse during the reclamation of an abandoned mine land site. Occasionally, coal removal is necessary in order to effectively and efficiently reclaim an abandoned mine land site. The value of the coal or coal refuse that must be removed to reclaim the site offsets the cost of the reclamation project.

Coal refuse is the waste product generated from the physical or chemical cleaning or processing of coal. It contains pyrite (the major culprit in the formation of acid mine drainage pollution), residual coal and various types of rocks and spoil. The Department's Bureau of Abandoned Mine Reclamation's state inventory at the end of 2006 showed 823 abandoned coal refuse piles, covering 9,082 acres in 36 of the 67 Pennsylvania counties. The estimated cost to reclaim these piles is over \$102 million.

Under the Government-Financed Reclamation Contract program, the mining industry has made progress in reclaiming coal refuse and other abandoned mine land sites at no additional direct cost to the Commonwealth. Between January 1991 and December 31, 2008, 197 contracts were issued. Using these 197 contracts at the end of 2008, 1, 823.2 acres had been reclaimed for a total reclamation value of \$7,968,023. The projects contracted during 2008 are listed in Appendix B.

The Government-Financed Reclamation Contracts program was modified in 1999 and is one of the initiatives of the "Reclaim PA" program. The United States Department of Interior, Office of Surface Mining Reclamation and Enforcement approved the new program as an amendment to Pennsylvania's Abandoned Mine Reclamation Plan. The Government-Financed Construction Contracts program allows incidental coal removal as part of abandoned mine land reclamation contracts, authorizes no cost reclamation contracts and allows reclamation of abandoned mine land adjacent to active mining operations using excess spoil.

Government-Financed Reclamation Contracts Overview:

	<u>As of 12/31/07</u>		<u>As of 12/21/08</u>
Number of acres completed	1,511.5	2,2781.6	
Number of companies	77		83
Number of projects	171		197

B. SMCRA Section 4.9 - Designating Areas Suitable for Reclamation by Remining

The Department has not promulgated regulations nor established a program for designating areas suitable for remining. The Department also found that, considering the broad industry acceptance of the other incentive programs such as the Remining Financial Guarantee Program, the scope and benefits of designating areas suitable for remining required considerably more analysis. The analysis has been completed and there is no feasible way to implement this program at this time.

There are several issues with the Designating Areas Suitable for Reclamation by Remining (DASRR) program.

To designate a property as ‘Suitable for Remining,’ the Department would need to gather the same information that is required for an approved surface mining permit application. It is unclear whether the property owner or the mine operator would be responsible for submitting this information.

There is no fair, competitive way to determine which property to designate. Determining which surface mine operator should receive the benefits of the designation is also quite arbitrary.

If the Department would gather information on a property that would not be mined in the following ten years, to designate it ‘Suitable for Remining,’ the information would become dated. Mining processes and “best management practices” would probably have advanced enough that it would become necessary for the information to be gathered again.

The Department does not have advanced notice as to which operator will mine the property, if any. Different mine operators use very different equipment and therefore different mining methods. The varying mining methods require different mining and reclamation plans, resulting in different pre-permit information packages needed.

Pre-permit information gathering may cost between \$25,000 and \$200,000. This is a substantial amount to spend for a project that may not move ahead. The Department does not have either the money or the staffing necessary to perform this type of work.

C. SMCRA Section 4.10 - Remining Operator’s Assistance Program (ROAP)

The regulations for the ROAP program were promulgated as 25 Pa. Code Sections 86.261-86.270 and became effective on August 24, 1996. The ROAP program provides an incentive to an operator to remine and reclaim an abandoned mine land area that the operator would not otherwise reclaim. This incentive is in

the form of Department financial assistance towards the cost of obtaining a permit for the remining area. The ROAP program pays qualified consultants to collect and analyze permit-specific hydrogeologic data and prepare reports used in the mine permit application.

Between August 1997 and April 2003, 31 operators applied to this program for 60 remining ROAP projects. As of December 31, 2008, 45 ROAP projects became mining permits. When completed, these 45 operations will have provided 2,106.9 acres of surface abandoned mine land (AML) reclamation and 1052.2 acres of AML underground reclamation. The cost to the Department in ROAP assistance for these 45 permits was \$859,493.

The Department or the applicant cancelled 15 of the 60 projects. The Department's cost for these 15 projects totaled \$121,305. Two projects failed to materialize and in one of these cases the operator reimbursed the Department for cost and services provided by ROAP. In the second case the Department is seeking reimbursement from the operator in the amount of \$14,205. Of the 45 ROAP applications which became mining permits, 17 of these permits are actively or eligible to mine coal while 28 are in various stages of reclamation. No additional applications have been taken into the program since 2003 because funding for the program has ceased.

The complete ROAP program projects are listed in Appendix C.

Remining Operator's Assistance Program (ROAP) Overview:

ROAP AML Reclaimed between December 31, 2007 and December 31, 2008 are as follows:

AML surface acres reclaimed - 48.9
DEP's ROAP cost - \$37,618
Value of reclamation completed - \$293,400

Total ROAP AML reclaimed as of December 31, 2008:

AML surface acres reclaimed – 409.2
DEP's ROAP cost - \$414,333

Total AML Reclaimed Upon Completion of ROAP Projects:

Estimated total AML acres surface reclamation – 2,106.9
DEP ROAP Dollars - \$980,798

D. SMCRA Section 4.12 - Financial Guarantees to Insure Reclamation

The Financial Guarantees program regulations were promulgated as 25 Pa. Code Sections 86.281-86.284 and became effective on August 24, 1996. Under this

program, the Department provides low-cost bonds to guarantee reclamation of the remaining area of a surface mine permit.

Each operator and each permit must meet the regulatory criteria to participate in this program. An operator is limited to a maximum Financial Guarantee value of 30 percent of the amount allocated in the Financial Guarantee Special Account within the Remining Financial Assurance Fund (RFAF). Each permit is limited to a maximum Financial Guarantee value of 10 percent of the amount allocated in the Financial Guarantee Special Account within the RFAF.

During 2006, with the support of the Mining and Reclamation Advisory Board, the Department increased the amount allocated from \$800,000 to \$1,000,000. This allowed the Department to raise the maximum amount of Remining Financial Guarantees that an operator may use at any one time from \$240,000 to \$300,000 and the maximum permit limit from \$80,000 to \$100,000. This amount is adjusted periodically by the Department based on premium payments made by the operators as well as bond forfeitures. An operator may not substitute Financial Guarantees for existing bonds, and Financial Guarantees may not be rolled over.

An operator is not required to pay the \$100/acre permit fee on any area bonded with Financial Guarantees. Bond release is the same as for any other bond; however, Financial Guarantees are the first bond released on a surface mining permit.

The operator pays an annual fee for Financial Guarantees of one percent per year. The fee is paid in advance and is not refundable. The one percent fee goes into the RFAF. This is the only source of income to the fund.

Since inception of the program on January 3, 1996, about one in every five (19.2 percent) bonding instruments issued have included Financial Guarantees. About half of the reclamation of abandoned mine lands in 2008 accomplished by the mining industry was done in conjunction with the Remining Financial Guarantee program.

One hundred fifty-eight coal mine operators have used Financial Guarantees 599 times as of December 31, 2008. Those operators have reclaimed 2,781.6 acres of abandoned mine land. This has saved the Commonwealth an estimated \$15,995,700 in reclamation costs, based on an average of \$6,000/acre. The Commonwealth's cost to operate this program is approximately 2.5 employee-years of Department staff effort each year.

Appendix D lists the individual projects that were issued in 2008.

Remining Financial Guarantees Overview:

	As of 12/31/07	As of 12-31-08
Reclamation value of abandoned mine projects	\$15,918,600	\$15,995,700
Number of acres of AML completed	2,653.1	2,781.6
Number of operators participating	154	158
Number of financial guarantees issued	567	599

E. SMCRA Section 4.13 - Reclamation Bond Credits

The Bond Credits program regulations were promulgated as 25 Pa. Code Sections 86.291-86.295 and took effect on August 24, 1996.

The Bond Credits program provides an incentive to an operator to voluntarily reclaim an abandoned mine area that the industry would not ordinarily reclaim. An operator may earn a “bond credit” under a Consent Order and Agreement with the Department by reclaiming an abandoned mine land area. The area does not have to be associated with a mining permit. The value of the bond credit is equal to the lesser of either the Department’s cost or the operator’s cost to reclaim the stipulated area. Once earned, the operator may use the bond credit instead of normal bonding on future mining permits.

Each bond credit may be used twice by the operator in lieu of a normal bond on a mining permit. The bond credit may be transferred to another operator.

Four licensed mine operators have completed five Bond Credit projects. The earned “bond credits” are being used. During 2006 Sky Haven Coal entered into an agreement for the sixth and largest project. Sky Haven proposed to reclaim the Maney primacy bond forfeiture site for a Reclamation Bond Credit value of \$335,968. This project includes approximately 1200 feet of highwall most of which is over 100’ high. There was approximately 531,600 cubic yards of material to be moved to close this pit. The first phase (\$177,856) was backfilled by Sky Haven before July 2007. During 2008 many of Sky Haven’s operations were transferred to RES Coal, LLC including this one. RES is finishing this project. The project is well ahead of schedule, almost all backfilling has been completed and the remainder of the site will be planted in 2009.

The Commonwealth’s cost in operating this program is approximately one employee/month of Department staff effort for each project.

Reclamation Bond Credits (Bond Credits) Overview:

	As of 12-31-07	As of 12-31-08
Reclamation value for completed projects	\$217,271	\$217,271
Number of acres reclaimed	31	31

Number of projects completed	5	5
Number of projects in process	0	1

F. Additional Remining Incentives Projects

The Department used some of the Growing Greener 2 (GG2) funds to augment the existing Remining Incentive programs by paying for implementation of best management practices and expanded information gathering at eligible remining sites.

Total cost of GG2 projects = \$3,421,886
 Potential acres to be reclaimed = 470
 Potential miles of stream to be improved = 103

There are 15 approved and one pending projects within the bituminous coal fields in Pennsylvania where Growing Greener 2 (GG2) funding were or will be used to defray the costs of best management practices so that otherwise uneconomical remining projects could go forward. When these projects are completed there will be significant improvement to Pennsylvania’s land and water.

V. Remining Environmental Enhancement Fund (REEF)

Section 18 of the Surface Mine Conservation and Reclamation Act (SMCRA), as amended by Act 173 of 1992, authorizes the Secretary to transfer a maximum of \$1,000,000/year into the Remining Environmental Enhancement Fund (REEF). This transfer shall be aggregated from revenue sources in the Surface Mining Conservation and Reclamation Fund, the Clean Water Fund, the Coal Refuse Disposal Control Fund, and the Bituminous Mine Subsidence and Land Conservation Fund. REEF is used to fund the ROAP program and the Designating Areas Suitable for Remining program.

To date, the ROAP program has received appropriations of \$850,000 from REEF (\$450,000 from the Surface Mining Conservation and Reclamation Fund, \$125,000 from the Coal Refuse Disposal Control Fund, \$125,000 from the Bituminous Mine Subsidence and Land Conservation Fund, and \$150,000 from the Clean Water Fund). The ROAP program spent about \$806,136 over 5 years, which is sufficient to fund approximately 10 projects per year. This Fund is now depleted. The money remaining in the Surface Mining Conservation Fund, the Coal Refuse Disposal Control Fund, and the Bituminous Mine Subsidence and Land Conservation Fund is obligated to complete reclamation of forfeited sites, etc.

VI. Remining Financial Assurance Fund (RFAF)

The Legislature also authorized the establishment of the Remining Financial Assurance Fund (RFAF) in the 1992 amendments to the Surface Mining Conservation and Reclamation Act (SMCRA). This fund is used to provide the reserve for the Financial Guarantee and Bond Credits Programs. These amendments authorized the Department to

transfer up to \$5,000,000 from the Land and Water Development Fund to the RFAF. In 1996 \$1,000,000 was transferred into the RFAF. A second \$1,000,000 was transferred into the RFAF in 1997.

There are no planned expenditures from the RFAF. The money in this fund is used as a reserve to guarantee the bonds written in the Bond Credit and Financial Guarantee programs. The Bond Credit program is required to have funds in the RFAF at least equal to funds issued as Bond Credits. The Financial Guarantee program is authorized to use an actuarial formula (mine permit forfeiture rate + a safety factor) to leverage the amount of money in the reserve to write more financial guarantees than are actually allocated in the fund, based on the historical rate of bond forfeitures. Currently, \$1,000,000 is allocated for financial guarantees, allowing the Department to write \$10,600,000 in financial guarantees.

The only other source of funding for the Financial Guarantee and Bond Credit Programs stems from the one percent annual fee that the permittees pay for the use of the Financial Guarantees. Since the financial guarantee program became available in January 1997, participating coal mine operators have paid \$959,751 in annual fees. The annual fees must be held in reserve until the Fund for Financial Guarantees is considered actuarially sound. The Fund is actuarially sound when there is a sufficient amount of money in reserve to cover any expected losses.

The Department has allocated \$1,000,000 to the Financial Guarantee Special Account to act as the reserve for the Financial Guarantee Program. The Department has allocated \$479,064 to the Bond Credit Account to act as the reserve for the Bond Credit Program.

Appendix A
Mining and Reclamation Advisory Board Comments

The Surface Mining Conservation and Reclamation Act, Remining Incentives Report, 2008, was presented to the Mining and Reclamation Advisory Board on April 23, 2009. The Mining and Reclamation Advisory Board (MRAB) made the following comments...

Appendix B
New Government-Financed Reclamation and Construction Contracts Project List for 2008

GFCCs

Year	County	Company	Contract	Contr. Date	No. Acres Prop	Bond Amount
2008	Allegheny	QUALITY AGGREGATES INC	02-08-01	07/24/08	30.00	\$190,000.00
2008	Butler	QUALITY AGGREGATES INC	10-06-02	05/01/08		\$3,245,000.00
2008	Cambria	KB COAL INC	11-07-02	03/27/08		\$97,328.00
2008	Centre	CMT ENERGY INC	14-06-01	03/06/08	10.80	\$1,800.00
2008	Centre	JUNIOR COAL CONTR INC	14-07-01	11/12/08	42.60	\$298,200.00
2008	Clearfield	FAIR COAL CO LLC	17-07-08	04/25/08	3.50	\$21,000.00
2008	Clearfield	FINNEY ENTERPRISES INC	17-06-08	01/15/08	3.00	\$18,000.00
2008	Clearfield	HILLTOP COAL CO	17-07-02	01/16/08	4.90	\$2,940.00
2008	Clearfield	JOHN & JUSTIN WELKER	17-07-12	10/14/08	9.70	\$7,350.00
2008	Clearfield	RES COAL LLC	17-08-08	11/26/08	49.20	\$19,950.00
2008	Clearfield	RH DOTTS ENERGY	17-07-11	10/07/08	3.15	\$16,200.00
2008	Clearfield	SWISHER CONTR INC	17-07-05	02/25/08	18.80	\$112,800.00
2008	Clearfield	SWISHER CONTR INC	17-07-14	07/28/08	10.80	\$7,560.00
2008	Clearfield	SWISHER CONTR INC	17-07-13	12/10/08	23.60	\$9,450.00
2008	Clearfield	WAROQUIER COAL CO	17-07-03	02/13/08	26.50	\$125,000.00
2008	Clearfield	WHITETAIL CONTR	17-07-15	03/19/08	29.30	\$75,000.00
2008	Fayette	PATTERSON COAL CO	26-07-05	12/29/08	9.00	\$1,650.00
2008	Fayette	WHITE ENERGY SVC	26-07-09	03/28/08	5.00	\$2,500.00
2008	Indiana	ROBINDALE ENERGY SVC INC	32-07-05	06/09/08		\$108,480.00
2008	Jefferson	P & N COAL CO INC	33-07-12	03/31/08		\$7,030.00
2008	Somerset	FUTURE IND INC	56-07-01	08/20/08		\$14,003.00
2008	Westmoreland	COAL LOADERS INC	65-04-05	01/08/08	9.50	\$5,000.00
2008	Westmoreland	COAL LOADERS INC	65-06-07	04/11/08	28.00	\$90,306.00
2008	Westmoreland	COAL LOADERS INC	65-07-01	06/26/08	8.80	\$64,773.81
2008	Westmoreland	COAL LOADERS INC	65-07-02	07/31/08	19.80	\$5,338.90
2008	Westmoreland	COAL LOADERS INC	65-06-06	12/16/08	40.00	\$16,611.90
2008	Westmoreland	VP SMITH CO INC	65-07-06	07/31/08	13.60	\$75,000.00

Appendix C
Remining Operator's Assistance Program Project List for 2008

Total ROAP Inventory

ROAP #	SMP #	SMP ISSD	Operator	District	Status
1	17990101	2/7/2001	Sky Haven Coal Co.	Hawk Run	Active
2	17980101	2/9/2000	Ed Hanslovan Coal Co.	Hawk Run	Bond in forfeiture
3	32980109	7/28/1999	Amerikohl Mining Co.	Cambria	Reclamation Completed
4	32980105	5/11/1999	Amerikohl Mining Co.	Cambria	Reclamation Completed
5			Hepburnia Coal Co.	Hawk Run	Over Burdern Analysis Only, NPHC
6	32980108	1/27/1999	Amerikohl Mining Co.	Cambria	Reclamation Completed
7			Amerikohl Mining Co.	Cambria	Cancelled
8	17990107	7/5/2001	River Hill Coal Company	Hawk Run	Active
9	54980103	2/4/1999	Gale Coal Co.	Pottsville	Active
10	54980201	12/4/1999	A C Fuels Co.	Pottsville	Active
11	26980102	9/11/1998	Patterson Coal Co.	Greensburg	Reclamation Completed
12	11980202	10/2/1998	Smith Energy	Cambria	Reclamation Completed
13	56980110	5/3/1999	Fritz Coal Co.	Cambria	Reclamation Completed
14			Reichard Contracting	Greensburg	Cancelled
15	56990101	12/22/1999	Hoffman Mining Inc.	Cambria	Stage two eligible
16	03990103	12/3/1999	Amerikohl Mining Co.	Greensburg	Reclamation Completed
17	32990103	3/8/2001	T L H Coal Co.	Cambria	Stage One Regraded
18	63990102	PBNM	Robinson Coal Co.	Greensburg	Withdrawn, rails to trails barrier
19	17980124	10/18/1999	River Hill Coal Company	Hawk Run	Stage two eligible
20	03990102	11/13/2000	Thomas J. Smith Inc.	Greensburg	Reclamation Completed

Total ROAP Inventory

ROAP #	SMP #	SMP ISSD	Operator	District	Status
21	32000108	12/23/2004	River Hill Coal Company	Cambria	Active
22	26990101	PBNM	PBS Coal Inc.	Greensburg	Returned 10-25-02
23	17000101	9/13/2001	River Hill Coal Company	Hawk Run	Stage One Regraded
24	33990101	7/19/1999	Amerikohl Mining Co.	Knox	Stage two eligible
25	17990102	9/13/2001	River Hill Coal Company	Hawk Run	Active
26			Marquise Mining Corp.	Greensburg	Cancelled, coal too deep
27	17990103	8/4/2002	River Hill Coal Company	Hawk Run	Active
28			Energy Resource Inc.	Hawk Run	Cancelled, high alk & high quality stream
29			Hepburnia Coal Co.	Cambria	Cancelled, bad overburden & NPHC
30	11990102	7/16/2003	AMFIRE Mining Co.	Cambria	Stage One Regraded
31	40990101	9/15/2000	Hazleton Shaft Corp.	Pottsville	Active
32	03000101	10/10/2000	Amerikohl Mining Co.	Greensburg	Reclamation Completed
33			Larson Enterprises Inc.	Hawk Run	Cancelled, bad overburden
34	65990106	5/11/2000	Ralph Smith & Son	Greensburg	Primacy Bond Forfieture
35			Cooney Bros. Coal Co.	Cambria	Denied, AVS block
36	17000105	2/15/2001	Hilltop Coal Co.	Hawk Run	Stage 2 approved.
37	32010105	9/4/2003	Amerikohl Mining Co.	Cambria	Active
38	56000103	11/6/2000	Hoffman Mining Inc.	Cambria	Stage 1/Regraded
39	56000105	3/8/2001	Hoffman Mining Inc.	Cambria	Stage 1/Regraded
40	33010101	8/21/2001	Sky Haven Coal Co.	Knox	Stage two Approved
41	17010110	8/15/2002	River Hill Coal Company	Hawk Run	Active
42			Energy Resource Inc.	Knox	Cancelled, Alk add to high
43	24010101	10/4/2001	Energy Resource Inc.	Knox	Active
44	11000104	6/8/2001	Hoffman Mining Inc.	Cambria	Stage One Regraded

Total ROAP Inventory

ROAP #	SMP #	SMP ISSD	Operator	District	Status
45	33010103	7/10/2002	Sky Haven Coal Co.	Knox	Active
46	17030102	12/13/2006	River Hill Coal Company	Hawk Run	Not started
47	03010108	PBNM	T D K Coal Sales	Greensburg	Reimbursement Pending
48			T D K Coal Sales	Knox	Reimbursement paid in full
49	14040103	11/13/2007	River Hill Coal Company	Hawk Run	Active
50	02020102	2/20/2004	Amerikohl Mining Co.	Greensburg	Stage two Approved
51	14040101	8/30/2007	River Hill Coal Company	Hawk Run	Not started
52	32000101	12/1/2000	Amerikohl Mining Co.	Cambria	Stage One Regraded
53			RSK Mines	Pottsville	Waived Reimbursement
54	56030103	8/4/2003	Hoffman Mining Inc.	Cambria	Stage One Regraded
55	56030102	4/8/2004	Mountaineer Mining Corp.	Cambria	Stage two eligible
56	54030201	8/10/2003	Devil's Hole, Inc.	Pottsville	Active
57	26040102	2/3/2006	Amerikohl Mining Co.	Greensburg	Stage two eligible
58			Cooney Bros. Coal Co.	Cambria	Cancelled until additional funds available
59	54030103	4/21/2004	Jett Contracting Inc.	Pottsville	Active
60	56040105	10/19/2005	Berwind Coal Sales Co.	Cambria	Stage One Regraded

Appendix D
New Remining Financial Guarantees to Ensure Reclamation Project List for 2008

Remining Financial Guarantees

Year	County	Company	Permit No.	FG Number	Issuance Date	Original Amount	Aml Surf Acres	Aml Udg Acres
2008	Allegheny	NEISWONGER CONST INC	02070105	483079FG	07/22/2008	\$81,100.00	8.7	.0
2008	Armstrong	BEDROCK MINES LP	03020115	483078FG	05/30/2008	\$100,000.00	24.5	
2008	Cambria	EBENSBURG POWER CO	11070202	4840161FG	08/22/2008	\$100,000.00	57.8	
2008	Cambria	RIDGE ENERGY CO	11070203	4840160FG	01/10/2008	\$100,000.00	18.0	
2008	Cameron	ALLEGHENY ENTERPRISES INC	12060101	4820171FG	01/08/2008	\$90,000.00	7.3	16.7
2008	Centre	RIVER HILL COAL CO INC	14040103	4820155FG	02/06/2008	\$50,000.00	7.7	9.0
2008	Centre	RIVER HILL COAL CO INC	14040103	4820179FG	11/17/2008	\$49,830.00	7.7	9.0
2008	Clearfield	AMFIRE MINING CO LLC	17070103	4820172FG	01/22/2008	\$100,000.00	44.1	2.7
2008	Clearfield	HEPBURNIA COAL CO	17040103	4820173FG	02/19/2008	\$60,230.00	11.8	
2008	Clearfield	JUNIOR COAL CONTR INC	17070106	4820174FG	03/25/2008	\$25,330.00	49.0	1.0
2008	Clearfield	RES COAL LLC	17030120	4820177FG	09/22/2008	\$27,416.00		
2008	Clearfield	RES COAL LLC	17060107	4820176FG	08/26/2008	\$80,000.00	56.2	
2008	Clearfield	RES COAL LLC	17070101	4820175FG	07/21/2008	\$91,584.00		
2008	Clearfield	RES COAL LLC	17930124	482096FG	11/04/2008	\$1,410,600.00	.0	.0
2008	Clearfield	RIVER HILL COAL CO INC	17990103	4820180FG	12/09/2008	\$92,754.00	70.3	10.2
2008	Elk	AMFIRE MINING CO LLC	24990101	4860105FG	03/04/2008	\$31,500.00	98.0	19.4
2008	Indiana	ALVERDA ENTERPRISES INC	32010110	4840159FG	05/21/2008	\$14,600.00	12.1	4.9
2008	Indiana	ALVERDA ENTERPRISES INC	32010110	4840162FG	07/22/2008	\$16,724.00	12.1	4.9
2008	Indiana	ALVERDA ENTERPRISES INC	32010111	4840156FG	08/04/2008	\$20,629.00	6.5	.3
2008	Jefferson	BEN HAL MINING CO	33070108	4860107FG	04/22/2008	\$71,206.00	4.6	
2008	Jefferson	COOKPORT COAL CO INC	33070104	4860106FG	03/24/2008	\$61,500.00	9.8	9.3
2008	Jefferson	ORIGINAL FUELS INC	33080105	4860108FG	06/03/2008	\$63,700.00	65.0	27.0
2008	Jefferson	WAROQUIER COAL CO	33010107	4860104FG	07/23/2008	\$100,000.00	40.0	
2008	Luzerne	NEW GENERATION COAL INC	40060201	481055FG	07/15/2008	\$52,215.00		
2008	Northumberland	D MOLESEVICH & SONS CONS.	49070101	481085FG	08/05/2008	\$21,560.00		
2008	Schuylkill	COAL CASTLE FUELS INC	54890201	481084FG	07/17/2008	\$13,336.00	82.2	.0

Year	County	Company	Permit No.	FG Number	Issuance Date	Original Amount	Aml Surf Acres	Aml Udg Acres
2008	Schuylkill	FREDERICK CONSULTING	54040202	481082FG	02/15/2008	\$6,422.00		
2008	Schuylkill	JETT CONTR CO	54030103	481072FG	09/24/2008	\$12,887.00	90.0	
2008	Schuylkill	PREMIUM FINE COAL INC	54970101	481083FG	07/10/2008	\$21,731.00	632.0	.0
2008	Schuylkill	SUMMIT ANTHRACITE INC	54020101	481086FG	09/02/2008	\$45,386.00	300.0	
2008	Schuylkill	WHITEY WASH ENTERPRISES	54070201	481077FG	05/06/2008	\$28,656.00		
2008	Schuylkill	WILBUR WHITE COAL CO	54940203	481081FG	02/06/2008	\$8,275.00	.0	.0
2008	Washington	MULLIGAN MINING INC	63080101	483080FG	11/03/2008	\$73,000.00	36.0	33.5

Appendix E
Reclamation Bond Credit Project List

Years 1997 - 2008

County	Fiscal Year	Company Name	Original Issuance Date	Remine Acres Agreed To Reclaim	Value of Bond Credit	AML Acres Reclaimed	Value of Reclamation
Armstrong	1998	Amerikohl Mining Inc.	07/16/1998	7.3	\$41,747	7.3	\$43,800
Clarion	1998	MSM Coal Company, Inc.	07/08/1998	3.9	\$20,645	3.9	\$23,400
Clearfield	1999	Larson Enterprises, Inc	10/20/1999	15.0	\$43,150	15.0	\$82,500
Northumberland	1999	Blaschak Coal	10/13/2000	2.6	\$28,832	3	\$28,832
Columbia	2001	Blaschak Coal	10/2001		\$34,466	1.8	\$38,739
Clearfield	2006	Sky Haven Coal	07/ 2006	14.7	\$335,968	0	0
		Totals		43.5	\$504,808	31.0	\$217,271