

SURFACE MINING CONSERVATION AND RECLAMATION ACT

2011

RECLAMATION AND REMINING INCENTIVES REPORT



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

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

Prepared by:
Pennsylvania Department of Environmental Protection
Office of Active and Abandoned Mine Lands

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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 of Environmental Protection's (DEP) 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 DEP'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, 2011.

Since its inception, Pennsylvania's reclamation and remining incentives programs have been very successful. Coal mine operators using these programs have reclaimed over 6,000 abandoned mine land (AML) acres equivalent to more than \$36.5 million in reclamation value.

The Government-Financed Reclamation Construction 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, 2011, there were 234 contracts issued, with a total reclamation value of over \$14.1 million.

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, 2011, there were 30 mine operators that requested participation in this program on 60 remining sites. Through December 31, 2011, there were 45 projects which resulted in approved remining permits at a cost to the Commonwealth of \$927,460. These 45 remining permits will eventually reclaim 2,107 acres of abandoned mine land with an approximate reclamation value of \$12.6 million.

Under the Financial Guarantees program, DEP provides low cost bonding of remining areas. As of December 31, 2011, 160 coal mine operators used financial guarantees to bond 669 mining permit increments. Operator and permit limits were raised during 2010 to \$360,000 and \$120,000, respectively. Those operations have reclaimed 3,393 acres of abandoned mine land, saving the commonwealth an estimated \$20.4 million.

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 DEP. Five licensed mine operators have completed six bond credit projects. The six projects that have been completed under this program reclaimed 50.1 acres and represent a reclamation value of \$553,239.

Because of implementation feasibility, DEP has not promulgated regulations nor established final criteria for the Designating Areas Suitable for Remining program, as explained in detail on pages 7-8.

Summary of Reclamation and Remining Incentives Programs
1996-2010

Program	Year	Number of Companies	Number of Projects	AML Acres Reclaimed as of 12/31/2010	Reclamation Value of Projects Completed by 12/31/2010
Government-Financed Rec. Contracts	91-10	94	224	2,080.5	\$12,483,000
ROAP	97-10	30	45	391.6	\$2,349,600
Financial Guarantees	96-10	156	644	3,123.3	\$18,739,800
Bond Credits	96-10	5	6	50.1	\$553,239
Totals		285	919	5,645.5	\$34,125,639

Summary of Reclamation and Remining Incentives Programs
2011

Program	Year	Number of Companies	Number of New Projects	AML Acres Reclaimed During 2011	Reclamation Value of Projects Completed in 2011
Government-Financed Rec. Contracts	2011	8	10	274.6	\$1,647,600
ROAP	2011	Program Ceased	Program Ceased	17	\$102,000
Financial Guarantees	2011	4	25	269.99	\$1,619,940
Bond Credits	2011	0	0	0	0
Totals		12	36	407.19	\$2,443,140

II. Conclusions and Recommendations

DEP recommends 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 SMCRA. This would mean reducing the minimum amount of time that bonds are held after reclamation work is complete from five years to two years; continuing the reclamation and remining incentives programs; and continuing to identify and develop reclamation and remining incentives.

DEP has developed four of the five reclamation and remining incentive programs authorized by the 1992 amendment to SMCRA. They are: Government Financed Reclamation and Construction Contracts, Remining Operator’s Assistance Program, Remining Financial Guarantees to Ensure Reclamation, and Reclamation Bond Credits. The fifth program - Designating Areas Suitable for Remining has not been implemented. Mine operators utilizing these four programs have reclaimed over 6,000 acres of abandoned mine land. This equates to an approximate reclamation value of \$36.5 million (completed reclamation areas only). There are projects in progress with remining or reclamation yet to be completed.

DEP 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 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 incentives 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. DEP will continue to identify and develop incentives to encourage and expand reclamation and remining operations.

DEP will continue the reclamation and remining incentive programs.

DEP will continue to identify and develop incentives to encourage reclamation and expand reclamation through remining operations.

DEP has revised Chapter 86 to update the regulations to make the existing remining incentives more compatible with conventional bonding. Previously Remining Financial Guarantees to Ensure Reclamation were intended to cover only a remining area, while under DEP’s conventional bonding process, the bonded area floats across the entire surface of the permit to cover the area being actively mined. The amendments to Chapter 86 became effective on June 18, 2011.

III. Background

This report has been prepared in accordance with the requirements of Section 4.11(b) and (c) of SMCRA. Section 4.11(b) requires DEP to prepare a report regarding DEP’s reclamation and remining programs to the Senate and House Environmental Resources and Energy Committees. Section 4.11(b)

was added to the SMCRA by passage of Act 173 on December 18, 1992. This report summarizes the status of DEP'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 and Construction Contracts

Section 4.9 – Designating Areas Suitable for Reclamation by Remining

Section 4.10 – Remining Operator's Assistance Program

Section 4.12 – Remining Financial Guarantees to Ensure 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, 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 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 and Construction Contracts

The Government-Financed Reclamation and Construction Contracts (GFCC) 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. DEP'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 GFCC 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, 2011, there were 234 contracts issued reclaiming 2,355.1 acres for a total reclamation value of approximately \$14.1 million. The projects contracted during 2011 are listed in Appendix B.

The GFCC program was modified in 1999 and is one of the initiatives of the “Reclaim PA” program. The U.S. 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 GFCC 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 & Construction Contracts Overview:

	As of 12/31/10	As of 12/31/11
Number of acres completed	2,080.5	2,355.1
Number of companies	94	102
Number of projects	224	234

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

DEP has not promulgated regulations nor established a program for designating areas suitable for remining. DEP 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,’ DEP 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 DEP would gather information on a property that would not be mined in the following 10 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.

DEP 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. DEP 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 Aug. 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 DEP 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, 30 operators applied to this program for 60 remining ROAP projects. As of December 31, 2011, 45 ROAP projects became mining permits. When completed, these 45 operations will have provided 2,107 acres of surface AML reclamation and 1,050 acres of AML underground reclamation. The cost to DEP in ROAP assistance for these 45 permits was \$806,155. DEP or the applicant cancelled 15 of the 60 projects. DEP's cost for these 15 projects totaled \$121,305. Of the 45 ROAP applications that became mining permits, 15 of these permits are actively mining or eligible to mine while 30 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 acres reclaimed between January 1, 2011 and December 31, 2011 are 17 AML surface acres at a cost of \$19,367.

Total ROAP AML acres reclaimed as of December 31, 2011 are 391.6 AML surface acres at a cost of \$496,358.

Total ROAP AML acres reclaimed upon completion of all ROAP Projects are estimated at 2,107 at a cost of \$927,460.

D. SMCRA Section 4.12 – Remining Financial Guarantees to Ensure Reclamation

The Remining Financial Guarantees to Ensure Reclamation Program regulations were promulgated as 25 Pa. Code Sections 86.281-86.284 and became effective on Aug. 24, 1996. Under this program, DEP provides low-cost bonds to guarantee reclamation of the remining 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, DEP increased the amount allocated from \$800,000 to \$1,000,000. This allowed DEP 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. During 2010 (again with the approval of the MRAB) DEP used part of the fees paid by operators to increase the amount of funding allocated to the Remining Financial Guarantee Program to \$1,200,000. This allowed DEP to again raise the maximum amount of remining financial guarantees that an operator may use at any one time to a maximum permit limit of \$120,000 and a maximum operator limit of \$360,000. This amount may be adjusted periodically by DEP 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.

As of December 31, 2011, a total of 160 coal mine operators had used financial guarantees 669 times. Those operators have reclaimed 3,393.3 acres of abandoned mine land. This has saved the commonwealth an estimated \$20.4 million in reclamation costs, based on an average of \$6,000 an acre. The commonwealth's cost to operate this program is approximately 2.5 employee years of DEP staff effort each year. Since inception of the program on January 3, 1996, about ten percent of bonding instrument issued has included financial guarantees.

Appendix D lists the individual projects that were issued in 2011.

Remining Financial Guarantees to Ensure Reclamation Program Overview:

	As of 12/31/10	As of 12/31/11
Reclamation value of abandoned mine projects	\$18,739,800	\$20,359,740
Number of acres of AML completed	3,123.3	3,393.3
Number of operators participating	156	160
Number of financial guarantees issued	644	669

E. SMCRA Section 4.13 - Reclamation Bond Credits Program

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 DEP 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 DEP’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.

Five licensed mine operators have completed six bond credit projects. The earned “bond credits” are being used.

The commonwealth’s cost in operating this program is approximately one employee month of DEP staff effort for each project. Currently there are no ongoing bond credit projects.

Reclamation Bond Credits Overview:

	As of 12-31-10	As of 12-31-11
Reclamation value for completed projects	\$553,239	\$553,239
Number of acres reclaimed	50.1	50.1
Number of projects completed	6	6
Number of projects in process	0	0

F. Additional Remining Incentives Projects

DEP uses various sources to augment the existing remining incentive programs by funding implementation of best management practices and expanded information gathering at eligible sites.

There are 18 approved projects within the bituminous coal fields in Pennsylvania where these funds were or will be used to defray the costs of best management practices so that possible remining projects could be contemplated.

Funding Sources:

Growing Greener II	\$3,303,897
Surface Mining Reclamation & Conservation Act Fund	1,756,605
Elimination of Land/Waters Scars Fund	110,400
Environmental Program Management	93,100

Total cost of projects = \$5,267,002

Potential acres to be reclaimed = 471

Potential miles of stream to be improved = 115

No further Grower Greener II funds are anticipated. 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 SMCRA, as amended by Act 173 of 1992, authorizes the secretary of DEP to transfer a maximum of \$1 million per 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 \$806,155 over five 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 Pennsylvania Legislature also authorized the establishment of the Remining Financial Assurance Fund (RFAF) in the 1992 amendments to SMCRA. This fund is used to provide the reserve for the Remining Financial Guarantees to Ensure Reclamation and Reclamation Bond Credit Programs. These amendments authorized the DEP to transfer up to \$5 million from the Land and Water Development Fund to the RFAF. In 1996 \$1 million was transferred into the RFAF. A second \$1 million 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 Reclamation 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, \$1.2 million is allocated for financial guarantees, allowing the DEP to write \$13.3 million in financial guarantees. As of December 31, 2011, \$9,933,377 was designated to financially assure reclamation obligations on mining permits with approved remaining areas.

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 \$1,199,398 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.

DEP has allocated \$1.2 million to the Financial Guarantee Special Account to act as the reserve for the Financial Guarantee Program. DEP 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 MRAB reviewed and discussed House Bill 1813 SMCRA Amendments Relating to Bonds and Treatment over meetings in 2011.

House Bill 1813 would amend PA SMCRA by authorizing DEP to establish a program to provide financial guarantees to qualified surface mine operators that would satisfy reclamation bond obligations and would provide, at the discretion of the Governor, an alternative revenue source to replace the per-acre reclamation fee as a funding mechanism for Operation & Maintenance costs at Alternate Bonding System Legacy Sites.

As a result of a unanimous vote, the MRAB sent a letter of support endorsing House Bill 1813.

The Federal Surface Mining Control and Reclamation Act previously provided that reclamation bonds posted for remined lands could be released two years after the last augmented seeding or other work, as opposed to five years for non-remining sites. This federal provision expired on September 30, 2006, but was reinstated by amendments to the Federal SMCRA that were enacted in December 2006. Therefore, we recommend that the General Assembly amend Section 4(d) of the Pennsylvania Surface Mining Conservation and Reclamation Act to conform the minimum liability period that DEP holds reclamation bonds for reming sites to the two-year period under the Federal Act. Shortening the minimum period of liability on reclaimed remining areas would offer benefits to the operators and DEP without additional fund costs or jeopardizing the environment.

Appendix B

New Government-Financed Reclamation and Construction Contracts Project List for 2011

2011 GFCCs Issued

Year	County	Mailing Name	Contract	Contract Date	No. Acres Proposed	Bond
2011	Westmoreland	ROBINDALE ENERGY SVC INC	65-07-08	01/25/11	25.3	\$253,000
2011	Cambria	TP CONTR	11-08-02	05/06/11	1.5	\$45,000
2011	Allegheny	ALLEGHENY CNTY AIRPORT AUTH	02-05-04	05/23/11	Project Never Materialized	NA
2011	Clarion	WDK ENTERPRISES INC	16-06-09	06/10/11	16.0	\$120,450
2011	Cambria	ROBINDALE ENERGY SVC INC	11-09-02	06/15/11	4.9	\$123,457
2011	Elk	TAMBURLIN BROS COAL CO INC	24-08-03	06/22/11	39.1	\$246,400
2011	Clearfield	R H DOTTS CONTR LLC	17-09-05	07/06/11	5.0	\$35,000
2011	Clearfield	JOHN & JUSTIN WELKER	17-09-07	07/12/11	7.5	\$88,000
2011	Cambria	ROBINDALE ENERGY SVC INC	11-09-01	09/12/11	19.0	\$239,591
2011	Westmoreland	COAL LOADERS INC	65-07-03	10/04/11	43.2	\$194,032

Appendix C

Remining Operator's Assistance Program Project List for 2010

Total ROAP Inventory

ROAP #	SMP #	SMP ISSD	Operator	District	Status
1	17990101	2/7/2001	Sky Haven Coal Co.	Moshannon	Active
2	17980101	2/9/2000	Ed Hanslovan Coal Co.	Moshannon	Reclamation Continues
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.	Moshannon	Cancelled
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	Moshannon	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	Reclamation Completed
16	03990103	12/3/1999	Amerikohl Mining Co.	Greensburg	Reclamation Completed
17	32990103	3/8/2001	T L H Coal Co.	Cambria	Reclamation Continues
18	63990102	PBNM	Robinson Coal Co.	Greensburg	Cancelled
19	17980124	10/18/1999	River Hill Coal Company	Moshannon	Reclamation Completed
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	Cancelled
23	17000101	9/13/2001	River Hill Coal Company	Moshannon	Reclamation Completed
24	33990101	7/19/1999	Amerikohl Mining Co.	Knox	Reclamation Completed
25	17990102	9/13/2001	River Hill Coal Company	Moshannon	Active
26			Marquise Mining Corp.	Greensburg	Cancelled
27	17990103	8/4/2002	River Hill Coal Company	Moshannon	Active
28			Energy Resource Inc.	Moshannon	Cancelled
29			Hepburnia Coal Co.	Cambria	Cancelled
30	11990102	7/16/2003	AMFIRE Mining Co.	Cambria	Reclamation Continues
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.	Moshannon	Cancelled
34	65990106	5/11/2000	Ralph Smith & Son	Greensburg	Reclamation Continues
35			Cooney Bros. Coal Co.	Cambria	Cancelled
36	17000105	2/15/2001	Hilltop Coal Co.	Moshannon	Reclamation Completed
37	32010105	9/4/2003	Amerikohl Mining Co.	Cambria	Reclamation Continues
38	56000103	11/6/2000	Hoffman Mining Inc.	Cambria	Reclamation Continues
39	56000105	3/8/2001	Hoffman Mining Inc.	Cambria	Reclamation Continues
40	33010101	8/21/2001	Sky Haven Coal Co.	Knox	Reclamation Continues
41	17010110	8/15/2002	River Hill Coal Company	Moshannon	Active
42			Energy Resource Inc.	Knox	Cancelled
43	24010101	10/4/2001	Energy Resource Inc.	Knox	Active
44	11000104	6/8/2001	Hoffman Mining Inc.	Cambria	Active

Total ROAP Inventory

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

Appendix D

New Remining Financial Guarantees to Ensure Reclamation Project List for 2011

Year	County	Company	Permit No.	FG Number	Issuance Date	Original Amount
2011	Butler	QUALITY AGGREGATES INC	10100102	4860-116-FG	04/19/2011	\$45,400.00
2011	Cambria	KB COAL INC	11110101	4840-180FG	06/28/2011	\$22,458.00
2011	Cameron	ALLEGHENY ENTERPRISES INC	12080101	4820190FG	01/20/2011	\$90,000.00
2011	Carbon	ROSSI EXCAV CO	13990201	4810100FG	01/10/2011	\$46,013.00
2011	Centre	RES COAL LLC	14080103	4820196FG	03/30/2011	\$90,900.00
2011	Clearfield	AW LONG COAL CO	17110101	4820199FG	11/28/2011	\$55,775.00
2011	Clearfield	CMT ENERGY INC	17100107	4820-197-FG	06/23/2011	\$91,100.00
2011	Clearfield	HEPBURNIA COAL CO	17080101	4820191FG	01/20/2011	\$120,000.00
2011	Clearfield	JUNIOR COAL CONTR INC	17930103	4820198FG	10/19/2011	\$60,000.00
2011	Clearfield	RES COAL LLC	17090102	4820-193-FG	02/01/2011	\$100,000.00
2011	Clearfield	RIVER HILL COAL CO INC	17020103	4820194FG	03/15/2011	\$101,129.00
2011	Clearfield	SKY HAVEN COAL INC	17100109	4820195FG	03/17/2011	\$120,000.00
2011	Clearfield	SWISHER CONTR INC	17100103	4820192FG	01/26/2011	\$88,200.00
2011	Fayette	NEISWONGER CONST	26100101	483082FG	05/26/2011	\$60,200.00
2011	Indiana	KMP ASSOC INC	32080103	4840181FG	08/16/2011	\$19,630.00
2011	Indiana	KMP ASSOC INC	32100103	4840179FG	03/16/2011	\$42,963.00
2011	Indiana	SIMPSON COAL CO	32110104	4840-182-FG	10/31/2011	\$35,791.00
2011	Northumberland	D MOLESEVICH & SONS CONST CO INC	49851602	4810101FG	01/27/2011	\$63,216.00
2011	Northumberland	JOHN P SHINGARA	49080101	4810103FG	06/28/2011	\$10,176.00
2011	Northumberland	KEYSTONE ANTHRACITE CO INC	49080105	4810102FG	02/28/2011	\$36,456.00
2011	Northumberland	LAST TIME COAL CO	49060101	4810105FG	12/16/2011	\$16,709.00
2011	Schuylkill	HAMMOND MINING CO INC	54040103	481099FG	03/30/2011	\$90,278.00
2011	Schuylkill	PREMIUM FINE COAL INC	54970101	4810104FG	07/14/2011	\$21,736.00
2011	Schuylkill	WHITEY WASH ENTERPRISES	54070201	4810106FG	12/23/2011	\$69,302.00
2011	Somerset	FIEG BROS	56020105	4840183FG	12/12/2011	\$73,274.00

Appendix E
Reclamation Bond Credit Project List
Years 1997 – 2011

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.	7/16/1998	7.3	\$41,747	7.3	\$43,800
Clarion	1998	MSM Coal Company Inc	10/22/1999	3.9	\$20,645	3.9	\$23,400
Clearfield	1999	Larson Enterprises, Inc.	10/20/1999	19.4	\$43,150	19.4	\$82,500
Northumberland	1999	Blaschak Coal	10/13/2000	2.6	\$28,832	3	\$28,832
Columbia	2001	Blaschak Coal	10/4/2001	1.8	\$34,466	1.8	\$38,739
Clearfield	2006	Res Coal	07/2006	14.7	\$335,968	14.7	\$335,968
		Totals		49.7	\$504,808	50.1	\$553,239

For more information, visit www.dep.state.pa.us, keyword: Remining Incentives Report.