



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**SURFACE MINING CONSERVATION AND RECLAMATION ACT
RECLAMATION AND REMINING INCENTIVES REPORT
2009**

**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**

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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 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 Dec. 31, 2009.

Since its inception, Pennsylvania's reclamation and remining incentives programs have been very successful. Coal mine operators using these programs have reclaimed 5,221.3 abandoned mine land (AML) acres equivalent to more than \$28 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 Jan. 1991 and Dec. 31, 2009, 210 contracts were issued, with a total reclamation value of over \$8 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 Aug. 1996 and Dec. 31, 2009, 30 operators requested participation in this program on 60 remining sites. Through Dec. 31, 2009, 45 projects have resulted in approved remining permits that have reclaimed 371.1 acres of abandoned mine land with an approximate reclamation value of \$2.4 million.

Under the Financial Guarantees program, DEP provides low cost bonding of remining areas. As of Dec. 31, 2009, 163 coal mine operators used financial guarantees to bond 622 mining permit increments. Those operations have reclaimed 2,927.2 acres of abandoned mine land, saving the commonwealth an estimated \$17.5 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 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 will be completed in 2010. During 2008, many of Sky Haven's operations were transferred to RES Coal, LLC, including this one. The five completed projects represent a reclamation value of \$217,271.

The DEP 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 – 2008**

Program	Year	Number of Companies	Number of Projects	AML Acres Reclaimed as of 12/31/08	Reclamation Value of Projects Completed by 12/31/08
Government-Financed Rec. Contracts	91-08	83	197	1,823.2	\$7,939,200
Remining Operator Assistance Program	97-08	30	60	365.7	\$2,455,200
Financial Guarantee	96-08	158	599	2,781.6	\$16,689,600
Bond Credits	96-08	5	6	31	\$217,271
Totals			862	5,001.5	\$27,301,271

**Summary of Reclamation and Remining Incentives Programs
2009**

Program	Year	Number of New Companies	Number of New Projects	AML Acres Reclaimed During 2009	Reclamation Value of Projects Completed 2009
Government-Financed Rec. Contracts	2009	3	13	68.8	\$412,800
ROAP	2009	No new ones	No new ones	5.4	\$18,206
Financial Guarantee	2009	5	23	145.6	\$873,600
Bond Credits	2009	0	0	0	0
Totals		8	36	219.8	\$1,304,606

II. Conclusions and Recommendations

The 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.

The department 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 - is not practical. In the time the four programs have been available, coal mine operators have used them to aid in completing reclamation of 5,221.3 acres of abandoned mine land. This equates to an approximate reclamation value of \$28.6 million (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.

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

- The department will continue the reclamation and remining incentive programs.
- The DEP 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 to Ensure Reclamation are intended to cover only a remining area, while under the department’s 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 SMCRA. Section 4.11(b) requires DEP to prepare a report regarding the department's reclamation and re-mining 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 Dec. 18, 1992. This report summarizes the status of the department's reclamation and re-mining programs authorized under the SMCRA Sections 4.8, 4.9, 4.10, 4.12, 4.13, and 18.

There are five primary reclamation and re-mining 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 Re-mining
- Section 4.10 - Re-mining Operator's Assistance Program
- Section 4.12 – Re-mining Financial Guarantees to Ensure Reclamation
- Section 4.13 - Reclamation Bond Credits

Section 18 of the SMCRA includes the creation of the Re-mining Environmental Enhancement Fund and the Re-mining 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 re-mining incentive program descriptions refer to a "re-mined area." A "re-mined 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. 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 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 Jan. 1991 and Dec. 31, 2009, there were 210 contracts issued reclaiming 1,892 acres for a total reclamation value of nearly \$8.3 million. The projects contracted during 2009 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 12/31/08	As of 12/31/09
Number of acres completed	1,823.2	1,892
Number of companies	83	86
Number of projects	197	210

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

The DEP has not promulgated regulations nor established a program for designating areas suitable for remining. The department 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 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.

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 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 Aug. 1997 and April 2003, 31 operators applied to this program for 60 remining ROAP projects. As of Dec. 31, 2009, 45 ROAP projects became mining permits. When completed, these 45 operations will have provided 2,072.3 acres of surface AML reclamation and 1,067 acres of AML underground reclamation. The cost to the department in ROAP assistance for these 45 permits was \$865,033. The

DEP or the applicant cancelled 15 of the 60 projects. The department's cost for these 15 projects totaled \$121,305. Of the 45 ROAP applications that became mining permits, 17 of these permits are actively mining or eligible to mine 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 acres reclaimed between January 1, 2009 and December 31, 2009 are 5.4 AML surface acres at a cost of \$18,206.
- Total ROAP AML acres reclaimed as of December 31, 2009 are 374.6 AML surface acres at a cost of \$419,873.
- Total ROAP AML acres reclaimed upon completion of all ROAP Projects are estimated at 2,072.3 at a cost of \$986,338.

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, the department 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, the department 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. 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 Jan. 3, 1996, about one in every five (19.2 percent) bonding instrument issued has included financial guarantees. About half of the 2008 reclamation of abandoned mine lands accomplished by the mining industry was done in conjunction with the Remining Financial Guarantees to Ensure Reclamation Program.

As of Dec. 31, 2009, 163 coal mine operators had used financial guarantees 622 times. Those operators have reclaimed 2,927.2 acres of abandoned mine land. This has saved the commonwealth an estimated \$17.6 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 department staff effort each year.

Appendix D lists the individual projects that were issued in 2009.

Remining Financial Guarantees to Ensure Reclamation Program Overview:

	As of 12/31/08	As of 12-31-09
Reclamation value of abandoned mine projects	\$15,995,700	\$17,563,200
Number of acres of AML completed	2,781.6	2,927.2
Number of operators participating	158	163
Number of financial guarantees issued	599	622

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 Aug. 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 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.

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 1,200 feet of highwall most of which is over 100 feet 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 2010.

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

Reclamation 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 DEP 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 = \$3,667,855
 Potential acres to be reclaimed = 470
 Potential miles of stream to be improved = 104

There are 14 approved (and two pending) projects within the bituminous coal fields in Pennsylvania where 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 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 \$806,136 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 department 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 million is allocated for financial guarantees, allowing the department to write \$10.6 million 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 \$1,008,732 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 DEP has allocated \$1 million 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, 2009, was presented to the Mining and Reclamation Advisory Board on April 22, 2010.

Appendix B

New Government-Financed Reclamation and Construction Contracts Project List for 2009

2009 GFCCs Issued

Year	County	Company	Contract	Contract Date	No. Acres Proposed	Bond Amount
2009	Allegheny	JOSEPH ROSTOSKY COAL CO	02-08-02	07/10/09	5.2	\$43,915.00
2009	Blair	RIDGE ENERGY CO	07-07-01	03/06/09	5.0	\$4,078.00
2009	Cambria	ROBINDALE ENERGY SVC INC	11-07-01	02/04/09	18.0	\$61,260.58
2009	Clearfield	HILLTOP COAL CO	17-08-06	02/23/09	22.4	\$165,000.00
2009	Clearfield	SKY HAVEN COAL INC	17-08-11	02/25/09	16.8	\$126,500.00
2009	Clearfield	RES COAL LLC	17-08-15	06/10/09	25.1	\$193,270.00
2009	Clearfield	CMT ENERGY INC	17-05-01	07/01/09	9.3	\$49,500.00
2009	Clearfield	AW LONG COAL CO	17-08-18	11/04/09	15.2	
2009	Fayette	NORMAN ZIMMERMAN	26-08-01	02/10/09	2.3	\$2,740.00
2009	Indiana	SIMPSON COAL CO	32-08-01	01/23/09	12.0	\$64,166.30
2009	Jefferson	P & N COAL CO INC	33-08-13	08/21/09	14.6	\$139,260.00
2009	Somerset	RIDGE ENERGY CO	56-09-01	11/24/09	3.0	\$59,829.00
2009	Westmoreland	ROBINDALE ENERGY SVC INC	65-09-01	12/04/09	13.6	\$133,815.00

Appendix C
Remining Operator's Assistance Program Project List for 2009

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 2009

Year	County	Company	Permit No.	FG Number	Issuance Date	Original Amount
2009	Butler	BEN HAL MINING COMPANY	10080103	4860110FG	3/13/2009	\$55,064.00
2009	Centre	RIVER HILL COAL COMPANY, INC.	14040103	4820179FG	2/19/2009	\$49,830.00
2009	Centre	WARREN C. HARTMAN, CONTRACTOR	14080101	4820184FG	7/13/2009	\$78,580.00
2009	Clearfield	A. W. LONG COAL CO.	17714022	4820181FG	3/4/2009	\$15,660.00
2009	Clearfield	FORCEY COAL INC	17080102	4820183FG	11/16/2009	\$100,000.00
2009	Clearfield	P. AND N. COAL CO., INC.	17080104	4820182FG	4/2/2009	\$100,000.00
2009	Clearfield	RES COAL LLC	17060104	4820178FG	2/9/2009	\$21,000.00
2009	Huntingdon	FERLITCH CONSTRUCTION CO., INC.	31070101	4840163FG	1/14/2009	\$14,311.00
2009	Indiana	ALVERDA ENTERPRISES INC	32010111	4840167FG	8/26/2009	\$8,317.00
2009	Indiana	BETH CONTRACTING, INC.	32050106	4840168FG	9/14/2009	\$13,381.00
2009	Indiana	BRITT ENERGIES INC	32080102	4840170FG	12/7/2009	\$100,000.00
2009	Indiana	K.M.P. ASSOCIATES, INC.	32080103	4840166FG	7/23/2009	\$55,883.00
2009	Indiana	T & D KRAYNAK MINING CORP.	32020105	4840165FG	2/24/2009	\$11,560.00
2009	Jefferson	MCKAY COAL COMPANY, INC.	33990109	4860109FG	10/15/2009	\$52,000.00
2009	Mercer	BEN HAL MINING COMPANY	43080103	4860111FG	11/18/2009	\$56,715.00
2009	Northumberland	D. MOLESEVICH & SONS CONSTRUCTION CO., INC.	49080104	481087FG	10/29/2009	\$99,317.00
2009	Northumberland	KEYSTONE ANTHRACITE CO INC	49080105	481089FG	8/18/2009	\$83,296.00
2009	Schuylkill	CHAR-PAC COAL COMPANY	54040101	481092FG	11/2/2009	\$20,000.00
2009	Schuylkill	LONE EAGLE COAL COMPANY, INC.	54850107	481091FG	10/27/2009	\$7,547.00
2009	Schuylkill	PREMIUM FINE COAL, INC.	54090101	481090FG	9/1/2009	\$28,803.00
2009	Schuylkill	TIMBER COAL CO LLC	54030102	481088FG	2/26/2009	\$99,992.00
2009	Washington	MULLIGAN MINING INC	63080101	483080FG	1/8/2009	\$73,000.00
2009	Washington	PA COAL RECLAMATION INC	63813210	483076FG	7/30/2009	\$100,000.00

**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

