

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Annual Evaluation Summary Report
for the
Abandoned Mine Land Reclamation Program
Administered by the State
of



WYOMING
for

Evaluation Year 2000

(October 1, 1999 to September 30, 2000)

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Cover Photo: Typical Gas Hills Uranium Mine Highwall and Pit Hazard

ANNUAL REPORT

Part I. General

The Surface Mining Control and Reclamation Act of 1977 (SMCRA) created the Office of Surface Mining Reclamation and Enforcement (OSM) in the Department of the Interior to oversee the regulation of coal exploration and surface coal mining and reclamation operations and the reclamation of lands adversely affected by past mining practices. SMCRA provides that, if certain conditions are met, a State may assume primary authority for the reclamation of abandoned mine lands within its borders. Once the State has obtained such approval, OSM has the responsibility to make investigations, evaluations, and inspections necessary to determine whether the State Abandoned Mine Land (AML) program is being administered in accordance with the approved program provisions.

OSM's evaluation methods are based upon OSM Directive AML-22 and a Programmatic Agreement between Wyoming AML and OSM. The agreement establishes a commitment between the State and OSM as to how oversight will be conducted. This approach allows the State to take a more active role in the entire oversight process. The State and OSM staff develop topics for review, specific methodologies for evaluation, and assist one another in the preparation of the final report.

OSM's Casper Field Office (CFO) in partnership with Wyoming AML Division identified specific topics to be reviewed during the review period. Wyoming AML Division and the CFO worked in concert to write the Programmatic Agreement. This Programmatic Agreement was written for 2 years and expired at the end of this evaluation year.

The assessment of the Wyoming AML program included enhancement and performance review of selected topics. Specific topics are past reclamation, ongoing reclamation, and financial administration.

The State certified on May 25, 1984 that all inventoried coal mines eligible for AML reclamation have been completed, or were being reclaimed or scheduled for reclamation. As new coal sites are found, the State gives them first priority over non-coal sites and reclaims them as soon as possible. Wyoming gained authority to use AML funds for public facility projects in 1992. Wyoming currently concentrates on the reclamation of non-coal mine sites and constructing public facility projects.

All projects examined are progressing in a timely manner with the exception of three. The Sheridan dust abatement project has encountered delays due to problems with the city of Sheridan obtaining matching funds. The Ferris Haggerty underground copper mine project has experienced delays due to problems in property acquisition. AML has sufficient funds budgeted to cover 90% of the estimated cost of acquiring the property required for the construction of a passive water treatment facility. Negotiations are ongoing with the property owner to obtain land to locate the

treatment facility. Finally, there has been delays in reclaiming some abandoned shafts in the South Pass/Atlantic City area because of poor weather. Climate is a limiting factor in construction activities on top at the continental divide where the sites are located. The construction season can be extremely short. Work is scheduled to begin on these sites next spring.

Wyoming does not have an AML Emergency program and therefore emergency projects are administrated by OSM. However, Wyoming AML Division assists OSM with AML emergencies, since most emergencies are initially reported to Wyoming AML. When this occurs, Wyoming contacts the OSM Casper Field Office and the Western Regional Coordinating Center and assists in the abatement of such emergencies. In many instances, Wyoming has AML construction activities in the area of the emergency and offers assistance through their existing contractors. Wyoming has developed an excellent rapport and trust with the public, cities, counties, other State and Federal agencies and contractors.

Overall, Wyoming administers its AML program in a professional manner resulting in high quality performance of the program. Excellent communication and cooperation between OSM and the Wyoming AML program staff continue.

The following is a list of acronyms used in this report:

SMCRA	Surface Mining Control and Reclamation Act
AMLR	Abandoned Mine Land Reclamation
AMLIS	Abandoned Mine Land Inventory System
AML	Abandoned Mine Land
AMLPL	Wyoming Abandoned Mine Land Program
ACMLRP	Abandoned Coal Mine Land Research Program.
OSM	Office of Surface Mining
CFO	Casper Field Office
SLIB	State Land and Investment Board
DEQ	Department of Environmental Quality
BLM	Bureau of Land Management
SHPO	State Historic Preservation Office
EPA	Environmental Protection Agency
ATP	Authorization to Proceed

Part II. Noteworthy Accomplishments

In the last twenty years, the AMLP has reclaimed over 800 abandoned mine sites encompassing over 27,000 acres. Approximately \$100 million has been spent on coal reclamation. Most of that has been spent for stabilizing mine subsidence in business and residential areas of Rock Springs, Glenrock and Hanna. Approximately \$70 million has been spent reclaiming abandoned bentonite pits in the northeast and northern portion of the state. Approximately \$17 million has been spent in the reclamation of hardrock mine sites throughout the State. Reclamation of abandoned

uranium mine sites has accounted for \$55__ million. Uranium reclamation makes up a bulk of the remaining work to be done and is expected to grow over the next several years. AMLP has invested over \$50 __ million in public facility projects around the state. This evaluation year AMLP has completed funding for \$_____ for public facilities projects. The remaining funding has been split among abandoned drill hole plugging, a mine subsidence insurance program, administrative costs, engineering services, and establishing a trust fund to address future mine subsidence and reclamation needs. The amount of funding used for construction of public facilities has been approximately 30__ per cent and is expected to greatly increase in the coming years.

A contractor has been hired by AMLP to update the State inventory on the OSM Abandoned Mine Land Inventory System (AMLIS). Problems with system access in the past has hindered the State's efforts of updating projects on the AMLIS. Changes in AMLIS at OSM Headquarters and the efforts of the AMLP contractor is expected to improve the site inventory listings information. A pilot program was completed in July. The initial system update submittal also incorporated 55 new sites into the AMLIS system. The contractor is scheduled to complete the AMLIS update during the 2001 evaluation year.

The University of Wyoming and the DEQ signed an agreement in 1990 to use \$250,000.00 of AML funds annually to support mine reclamation research efforts. The Governor Certified this research agreement through 2005. The intent of funding this research is to provide technical assistance and support to identify and quantify environmental impacts from past and present coal mining and to find appropriate and practical mitigation. The Wyoming coal mining industry, OSM and AMLP support the reclamation research because of the need to develop scientifically sound solutions to identified problems. The Land Quality Division of DEQ, which must enforce the State reclamation laws, also supports the program because the information provided allows more precise assessment of the mitigation practices of the impacts of mining. The ultimate goal of the research is to provide positive benefits to the economy and environment of Wyoming.

Three research projects were chosen for funding for the year 2000 in the amount of \$326,750.00 . These proposals were submitted for review by the Technical Review Committee of the ACMLRP and by the reclamation research Steering Committee. The three projects chosen will address air quality, soil nutrient cycling and coal aquifer characterization. Funding for these three studies is consistent with the goals and objectives of the ACMLRP. A Project Review Seminar for the ACMLRP is hosted by the University of Wyoming annually. The seminar includes presentations and discussion on project progress and is open to the public at no charge.

This evaluation year AMLP implemented several internal oversight procedures designed to increase accountability on AML projects. These procedures are designed to insure specificity in construction contracts and that changes in the field are minimized. These procedures include project officers notifying the AMLP Administrator of any shift of funds in an amount greater than \$7,500 or 5% of the contract total. The AMLP Administrator is now notified prior to any Extra Work Orders or Change Orders approved by the project officer. An AMLP Project Officer has

been designated as coordinator of AML traditional reclamation activities. This Project Officer works with other Project Officers to ensure consistency in engineering contracts, construction specifications, and contract administration.

A new Program Manager has been hired to fill the position that has been vacant for several years. Based in the Lander Field Office, the Program Manager will be the coordinator for all AML reclamation projects in Wyoming. In addition the Program Manager will assist in preparing the annual AML grant application package.

Improvements have been made in the AML process of obtaining environmental and cultural clearances prior to requesting an authorization to proceed from OSM. A staff Project Officer has been given the responsibility for obtaining these clearances. This Project Officer received environmental assessment training including cultural resource and endangered species procedures. A spread sheet was developed to track all clearances needed on all projects. OSM oversight confirmed that all project construction was begun after receiving full 106 clearances and an ATP from OSM during the 2000 evaluation year.

Part III. Results of Enhancement and Performance Reviews

Past AML Reclamation

Ten project sites were selected as sample sites for oversight evaluation. These sites are located in the Atlantic City and South Pass City historic area. This area is characterized by abandoned gold mine shafts located near public roads near a heavily promoted and visited tourist attraction site. Of the ten sites visited, only one exhibited post-reclamation problems. This site was the Franklin Mine. The Franklin site was an abandoned gold mine shaft opening near Atlantic City above Willow Creek..



Franklin Mine

Open Pit

The open hole is located on BLM land near a public road and marked by above ground log buildings and other structures. The open shaft is a public safety hazard. The mine opening has been previously covered with steel cable net by AMLP. This mesh was anchored into loose rock spoils with cement. The mesh has been vandalized by adding heavy rock to the center until the anchors gave way. The open shaft now poses a public safety hazard. The AMLP will schedule appropriate maintenance for EY-2001.



Andria Hunter Mine

Project 16-F Andria Hunter is a reclaimed abandoned uranium surface mine located in the Gas Hills Uranium District in Fremont County. Mining took place between 1955 and 1963. Reclamation was completed 19___. The primary benefit of the reclamation was elimination of public health and safety hazards in the form of 2,800 feet of dangerous highwall. A secondary benefit was the restoration of the land production. Recreationalists, mostly hunters, were to benefit through increased production of wildlife and the elimination of aesthetically unpleasing areas. This priority 2 and 3 site included ore containing radioactive and Toxic material such as radium-226. The water quality of the area also was to benefit because of the reduction of contaminated sediments being carried off site from wind and water erosion. Wildlife and livestock were to be greatly benefitted from the resulting revegetation. This reclamation appears successful in terms of hazard mitigation, surface stabilization and vegetation cover. Highwalls have been reduced and pits eliminated. The vegetation appears to be thriving, suitable for grazing and retarding erosion. This project cost \$1635,668.00 and reclaimed more than 200 acres.



Day Loma Mine

On-going AML Projects

Two on-going projects were selected for review. The H and I Spoils and Day Loma reclamation projects in the Gas Hills uranium mine district were reviewed. The primary purpose of this reclamation project is to eliminate or minimize the hazards that the disturbed areas presents to livestock, wildlife and the environment. The hazards include unstable 250 feet highwalls, abandoned mine portals, and poor quality spoils materials that include either acidic soils or low level radioactive material. Groundwater in the pits are acidic (pH <4.0) and contain high levels of trace metals. Reclamation includes eliminating pits, reducing the highwalls, backfilling portals and isolating unsuitable spoils above the water table and below the depth of potential surface erosion. Due to limited availability of AML funding, this project is being done in several phases. Earthmoving is progressing with scrapers, dozers, end-loaders, shovels and back dumps and in an environmentally sound manner. Suitable plant growth media has been recovered, segregated and respread on the regraded areas. Cattle, sheep and antelope are grazing on the revegetated reduced highwalls down to the water level. Safety and environmental hazards are being eliminated in a workman like manner.

No problems were identified during the evaluation. No corrective action is required.

Financial Administration

The Casper Field Office conducted financial oversight during the evaluation period. CFO visited DEQ offices in Cheyenne, Wyoming and reviewed financial information. Specifically, drawdowns, timeliness of grant applications and reports, audits, accounting, payroll, property and travel were reviewed.

Wyoming has a U.S. Treasury agreement covering the AML program and therefore no drawdown analysis was conducted. The agreement has been updated and applies to OSM's FY2000 year. No drawdown analysis is necessary.

Wyoming is submitting required reports and grant applications in a timely manner.

An A-133 Audit was completed for the year ending June 30, 1999. There were no findings for the AMLP. Resolutions to the previous Audit were submitted by Wyoming to the Federal cognizant agency and will be forwarded to the U.S. Department of the Interior and OSM in the future. The State intends to complete another A-133 Audit by the end of calendar year 2000 for the year ending June 30, 2000.

CFO reviewed AMLP travel that occurred during the review period. Travel policies and procedures were reviewed. They were found adequate. CFO found no major problems with the way the AMLP was charging travel. Per diem rates, and allowable lodging rates were checked. All vouchers sampled had appropriate approvals.

AMLP property was reviewed. Specifically, CFO found that the State had completed a Department-wide property review. The review meets the requirements of the Federal Common Rule. Property is being reported properly to OSM.

Summary

Site visits were coordinated with the AMLP Administrator for on-the-ground and office evaluation of topics. One or more problems were identified in the evaluation of past projects, on-going projects, and financial administration. The vandalism of the Franklin Mine open pit cover was identified as a maintenance issue that will be scheduled for repair in the spring of 2001 prior to the peak tourist season in the South Pass and Atlantic City areas.

Citizens input and concerns are monitored through various contacts with the public. OSM observed such contacts as AMLP participation in, public information meetings, seminars published public notices, news releases and reports.

Part IV. Accomplishments and Inventory Reports

The AMLP program accomplishments in the past ten years include: 27,528____ surface mined acres reclaimed including highwalls, landslides, refuse, and water impoundments; 1,289 mine openings safeguarded including shafts, portals, adits, stopes, and subsidence; 18 coal fires abated or controlled; and one acid mine drainage project completed. A total of \$334 million dollars in AML funds have been awarded the Wyoming AML Program.

Wyoming has completed _____ projects during the past year. Work included closing _____ shafts and adits, grouting under _____ residential and commercial structures, and reclaiming over _____ acres. Wyoming also completed _____ public facility projects.

Because coal related sites in Wyoming are reclaimed, AMLP continues to increase funding for non-coal reclamation and public facilities projects. During the past year AMLP made significant progress in reclamation in the Gas Hills Uranium District and complete closure of several hazardous shafts, portals, and reclamation of bentonite mines.

The AMLP in Wyoming continues to be implemented according to the approved State Reclamation Plan and administered in a sound professional manner.

ENHANCEMENT AND PERFORMANCE REVIEW

REPORTS

**WYOMING AML PROGRAM
ENHANCEMENT AND PERFORMANCE REVIEW REPORT
EVALUATION YEAR 1998**

Principles Being Evaluated: AML - Public Facilities Inventory

Background: Wyoming has established a public facilities program that includes a procedure whereby AML funds can be used for public facilities related to mining impacts. The criteria set forth in the SMCRA and the Federal regulations, as well as, the Wyoming AML program allow Wyoming to assist Wyoming communities in eliminating hazards to the public and the environment through the construction of public facilities. This portion of Wyoming AML program is being reviewed due to its experience in a field that few agencies have ever experienced. Other States and the Hopi tribe have contacted Wyoming AML for advice and other information regarding public facility projects.

Review Methodology: Field site visits and office reviews were conducted to perform evaluations of the projects. The criteria used to evaluate these project were the overall success in eliminating potential hazards to the public and the environment..

Population / Sample: There are seven completed and _____eleven ongoing public facility projects in Wyoming. One current projects was selected for evaluation, the Guernsey sewage lagoon system.

Findings and Conclusions: Overall no problems or issues were observed during the field site visit. The project is ongoing and progressing in a workman like manner.

The Guernsey Sewage Lagoon project was selected so that there would be elimination of the threat of water pollution from the existing lagoon which leaks untreated effluent into the North Platte River. The inspection team observed the location of the present lagoon to be within 100 feet of the river bank. Thus demonstrating a high probability of hydrologic connection between the lagoon and the river. Design and engineering work is ongoing. Considerations were given to the size of the towns budget, workforce, and expertise when designing a system to replace the faulty existing one. A multi celled passive series of lagoons system was proposed.

Corrective Actions: No problems or issues were identified during this evaluation. No corrective action is required.

**WYOMING AML PROGRAM
ENHANCEMENT AND PERFORMANCE REVIEW REPORT
EVALUATION YEAR 1998**

Principles Being Evaluated: AML - Ongoing AML Projects

Background: The State is certified, meaning that all inventoried coal mines eligible for AML reclamation are completed or currently under reclamation. Coal mine reclamation projects are becoming fewer as each project is completed. Currently, the new projects are those that were not identified earlier as eligible for AML reclamation or consent for reclamation has been recently obtained. Sufficient funding is available to reclaim newly identified coal sites. As new coal sites are found, the State allows them first priority and start reclamation.

Review Methodology: Site visits were coordinated with the Wyoming AML Division Administrator for on the ground evaluation of the sites. If no issues or problems are identified in the field, no further evaluation will take place. However, if an issue or problem is identified the source will be investigated and a resolutions will be worked out with the State.

Population / Sample: There are forty-eight completed and _____ nine ongoing non-coal reclamation projects. Two ongoing projects were selected to evaluate process and uniqueness of each.

Findings and Conclusions: No problems or issues were identified during this evaluation. No corrective action is required.

**WYOMING AML PROGRAM
ENHANCEMENT AND PERFORMANCE REVIEW REPORT
EVALUATION YEAR 1998**

Evaluation Topic: Program Administration -- Title IV

Review Dates: August 12 and 13, 1998

Personnel: Neal Jacquot (CFO), Steve Toalson (DEQ)

Background: Program administration topics reviewed are: (1) Drawdowns, (2) Accounting procedures to include payroll, accounts payable, travel, and (3) Procurement and management of property and services.

For AML, Wyoming has a US Treasury agreement. Therefore, no specific drawdown analysis is required. Monitoring of DEQ's timely reporting to Treasury is sufficient.

Review Methods: For the drawdown review, only the agreement between Wyoming and the US Treasury was reviewed to ensure that the agreement was current.

CFO relied primarily on A-128 and A-133 Audit findings for accounting procedural controls to include payroll, accounts payable, travel, procurement, and management of property and services. Currently, an A-133 Audit is being completed for the one year period ending June 30 will be completed during the winter of CY-98.

CFO did review travel policies and procedures and applicable expenditures. Specifically, per diem, lodging, and mileage were reviewed.

Findings and Conclusions: Wyoming has a current US Treasury agreement and therefore drawdowns are not an issue. There are no outstanding issues or cost regarding A-128 or A-133 Audits. No problems were found regarding travel management.

Corrective Action: None

To date, all previous audit findings have been resolved. There were no questioned