



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SURFACE MINING CONSERVATION AND RECLAMATION ACT

2010

RECLAMATION AND REMINING INCENTIVES REPORT

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**

DRAFT

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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 December 31, 2010.

Since its inception, Pennsylvania's reclamation and remining incentives programs have been very successful. Coal mine operators using these programs have reclaimed over 5,000 abandoned mine land (AML) acres equivalent to more than \$33 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, 2010, there were 224 contracts issued, with a total reclamation value of over \$9.1 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, 2010, there were 30 mine operators that requested participation in this program on 60 remining sites. Through December 31, 2010, there were 45 projects which resulted in approved remining permits at a cost to the Commonwealth of \$980,797. 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, 2010, 161 coal mine operators used financial guarantees to bond 644 mining permit increments. Operator and permit limits were raised during 2010. Those operations have reclaimed 3,123.3 acres of abandoned mine land, saving the commonwealth an estimated \$18.7 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. Five licensed mine operators have completed six bond credit projects. The six projects that have been completed under this program reclaimed 45.7 acres and represent a reclamation value of \$553,239.

The DEP has not promulgated regulations nor established final criteria for the Designating Areas Suitable for Remining program. Presently, this program is not being implemented.

**Summary of Reclamation and Remining Incentives Programs
1996 – 2009**

| Program | Year | Number of Companies | Number of Projects | AML Acres Reclaimed as of 12/31/09 | Reclamation Value of Projects Completed by 12/31/09 |
|------------------------------------|-------------|----------------------------|---------------------------|---|--|
| Government-Financed Rec. Contracts | 91-09 | 86 | 210 | 1,892 | \$11,352,000 |
| ROAP | 97-09 | 30 | 60 | 374.6 | \$2,247,600 |
| Financial Guarantee | 96-09 | 156 | 617 | 2,927.2 | \$17,563,200 |
| Bond Credits | 96-09 | 5 | 6 | 45.7 | \$274,200 |
| Totals | | | 887 | 5,001.5 | \$31,437,000 |

**Summary of Reclamation and Remining Incentives Programs
2010**

| Program | Year | Number of New Companies | Number of New Projects | AML Acres Reclaimed During 2010 | Reclamation Value of Projects Completed in 2010 |
|------------------------------------|-------------|--------------------------------|-------------------------------|--|--|
| Government-Financed Rec. Contracts | 2010 | 8 | 14 | 188.5 | \$1,131,000 |
| ROAP | 2010 | Program Ceased | Program Ceased | 13.4 | \$80,400 |
| Financial Guarantee | 2010 | 0 | 27 | 196.1 | \$1,176,600 |
| Bond Credits | 2010 | 0 | 0 | 14.7 | \$88,200 |
| Totals | | 8 | 41 | 412.7 | \$2,476,200 |

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 has not been implemented. Mine operators utilizing these four programs have reclaimed over 5,000 acres of abandoned mine land. This equates to an approximate reclamation value of \$33.8 million (completed reclamation areas only). There are projects in progress with remining or reclamation yet to be 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 has initiated 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 is in the final stages of the rulemaking 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 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 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 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. 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 January 1991 and December 31, 2010, there were 224 contracts issued reclaiming 2,076 acres for a total reclamation value of nearly \$8.3 million. The projects contracted during 2010 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 12/31/09 | As of 12/31/10 |
|---------------------------|-----------------------|-----------------------|
| Number of acres completed | 1,892 | 2080 |
| Number of companies | 83 | 86 |
| Number of projects | 210 | 224 |

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 August 1997 and April 2003, 30 operators applied to this program for 60 remining ROAP projects. As of December 31, 2010, 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 the department in ROAP assistance for these 45 permits was \$859,492. 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, 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, 2010 and December 31, 2010 are 13.4 AML surface acres at a cost of \$57,118.
- Total ROAP AML acres reclaimed as of December 31, 2010 are 388 AML surface acres at a cost of \$476,991.
- Total ROAP AML acres reclaimed upon completion of all ROAP Projects are estimated at 2,107 at a cost of \$980,797.

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. During 2010 (again with the approval of the MRAB) the Department 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 the Department 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 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.

As of December 31, 2010, a total of 161 coal mine operators had used financial guarantees 644 times. Those operators have reclaimed 3,123.3 acres of abandoned mine land. This has saved the commonwealth an estimated \$18.7 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. 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 2010.

Remining Financial Guarantees to Ensure Reclamation Program Overview:

| | As of 12/31/09 | As of 12/31/10 |
|--|-----------------------|-----------------------|
| Reclamation value of abandoned mine projects | \$17,563,200 | \$18,739,800 |
| Number of acres of AML completed | 2,927.2 | 3,123.3 |
| Number of operators participating | 156 | 161 |
| Number of financial guarantees issued | 617 | 644 |

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 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.

Five licensed mine operators have completed six 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 included a pit approximately 1,600 feet long and 370 feet wide. The pit averaged over 85 feet deep. 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 finished this project in November 2010.

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 12-31-09 | As of 12-31-10 |
|--|----------------|----------------|
| Reclamation value for completed projects | \$217,271 | \$553,239 |
| Number of acres reclaimed | 31 | 45.7 |
| Number of projects completed | 5 | 6 |
| Number of projects in process | 0 | 0 |

F. Additional Remining Incentives Projects

The 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 \$806,136 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, \$1.2 million is allocated for financial guarantees, allowing the department to write \$13.3 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 \$1,122,355 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 \$1.2 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 2010 Reclamation and Remining Incentive Report, Surface Mining Conservation and Reclamation Act was presented to the Mining and Reclamation Advisory Board on April 28, 2011. Their comments are as follows.....

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Appendix B

New Government-Financed Reclamation and Construction Contracts Project List for 2010

2010 GFCCs Issued

| Year | County | Company | Contract | Contract Date | No. Acres Proposed | Bond Amount |
|------|--------------|------------------------------------|----------|----------------------------|--------------------|-------------|
| 2010 | Indiana | Ridge Energy Co. | 32-08-04 | 01/26/10 | 9.4 | Completed |
| 2010 | Armstrong | J & J Snyder Inc. | 03-09-01 | 02/08/10 | 11.3 | \$77,244 |
| 2010 | Clearfield | Sky Haven Coal Inc. | 17-08-14 | 03/31/10 | 16.8 | 117,600 |
| 2010 | Clearfield | Larry D. Baumgardner Coal Co. Inc. | 17-08-17 | 04/21/10 | 14.8 | \$222,772 |
| 2010 | Clearfield | Swisher Contracting Inc. | 17-08-04 | 04/29/10 | 10.2 | \$78,540 |
| 2010 | Clearfield | Swisher Contracting Inc. | 17-08-03 | 04/29/10 | 20.8 | \$127,820 |
| 2010 | Clearfield | P & N Coal Co. Inc. | 17-08-01 | 04/29/10 | 61.4 | \$440,000 |
| 2010 | Westmoreland | Britt Energies Inc. | 65-09-02 | 06/23/10 | 8.7 | \$112,750 |
| 2010 | Clearfield | Finney Enterprises Inc. | 17-08-19 | 07/19/10 | 8.6 | \$28,380 |
| 2010 | Luzerne | KEL CON SVC Co. Inc. | 40-09-01 | 08/17/10 | 4.0 | \$18,914 |
| 2010 | Lackawanna | Silverbrook Anthracite Inc. | 35-07-01 | Project Never Materialized | NA | NA |
| 2010 | Somerset | Robindale Energy Svc Inc. | 56-09-02 | 08/30/10 | 7.0 | \$160,847 |
| 2010 | Somerset | Ridge Energy CO. | 56-06-01 | 10/06/10 | 6.3 | \$34,351 |
| 2010 | Clearfield | Earthmovers Unltd Inc. | 17-09-03 | 11/08/10 | 9.2 | \$70,840 |

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 Continues |
| 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 | Not started |
| 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 | Not started |
| 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 Continues |
| 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 2010

| Year | County | Company | Permit No. | FG Number | Issuance Date | Original Amount |
|------|----------------|--|------------|-----------|---------------|-----------------|
| 2010 | Bedford | Robindale Energy Svc Inc. | 05090101 | 4840173FG | 05/27/10 | \$100,000 |
| 2010 | Blair | Heritage Mining Co. | 07100101 | 4840174FG | 07/15/10 | \$100,000 |
| 2010 | Cambria | Bell Resources Inc. | 11080102 | 4840169FG | 12/16/10 | \$100,000 |
| 2010 | Centre | AmFire Mining Co. LLC. | 14090102 | 4820189FG | 10/05/10 | \$60,000 |
| 2010 | Centre | Larry D. Baumgardner Coal Co. Inc. | 14090101 | 4820187FG | 10/08/10 | \$100,000 |
| 2010 | Centre | Warren C. Hartman Contracting | 14080101 | 4820184FG | 04/16/10 | \$78,580 |
| 2010 | Clearfield | Bell Resources Inc. | 17090103 | 4820186FG | 06/07/10 | \$100,000 |
| 2010 | Clearfield | Fair Coal Co. LLC. | 17090101 | 4820185FG | 04/29/10 | \$61,798 |
| 2010 | Clearfield | Kasubick Bros. Coal Co. | 17080112 | 4820188FG | 08/19/10 | \$100,000 |
| 2010 | Indiana | Beth Contracting Inc. | 32090104 | 4840178FG | 10/14/10 | \$95,000 |
| 2010 | Jefferson | Ben Hal Mining Co. | 33100103 | 4860113FG | 09/07/10 | \$60,000 |
| 2010 | Jefferson | MSM Coal Co. Inc. | 33100102 | 4860114FG | 09/03/10 | \$96,200 |
| 2010 | Jefferson | Strishock LLC. | 33820149 | 4860115FG | 12/21/10 | \$3,410 |
| 2010 | Northumberland | D. Molesevich & Sons Co. Inc. | 49070101 | 481093FG | 10/07/10 | \$13,131 |
| 2010 | Northumberland | Keystone Anthracite Co. Inc. | 49080105 | 481089FG | 04/14/10 | \$83,296 |
| 2010 | Schuylkill | Gale Mining Co. | 54060103 | 481095FG | 10/12/10 | \$42,292 |
| 2010 | Schuylkill | Gale Mining Co. | 54100101 | 481098FG | 11/17/10 | \$100,000 |
| 2010 | Schuylkill | Lone Eagle Coal Co. Inc. | 54850107 | 481091FG | 02/23/10 | \$7,547 |
| 2010 | Schuylkill | Lone Eagle Coal Co. Inc. | 54850107 | 481097FG | 12/21/10 | \$6,930 |
| 2010 | Schuylkill | Michael Coal Co. | 54030202 | 481096FG | 10/02/10 | \$18,537 |
| 2010 | Schuylkill | Park Mine Coal Co. | 54050101 | 481094FG | 10/07/10 | \$5,053 |
| 2010 | Schuylkill | Summit Anthracite Inc. | 54040103 | 481099FG | 12/16/10 | \$90,582 |
| 2010 | Somerset | Heritage Coal & Natural Resources LLC. | 56890111 | 4840175FG | 07/21/10 | \$80,000 |
| 2010 | Somerset | Heritage Coal & Natural Resources LLC. | 56950110 | 4840177FG | 12/20/10 | \$115,293 |
| 2010 | Somerset | Heritage Coal & Natural Resources LLC. | 56990102 | 4840176FG | 08/06/10 | \$79,800 |
| 2010 | Venango | Ben Hal Mining Co. | 61090103 | 4860112FG | 04/08/10 | \$87,165 |
| 2010 | Washington | Mulligan Mining Inc. | 63090104 | 483081FG | 06/14/10 | \$67,000 |

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Appendix E
Reclamation Bond Credit Project List

Years 1997 – 2010

| 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 | 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 | 10/2001 | | \$34,466 | 1.8 | \$38,739 |
| Clearfield | 2006 | RES Coal | 07/2006 | 14.7 | \$335,968 | 14.7 | 0 |
| | | Totals | | 45.9 | \$504,808 | 50.1 | \$217,271 |

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