A. Project Planning

Sections 404, 409 and 411 of SMCRA define the lands and waters eligible for reclamation with monies from the Abandoned Mine Reclamation Fund established under section 401. However, the quantity and severity of problems resulting from inadequate reclamation of lands affected by mining activities prior to SMCRA far exceed the funds available to reclaim such sites. Therefore, sections 403 and 411 of SMCRA establish reclamation priorities and section 405 requires that State reclamation plans include specific criteria for ranking and selecting projects to be funded. OSM has established a national inventory of abandoned mine lands, which States and Indian tribes update on a continuous basis, to monitor reclamation needs and guide the planning process.

Projects should be planned and designed to obtain a justifiable, reasonably cost-effective, long-term solution to the site's problems and to assure proper coordination with other AML reclamation programs (such as the Rural Abandoned Mine Program of the U.S. Soil Conservation Service) and other Federal, State and local agencies. Rights of entry, appraisals and any necessary permits also must be obtained in advance of any need to enter property for design or construction purposes.

Evaluation of project planning activities shall be based upon the State's or Tribe's adherence to its approved AMLR plan, the AMLR Guidelines and the following criteria:

1. Maintenance of a complete, current, prioritized inventory of sites eligible for and in need of reclamation.

2. Adherence to the project ranking and selection process set out in the approved AMLR plan, including public participation in the process.

3. Completion of interagency and intergovernmental coordination requirements, including the procurement of any necessary permits, in a timely manner; e.g., consultation with the U.S. Fish and Wildlife Service in accordance with the Fish and Wildlife Coordination Act, consultation with the State Historic Preservation Officer in accordance with the National Historic Preservation Act, and obtaining any required stormwater discharge permit from the appropriate permitting authority.

4. Development of technically and fiscally prudent, environmentally sound designs for reclamation projects, including consideration of previous experience (including that of other States and Tribes) with respect to the cost, suitability and long-term success of the various techniques of reclaiming sites with similar problems.

5. Timely acquisition of all rights-of-entry necessary for project design and construction, including proper execution of nonconsensual entry procedures where necessary.

6. Determination of whether any real estate parcels within the project area may be subject to lien and, if so, whether the parcel qualifies for a waiver of lien prior to completion of reclamation.

B. Project Construction

Construction activities result in achievement of the purpose of SMCRA relating to reclamation of mined areas left without adequate reclamation prior to the enactment of SMCRA. Construction monitoring and post-construction analysis are critical to ensure that expenditures of funds occur in a manner that will accomplish enduring reclamation.

Also, under section 410 of SMCRA, the Secretary is authorized to expend funds for emergency restoration, reclamation, abatement, control or prevention of the adverse effects of coal mining practices on eligible lands if: (1) an emergency constituting a danger to the public health, safety or general welfare exists and (2) no other person or agency will act expeditiously to restore, reclaim, abate, control or prevent the adverse effects of coal mining practices. OSM has encouraged States to assume primary responsibility for this function although emergency declarations remain the responsibility of the OSM FOD.

Finally, to ensure that no landowner improperly benefits from reclamation activities, sections 408 and 411 of SMCRA establish requirements for the filing of liens under certain circumstances upon completion of construction.

Evaluation and oversight of project construction and post-construction activities shall be based upon the State's or Tribe's adherence to the State or Tribal plan, the AMLR Guidelines and the following criteria:

1. Preparation of contract terms and specifications consistent with the project scope and goals approved in the construction grant, including any environmental protection or mitigation measures listed in the environmental assessment for the approved alternative.

2. Effective management of the construction program, including contract monitoring, to ensure adherence to contract terms, the achievement of program objectives and project goals, and compliance with any specific permit conditions or mitigation measures, especially those pertaining to historic preservation, wetlands preservation and restoration, and stormwater discharge, required pursuant to the interagency and intergovernmental coordination process.

3. Ongoing postconstruction monitoring and analysis of reclaimed project sites to determine maintenance needs and the long-term success and effectiveness of various reclamation techniques, maintenance practices and design alternatives in accomplishing project goals under the environmental conditions found within the State or Tribe.

4. Where potential liens have not been waived in accordance with provisions of the approved plan, timely preparation of post-reclamation appraisals to determine the increase in real

estate value due to the reclamation work, and proper recording, maintenance and satisfaction of any resultant liens.

5. In States and Tribes which have assumed responsibility for the emergency reclamation program, conducting prompt, thorough investigations of citizen reports of emergency conditions, preparing timely, complete, well-documented reports for OSM, and expeditiously abating or controlling those aspects of the problem creating the danger to the public health, safety or general welfare once OSM determines that such conditions exist.

C. Program Administration

Section 405 of SMCRA authorizes the award of grants to the States and Tribes for AMLR program purposes. All grant-funded State and Tribal actions must conform to the requirements set forth in Circulars A-87, A-102 and A-128 published by the Office of Management and Budget (OMB) and the Department of the Interior's common grants management rule at 43 CFR Part 12.

Section 407 of SMCRA contains provisions authorizing the acquisition of abandoned mine lands for reclamation purposes and governing their management and disposal. Congress also has amended SMCRA to authorize the award of up to three million dollars to States to establish subsidence insurance programs, provided these programs are managed in accordance with 30 CFR Part 887.

Evaluation and oversight of AMLR program management and administration shall be based on the State's or Tribe's adherence to the following criteria:

1. Administration and management of Federal grants in accordance with Treasury Department, Interior Department and OMB requirements, as evidenced by:

    a. Timely drawdowns from funding sources and prompt disbursement of drawdowns.

    b. Proper accounting for all program income and expenditures, using generally accepted accounting practices.

    c. Timely submission of applications for funds to maintain continuous program support. Also, timely submission of financial, progress and closeout reports to avoid adverse funding actions by the grantor.

    d. Performance of all required audits and implementation of all appropriate recommendations.

    e. Proper procurement, management and disposal of property and services acquired with Federal funds.

2. Establishment and maintenance of data management systems adequate to meet program needs.

3. When the State or Tribal reclamation plan identifies other State or Tribal agencies as having a direct role in program administration, effective coordination in a manner that minimizes duplication, omissions and delays. In addition, this criterion includes coordination with the Rural Abandoned Mine Program operated by the U.S. Soil

Conservation Service.

4. When land is acquired under section 407 of SMCRA, adherence to the management and disposal requirements of the approved plan and that section.

5. Administration of any subsidence insurance program in a manner that ensures that the program is self-sustaining and that only claims for subsidence damage resulting from eligible coal-related underground mining activities are paid.

D. Maintenance of Approved Reclamation Plan

Section 405 of SMCRA authorizes States and Tribes to develop and obtain Federal approval of reclamation plans for abandoned mine lands within the State or Tribe, after which they are eligible to receive Federal grants to cover the costs of reclaiming these sites. State and Tribal reclamation plans should be prepared in accordance with the guidelines published in the March 6, 1980 Federal Register ("Guidelines for Reclamation Programs and Projects", 45 FR 14810-14819). They must adhere to the requirements of 30 CFR Part 884. Paragraphs (4)(c) through (f) of 30 CFR 884.15 specify the conditions under which an approved State or Tribal reclamation plan must be amended, including changes in State, Tribal or Federal laws or regulations.

Evaluation and oversight of State or Tribal reclamation plan maintenance activities shall be based on the State's or Tribe's adherence to the following criteria:

1. Provision of prompt notification to OSM whenever conditions or events prevent or impede adherence to the approved plan. This includes changes in State or Tribal laws or regulations governing the AMLR program.

2. Timely responses to all notifications from OSM that plan amendments are necessary, as evidenced by submission of the needed amendments or a reasonable timetable for doing so.

3. Timely submission of materials to address all outstanding required amendments and conditions of plan approval.

4. Timely promulgation and implementation of plan amendments approved by OSM.

VI. Annual Reports

A. Reporting Requirements

- The FOD shall prepare an annual evaluation report for each State or Tribe within his or her area of responsibility.

- The completed report shall be forwarded to the ADFO within 45 days of the close of the evaluation year.

- The ADFO shall provide comments to the Field Office within 30 days of receipt.

- Within 10 days of receipt of the ADFO's comments, the FOD shall revise the report and forward one copy to the State or Tribe, which shall be provided a 30-day comment period.

- Within 10 days of receipt of the State's or Tribe's comments, the FOD shall make any necessary revisions and forward the report to the ADFO. The State's or Tribe's comments and a summary of the FOD's disposition of those comments shall be appended to the report.

- If the FOD or the ADFO substantively revises the report, the State or Tribe shall be allowed 15 days to provide additional comments. Any comments submitted shall be appended to the report in place of the comments provided earlier, unless the new comments incorporate the previous ones by reference.

- Upon completion of the ADFO review, the FOD shall schedule a briefing for the Director and Deputy Director concerning the report.

- If the Director's review and briefing results in substantive changes, the State or Tribe shall be afforded another 15-day opportunity for comment. Any comments provided shall be appended to the report in place of comments provided earlier, unless the new comments incorporate the previous ones by reference.

- Once the ADFO determines that all necessary changes resulting from the Director's review have been made and any additional State or Tribal comments have been received, the FOD shall arrange to have 15 copies of the report printed, bound and forwarded to the ADFO.

- The report shall not be released to the public until all changes needed pursuant to the Director's briefing have been made and approved.

B. Format and Instructions

- Reports shall be prepared in accordance with the format and instructions provided on the following pages except that, for Tribal reclamation programs, Part VIII.A. shall be deleted and modifications shall be made to other sections as necessary to delete all references to regulatory programs.

- The inclusion of additional tables and graphics to illustrate and supplement the report's findings is encouraged, although such materials are subject to ADFO review and approval as part of the annual report review process set forth in Part VI.A. of this document.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Annual Evaluation Report

for the

Regulatory and Abandoned Mine Land Reclamation Programs

Administered by the [State/Tribe]

of

[Capitalize name of State/Tribe]

for

Evaluation Year 19__

(July 1, 19__ through June 30, 19__)

[Month/Year]

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I. Introduction

[Instructions: Insert the following text into the report verbatim, substituting State-specific information where so indicated. Modify as necessary for Tribal reclamation programs.]

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 regulation of surface coal mining and reclamation operations and the reclamation of abandoned mine lands within its borders. Once a State has obtained such approval, OSM has the responsibility to make the investigations, evaluations and inspections necessary to determine whether the State is implementing and maintaining its regulatory and abandoned mine land reclamation programs in accordance with SMCRA and the approved program provisions.

Since it is neither possible nor necessary to fully evaluate each program element and subelement every year, OSM's [City] Field Office has developed a schedule (Appendix B) specifying when each element and subelement will be reviewed in detail. This schedule will be revised as necessary to respond to changing conditions within the [State/Tribe] and concerns identified by the public or OSM oversight activities. Comments regarding the oversight process, recommendations for additional review topics, and suggestions for improvement of future reports are encouraged and should be submitted to the Director of the [City] Field Office. Because of the multi-year nature of the review cycle, some findings address State performance prior to July 1, 1993. In these cases, the greatest emphasis is accorded to the most recent State actions reviewed.

Set forth below are the summary findings of the Director of OSM's [City] Field Office regarding the performance of [State/Tribe] for the period July 1, 1993 through June 30, 1994. Detailed background information and comprehensive reports for each program element and subelement evaluated in depth are available for review at the [City] Field Office.

II. List of Acronyms

[Instructions: Insert an alphabetized list of the acronyms used in the report.]

III. Executive Summary

[Instructions:

- Briefly summarize the State's or Tribe's overall performance in implementing its regulatory and AMLR programs and meeting the purposes listed in section 102 of SMCRA.

- Identify any significant accomplishments and problems, placing each in context. For the AMLR program, this shall include construction starts, projects completed, acreage reclaimed and emergencies abated.]

IV. Overview of the [State/Tribal] Coal Mining Industry.

[Instructions: To provide a context for the reader to understand the significance of mining within the State or Tribe, prepare a short narrative of one page or less setting forth general information on mining in the State or Tribe in accordance with the topics listed below:

- Types of mining (surface, underground, area, contour, steep slope, etc.).

- Significance of coal mining to the local and State or Tribal economies.

- Amount and nature of coal reserves in the State or Tribe.

- Type and amount of coal produced (both historically and at the present time).

- Number, type and size of mines.

- Any other information characterizing coal mining in the State or Tribe and providing a sense of conditions in the State or Tribe.

- Any significant changes in the above information during the evaluation period.

In addition, this section must include a discussion of the hazards associated with areas adversely affected by coal mining prior to the effective date of SMCRA. This discussion must specifically enumerate any deaths or injuries experienced during the evaluation year and, if data are available, in an historical context.]

V. Success in Achieving the Purposes of SMCRA

[Instructions:

- o Concisely describe the success of the State regulatory and AMLR programs in achieving the purposes listed in section 102 of SMCRA, placing special emphasis on whether lasting and effective reclamation of mined lands is being accomplished.

- o Do not discuss those purposes of SMCRA not directly related to the protection of public and private property, public health or safety, or the environment.]

VI. Status of Issues from Previous Annual Evaluation Reports

[Instructions: Briefly discuss the status of all problems and issues identified as unresolved or tentatively resolved in the previous annual evaluation report, regardless of whether or not they are the subject of an action plan.]

VII. Actions Affecting Program Implementation

[Instructions: Describe all significant actions impacting program implementation during the review period. Include any actions taken under 30 CFR Part 733, litigation of a potentially precedent-setting nature, pertinent legislative actions, budgetary restrictions and hiring freezes.]

VIII. Summary Findings

[Instructions:

- o Reports shall present concise summaries of the State's or Tribe's performance with respect to each program element, using standard reporting forms in the prescribed format.

- o Each summary finding shall:

  - Identify the specific components of the program element which were evaluated in depth or accorded special emphasis, especially for selective-focus reviews.

  - Include a very brief summary of the evaluation methodology; e.g., the number and distribution of permits sampled compared to those of the entire population.

- Focus on the State's or Tribe's performance in implementing its approved programs and achieving the objectives of SMCRA.

- Include both accomplishments and problems as appropriate. Place all problems in perspective with respect to their extent of occurrence and actual and potential environmental significance. All issues shall be discussed with the State or Tribe prior to their inclusion in the report.

- Compare State or Tribal performance during the current evaluation period with that of previous evaluation periods. Issues and problems identified as unresolved or tentatively resolved in previous annual reports must be discussed.

- Succinctly discuss all problems resolved during the evaluation period and all efforts to resolve continuing problems.

- Summarize the content and status of any outstanding or newly developed action plans and other actions taken by the State or Tribe to remedy deficiencies and strengthen the program. If further actions are necessary or planned, these shall also be summarized. Problems for which action plans are not needed or have not yet been developed shall be discussed in similar fashion.

o Since these reports are summaries rather than comprehensive evaluation documents, one form shall be completed for each program element, regardless of the number of subelements and technical topics evaluated. The detailed nature of the findings, the basis for them and the evaluation methodology shall be documented in the evaluation file and need not be extensively repeated here.

o To the extent possible, results of evaluations of technical topics shall be included in the summary findings for the appropriate standard program element(s). However, when the technical topic includes aspects of several standard program elements and the evaluation results in complex, interrelated findings, it may be desirable, for purposes of clarity, to discuss it on a separate standard reporting form as a special program element. Any such forms shall be placed after the forms containing the findings for the standard regulatory or AMLR program elements, as appropriate.

o If warranted by the number or complexity of subelements or technical topics reviewed or problems identified, the form may be expanded to at most two pages. Lengths in excess of 2 pages must be specifically approved in advance by the ADFO. Supplementary graphics and illustrations are not considered part of the summary finding form and hence are not subject to

this limit.

- When no activity has occurred within one of the specified program elements (such as small operator assistance), and none was required, a statement to that effect shall be placed on the form.

- If no aspect of an element was reviewed during the evaluation period, include a brief statement on the form explaining when a complete or partial review is scheduled .]

Standard Reporting Form

EVALUATION YEAR 1994: [STATE/TRIBE]

[Regulatory/AMLR] Program Element:

Subelements Reviewed: [List]

Type of review: [Use same categories as for workplans.]

==========

Summary Findings:

APPENDIX A: Tabular Summaries of Data Pertaining to Mining, Reclamation and Program Administration

[Instructions: After preparing a title page, insert the following paragraph into the report verbatim with appropriate modifications for Tribal reports. Complete the tables in accordance with the format and instructions provided for each table. If a table is inapplicable in a particular State, enter an explanatory statement in lieu of the table. The reporting period for all tables is the entire evaluation year unless the instructions for the table state otherwise. When data are not available at the time the first draft of the report is due, the tables may be left blank and completed prior to submission of the second draft.]

> These tables present data pertinent to mining operations, State and Federal regulatory activities and the reclamation of abandoned mines within [STATE/TRIBE]. They also summarize funding provided by OSM and [State/Tribal] staffing. Unless otherwise specified, the reporting period for the data contained in all tables is the 1994 evaluation year (July 1, 1993 through June 30, 1994). Additional data used by OSM in its evaluation of [STATE/TRIBE]'s performance is available for review in the evaluation files maintained by the [CITY] Field Office.

Instructions for Specific Tables

Table 1: Coal Production

- Provide data for the three most recent calendar years, using fee compliance data provided through the ADFO.

Table 2: Inspectable Units

- To provide national consistency, use the following definitions for inspectable unit status categories even if they differ somewhat from those approved in the State program:

  - Active: Any minesite or related facility not included in one of the other categories. Does not include sites on which no disturbance has occurred.

  - Temporary cessation: Any minesite or facility for which the regulatory authority has approved the temporary cessation of operations in accordance with 30 CFR 816.131 or 817.131 or their State program equivalents.

  - Phase II bond release: Phase II reclamation completed or, for initial program or nonpermitted sites, revegetation established.

- Abandoned: Any site meeting the criteria of 30 CFR 840.11(g).

o Reclaimed bond forfeiture sites shall not be included in this table unless the reclamation performed is inadequate to fully abate all outstanding violations, in which case the site shall be listed in one of the above categories in accordance with the criteria established in 30 CFR 840.11.

o When a mine is located on more than one type of land, list the acreage of each type of land involved (State/private, Federal or Indian). Do not assign the entire acreage to the land category comprising the majority share of the minesite.

o A mine that includes more than one type of land shall be listed as an inspectable unit in each of the applicable lands categories. However, if both types of land have the same regulatory authority, the mine shall be counted as only a single inspectable unit for purposes of the "All lands" category.

o State programs differ greatly in coal exploration requirements and terminology. For purposes of this table, any exploration activity which requires prior approval from the regulatory authority shall be considered a "permit", and any activity for which an individual need only provide prior notice to the regulatory authority shall be considered a "notice."

Table 3: State Inspection Activity

o Required inspection frequencies shall be determined in accordance with the approved State program. Since these frequencies are based upon inspectable unit activity status, the status definitions used to complete this table shall be those contained in the approved State program, not those set forth in the instructions for Table 2. This requirement does not apply to abandoned sites, for which the definition in 30 CFR 840.11(g) shall be used. Also, consistent with Directive INE-21, no mandatory inspection frequency shall be assigned to undisturbed permits.

o Entries on the abandoned sites line shall be made only if the State makes such data available. Otherwise, data for abandoned sites shall be combined and reported with the data for active units.

o Use State inspection frequency data for the entire population. If State data are not available, use data collected during Federal oversight inspections or State file reviews, and extrapolate them to the entire inspectable unit population. Provide a footnote to that effect.

o Entries in the "Percent of required inspections conducted" column shall be calculated using the State's inspection database and the following procedure:

(1) For each site for which the State had an inspection obligation under 30 CFR 840.11 at any time during the evaluation year, compute the number of inspections required to be conducted during the evaluation year. Add these site-specific numbers together to obtain the total number of required inspections.

(2) For each site in (1) above, determine the number of **required** inspections that were actually conducted by the State. Add these numbers together to obtain the total number of required inspections conducted.

(3) Divide the sum of (2) by the sum of (1). Multiply the quotient by 100.

Do not compare the gross number of inspections conducted State-wide to the total number of inspectable units in the State. Because excess inspections on one site cannot compensate for a deficiency on another site, entries in this column can never exceed 100 percent. For example, if the State conducted 5 quarterly complete inspections and 13 partial inspections on a site which was in active status for the entire evaluation year, only 4 complete and 8 partial inspections would be counted since these were the only inspections required to meet the mandatory inspection frequency. Similarly, any complete or partial inspections conducted on an inactive site in excess of the mandatory four quarterly completes would not be counted. However, please note that the excess inspections **would** be included in the first column, "Number of inspections conducted," which does report the gross number of inspections conducted State-wide.

- Excess complete inspections shall be considered partial inspections for purposes of the "Percent of required inspections conducted" and "Inspectable units for which State met required inspection frequency" columns.

- Entries in the percent portion of the "Inspectable units for which State met required inspection frequency" column shall be computed by dividing (1) the number of inspectable units for which all required inspections were conducted by the regulatory authority by (2) the total number of units for which an inspection obligation existed at any time during the evaluation year, and then multiplying by 100.

- The terms "exploration notice" and "exploration permit" shall be defined consistent with the instructions for Table 2.

- If the State program contains a minimum numerical inspection frequency for coal exploration operations, substitute it for the second sentence of the second footnote and enter the appropriate data in the table.

- Round percentage entries to the nearest whole number. Do not use decimals.

Table 4: Trends in State Inspections and Inspectable Units

- With respect to inspectable units, include data only for those units for which the State is the regulatory authority.

- Inspectable unit status shall be determined consistent with the approved State program, except for abandoned sites, which shall be defined consistent with 30 CFR 840.11(g). Also, as provided in Directive INE-21, undisturbed permits shall not be included.

- The terms "exploration permit" and "exploration notice" shall be defined consistent with the instructions for Table 2.

- Follow the instructions for Table 3 when entering inspection data and calculating inspection frequencies.

- Only written citizen complaints need be reported. If oral complaints are included, they shall be entered in a separate column unless the State does not distinguish between oral and written complaints, in which case an explanatory footnote shall be added to the table.

Table 5: State and OSM Enforcement Activity

- Include all actions taken during the evaluation year regardless of when the underlying violation occurred.

- When OSM is directly enforcing a State program or portion thereof (such as nonpayment of AML reclamation fees) pursuant to a memorandum of understanding with the State, parenthetically identify the number of such enforcement actions taken and provide an explanatory footnote.

Table 6: OSM Inspections of Sites Where the State Is the Primary Regulatory Authority

- An inspection of a minesite or facility consisting of several permits shall be recorded as only one inspection if, in accordance with Directive INE-29, both the State and OSM consider the site to be a single inspectable unit. This holds true even if separate inspection reports are prepared for each permit for ease of recordkeeping.

- Mine activity status shall be determined in accordance with item 14 of the MEIR unless the site has a status code of ND in item 15 of the MEIR, in which case the site shall be entered in the "Permit not started" category. Sites coded AB, AB1, or AB2 in item 14 of the MEIR shall be entered in the "Abandoned" category, while sites coded AB3 shall be entered in the "Reclaimed forfeiture" category in the table.

- The "State bond release" column refers to OSM inspections conducted pursuant to Directive INE-28 (inspections coded SC1 in item 12 of the MEIR).

- Among other things, the "Other" column includes all inspections conducted pursuant to a memorandum of understanding or other agreement with the State granting OSM the authority to directly enforce certain specified State program requirements on sites for which the State retains primacy. The nature of all "Other" inspections shall be explained in a footnote.

- "Exploration permit" and "exploration notice" shall be defined consistent with the instructions for Table 2.

Table 7: OSM Inspections of Sites Where the State Is Not the Primary Regulatory Authority

- An inspection of a minesite or facility consisting of several permits shall be recorded as only one inspection if, in accordance with Directive INE-29, OSM considers the site to be a single inspectable unit. This holds true even if separate inspection reports are prepared for each permit for ease of recordkeeping.

- Mine activity status shall be determined in accordance with item 14 of the MEIR unless the site has a status code of ND in item 15 of the MEIR, in which case the site shall be entered in the "Permit not started" category. Sites coded AB, AB1, or AB2 in item 14 of the MEIR shall be entered in the "Abandoned" category, while sites coded AB3 shall be entered in the "Reclaimed forfeiture" category in the table.

- "Exploration permit" and "exploration notice" shall be defined consistent with the instructions for Table 2.

- Explain the nature of and basis for any inspections in the "Other" category in a footnote.

Table 8: Compliance Findings--OSM Inspections

- Complete this table using data collected on all OSM inspections coded C, SC, or SP in item 12 of the MEIR. Data from inspections coded C shall be entered in the column entitled "Random sample inspections," while data from inspections coded SC or SP shall be entered in the column entitled "Other OSM inspections."

- Include only violations in existence at the time of and actually observed by OSM inspectors during the inspection. Do not include violations previously cited by the State if they no longer exist at the time of the OSM inspection.

- Following the instructions for item 29 of the MEIR, include all violations observed during the inspection, even if they are corrected prior to completion of the inspection.

- Do not include any violations in ten-day notices on appeal to the Deputy Director or which have not been affirmed on appeal.

Table 9: Violations Present at Time of Last State Complete Inspection of Sites Inspected by OSM

- Complete this table using data collected on all OSM inspections coded C, SC, or SP in item 12 of the MEIR. Data from inspections coded C shall be entered in the column entitled "Random sample inspections," while data from inspections coded SC or SP shall be entered in the column entitled "Other OSM inspections."

- Use only data coded 1 or 2 in item 29D of the MEIR. Do not include (1) data coded 3 or 4 in item 29D of the MEIR; (2) any violations cited prior to the last State complete inspection, or (3) any violations cited as a result of a State partial inspection conducted between the time of the last State complete inspection and the OSM inspection.

- Include all violations cited by the State on the last State complete inspection, even if they were terminated or abated before the OSM inspection.

- Exclude all violations in ten-day notices on appeal to the Deputy Director or which have not been affirmed on appeal.

Table 10: Seriousness of Violations Present at Time of Last State Complete Inspection of Sites Inspected by OSM (OSM Random Sample Inspection Sites Only)

- Complete this table using only data collected on OSM random sample inspections (inspections coded SC or SP in item 12 of the MEIR).

- Use only data coded 1 or 2 in item 29D of the MEIR. Do not include (1) data coded 3 or 4 in item 29D of the MEIR; (2) any violations cited prior to the last State complete inspection; or (3) any violations cited as a result of a State partial inspection conducted between the time of the last State complete inspection and the OSM random sample inspection.

- Include all violations cited by the State on the last State complete inspection, even if they were terminated or abated before the OSM inspection.

- The number of administrative (recordkeeping) violations shall be derived from the

"Obstruction to Enforcement" category under "Impact" in item 29H of the MEIR; i.e., all data coded 7, 8 or 9.

- Do not include any violations in ten-day notices on appeal to the Deputy Director or which have not been affirmed on appeal.

Table 11: Seriousness of Violations Present at Time of Last State Complete Inspection of Sites Inspected by OSM (Excluding OSM Random Sample Inspection Sites)

- Follow the instructions for Table 10, but use only data collected on OSM inspections coded SC or SP in item 12 of the MEIR.

Table 12: Citizen Complaints

- Include complaints referred to the State by OSM in the total number of complaints received by the State.

- Entries are required only for written complaints. If oral complaints are included, present such data in a separate column and provide a footnote stating that investigation of and response to oral complaints is not required (unless otherwise provided in the State program). If the State does not distinguish between oral and written complaints, report the combined data and provide an explanatory footnote.

Table 13: Permit Applications Received by State

- This table supplies data needed by OSM to meet the information collection and regulatory impact analysis requirements of the Paperwork Reduction Act.

- Use the definition of "exploration permit" provided in the last bullet of the instructions for Table 2.

Table 14: State Permitting Actions

- Include only those actions for which the State has both approved the application and issued an authorization to initiate operations. For example, do not include approved permit applications for which bond has not yet been posted or final compliance checks have not been completed.

- Use the definitions of "exploration permit" and "exploration notice" provided in the last bullet of the instructions for Table 2.

- o Delete the first asterisk and footnote if the State requires prior approval (rather than just prior notice) of all coal exploration activities.

- o In the incidental boundary revisions category, report only the net acreage added by this means.

- o If State program allows acreage to be added via permit amendment, add a line to the table to report all such amendments and associated acreage.

- o This table is not a subset of Table 13; it shall include all actions taken during the evaluation year regardless of when the underlying application was received.

Table 15: Bonds Released by State

- o Self-explanatory.

Table 16: State Bond Forfeiture Activity

- o Include only those sites for which the indicated action is complete. For example, the "Bonds forfeited" categories do not include sites for which bond forfeiture proceedings have been initiated but not finalized, and the "Forfeiture sites reclaimed" category does not include sites on which reclamation has begun but which have not yet been fully regraded and planted.

- o Exclude all sites reclaimed by sureties or other third parties in lieu of forfeiture.

- o If AMLR grants or funds collected from State or Federal civil penalty assessments are used to reclaim any bond forfeiture sites, add a line listing the funds expended and the number of sites and acres reclaimed in this fashion.

Table 17: Status of State's Bond Pool or Forfeiture Reclamation Fund

- o Complete only if the State has an approved alternative bonding system. For States lacking such systems, provide an explanatory statement in place of this table.

- o Balances shall be computed as the difference between fund assets and liabilities in accordance with generally accepted accounting principles.

- o Itemize all sources of fund income using categories such as interest, entrance fees, tonnage fees and annual acreage fees.

- Include data for all sites for which the fund is responsible. If the State maintains separate funds with strictly separate liability for initial and permanent program sites, only data for permanent program sites should be reported. Otherwise, the table must include data from both types of sites, preferably in separate columns if the State accounting system distinguishes between these sites.

Table 18: Lands Unsuitable Petitions

- Self-explanatory.

Table 19: State/Tribal Staffing

- Include only personnel actually in place or hired as of the end of each evaluation year.
- Do not include supervisory or clerical personnel in the "Permit review" and "Inspection" categories.
- For interagency personnel assignments, include a footnote listing the donor agencies and the number of persons supplied.

Table 20: Funds Granted to State/Tribe by OSM

- Provide all funding figures in millions of dollars rounded to two decimal places.
- The "Federal funds requested by [State/Tribe]" column shall include the sum of all initial grant applications, amendments and supplementary funding requests received by the Field Office during the indicated evaluation year. Do not subtract any deobligation requests received during the same period. If a decision on an application is deferred until the subsequent year for reasons other than lack of funds, report the request as being made in the later year, except as noted in the next bullet of these instructions.
- Include a footnote to explain funding requests on which a decision is still pending at the end of the evaluation year for which the report is prepared.
- The "Federal funds awarded" column shall include the sum of all grant applications, grant amendments and supplementary funds approved during the indicated evaluation year. Do not subtract any deobligations approved during the same period.
- Generally, for purposes of the "Federal funds awarded" column, a grant shall be considered awarded on its effective date. However, except for initial grant appplications, this principle does not apply if the award is retroactive.

- o The "Funds deobligated" column shall include all types of deobligations.

- o Grants qualifying for the "Other" category, such as subsidence insurance and civil penalty reclamation grants and post-1992 State set-asides, shall be specifically identified and separately listed, not lumped under "Other".

- o Calculate the entries in the "Percent Federally funded" column for the "Totals" row by use of a weighted average.

Table 21: Status of AMLR Funds Awarded to State/Tribe

- o Provide all funding figures in millions of dollars rounded to two decimal places.

- o Data shall be current as of the ending date of the evaluation year.

- o All entries shall be cumulative in terms of the grant(s) in question; they shall not reflect only expenditures and activities during the current evaluation year.

- o The first column ("Year of award") serves solely as a grant identifier. It shall not be used to indicate when an activity occurred. For example, obligations and outlays occurring during EY 1994 shall be distributed among the two categories listed (EY 81-93 and EY 94) according to the year the parent grant incurring the obligation or outlay was approved; they shall not all be reported on the "EY 94" line even though the actual obligation or outlay occurred in EY 1994.

- o Include all grant amendments as part of the parent grant regardless of the year the amendment is approved.

- o Use standard grant funding categories and definitions when interpreting terms used in this table.

- o Obligations shall include all signed contracts and similar agreements with subgrantees.

- o Outlays shall be based on SF-269's, SF-271's, OSM-47's and similar reports and data supplied by the State or Tribe and on information available from OSM financial management personnel.

- o The difference between the "Funds approved" column and the sum of the "Cumulative obligations" and "Funds deobligated" columns should equal the "Funds remaining available for obligation" column.

- o Awards for State or Tribal emergency and noncoal reclamation program administration

costs shall be included within the "Administrative grants" category.

- Footnotes shall be used to explain significant deviations such as timing delays that result in the award of two construction grants within the same year and none the previous year.

- The "Percent of grant period lapsed" entries on the EY 81-93 lines shall be calculated using a formula weighted for grant award amounts.

- If data cannot be obtained for a particular item in this table, enter "Data unavail." in the appropriate location.

Table 22: Abandoned Mine Land Reclamation Needs and Accomplishments Since Program Approval

- Contact the Division of Abandoned Mine Land Reclamation (DAMLR) in Headquarters to obtain the data needed to complete this table.

- Any public facilities or public land development projects should be added to the bottom of this table in itemized form .

- If the Field Office has or can obtain additional data for noncoal-related accomplishments, the information may be included in the table and the footnote modified accordingly with the permission of DAMLR.

TABLE 1

COAL PRODUCTION (Millions of Short Tons)			
Calendar year	**Surface mines**	**Underground mines**	**Total**
Coal production for entire State			
1991	–	–	0
1992	–	–	0
1993	–	–	0
Coal production where OSM is the regulatory authority			
1991	–	–	0
1992	–	–	0
1993	–	–	0

TABLE 2

INSPECTABLE UNITS
(As of June 30, 1994)

Coal mines and related facilities	Number and status of units									Acreage[A] (hundreds of acres)		
	Active		Inactive			Abandoned		Totals				
			Temporary cessation	Phase II bond release								
	IP	PP	PP	IP	PP	IP	PP	IP	PP	IP	PP	Total
STATE and PRIVATE LANDS	**REGULATORY AUTHORITY: (STATE)**											
Surface mines	–	–	–	–	–	–	–	0	0	–	–	0
Underground mines	–	–	–	–	–	–	–	0	0	–	–	0
Other facilities	–	–	–	–	–	–	–	0	0	–	–	0
Subtotals	0	0	0	0	0	0	0	0	0	0	0	0
FEDERAL LANDS	**REGULATORY AUTHORITY: (STATE/OSM)**											
Surface mines	–	–	–	–	–	–	–	0	0	–	–	0
Underground mines	–	–	–	–	–	–	–	0	0	–	–	0
Other facilities	–	–	–	–	–	–	–	0	0	–	–	0
Subtotals	0	0	0	0	0	0	0	0	0	0	0	0
INDIAN LANDS	**REGULATORY AUTHORITY: OSM**											
Surface mines	–	–	–	–	–	–	–	0	0	–	–	0
Underground mines	–	–	–	–	–	–	–	0	0	–	–	0
Other facilities	–	–	–	–	–	–	–	0	0	–	–	0
Subtotals	0	0	0	0	0	0	0	0	0	0	0	0
ALL LANDS [B]												
Surface mines	0	0	0	0	0	0	0	0	0	0	0	0
Underground mines	0	0	0	0	0	0	0	0	0	0	0	0
Other facilities	0	0	0	0	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0	0	0	0	0

Average number of permits per inspectable unit (excluding exploration sites) . . . . . _____

Average number of acres per inspectable unit (excluding exploration sites) . . . . . _____

Number of exploration permits on State and private lands: . . . . . _____ On Federal lands: _____ [C]

Number of exploration notices on State and private lands: . . . . . _____ On Federal lands: _____ [C]

IP: Initial regulatory program sites.

PP: Permanent regulatory program sites.

[A] When a unit is located on more than one type of land, includes only the acreage located on the indicated type of land.

[B] Numbers of units may not equal the sum of the three preceding categories because a single inspectable unit may include lands in more than one of the preceding categories.

[C] Includes only exploration activities regulated by the State pursuant to a cooperative agreement with OSM or by OSM pursuant to a Federal lands program. Excludes exploration regulated by the Bureau of Land Management.

TABLE 3

STATE INSPECTION ACTIVITY

Type of inspectable unit	Number of inspections conducted		Percent of required inspections conducted[A]		Inspectable units for which State met required inspection frequency			
	Complete inspections	Partial inspections	Complete inspections	Partial inspections	Complete inspections		All inspections	
COAL MINES AND FACILITIES					Number	%	Number	%
Active	–	–	–	–	–	–	–	–
Inactive	–	–	–		–	–	–	–
Abandoned	–	–	–	–	–	–	–	–
Totals	0	0	–	–	0	–	0	–
Exploration permits[B]	–	–						
Exploration notices[B]	–	–						

[A] Calculated on a site-specific basis. Excess complete inspections are considered partial inspections. For each site, any inspections in excess of the total number required by the approved program are not included.

[B] Includes all valid or unreclaimed notices and permits. No inspection frequency data are provided since SMCRA does not establish a minimum numerical inspection frequency for coal exploration activities.

TABLE 4

TRENDS IN INSPECTABLE UNITS AND STATE INSPECTIONS				
Evaluation Year		**1992**	**1993**	**1994**
Inspectable units for which State has jurisdiction				
Surface mines:	Active	–	–	–
	Inactive	–	–	–
	Abandoned	–	–	–
Subtotals for surface mines		**0**	**0**	**0**
Underground mines:	Active	–	–	–
	Inactive	–	–	–
	Abandoned	–	–	–
Subtotals for underground mines		**0**	**0**	**0**
Other facilities:	Active	–	–	–
	Inactive	–	–	–
	Abandoned	–	–	–
Subtotals for other facilities		**0**	**0**	**0**
All mine types:	Active	0	0	0
	Inactive	0	0	0
	Abandoned	0	0	0
Totals		**0**	**0**	**0**
Exploration permits		–	–	–
Exploration notices		–	–	–
State inspections conducted (Exclusive of exploration sites)				
Complete		–	–	–
Partial		–	–	–
Totals		0	0	0
Percent of required State inspections conducted				
Complete inspections		–	–	–
All inspections		–	–	–
Citizen complaints received		–	–	–

TABLE 5

STATE AND OSM ENFORCEMENT ACTIVITY

Type of enforcement action taken	Actions taken by State		Actions taken by OSM on:			
			Sites where State is the primary regulatory authority		Sites where State is NOT the primary regulatory authority	
	Number of actions	Number of violations	Number of actions	Number of violations	Number of actions	Number of violations
Notice of violation issued	–	–	–	–	–	–
Imminent harm cessation order issued	–	–	–	–	–	–
Failure-to-abate cessation order	–	–	–	–	–	–
Show cause order issued for pattern of violations	–				–	
Permit suspended[A]	–				–	
Permit revoked	–				–	
Individual civil penalty assessed	–	–	–	–	–	–
Criminal penalty requested	–	–	–	–	–	–
Criminal penalty assessed	–	–	–	–	–	–
Injunction requested	–	–	–	–	–	–
Injunction obtained	–	–	–	–	–	–
Settlement agreement approved in lieu of further enforcement action	–	–	–	–	–	–

[A] Average duration of permit suspension: _____ (State) _____ (OSM)

TABLE 6

OSM INSPECTIONS OF SITES WHERE THE STATE IS THE PRIMARY REGULATORY AUTHORITY

Type of unit inspected	Number of inspections by type of inspection						
	Random sample	State bond release	Other oversight	Ten-day notice followup[A]	Enforcement action followup	Other	Totals
Type of mine or facility[B]							
Surface mines	–	–	–	–	–	–	0
Underground mines	–	–	–	–	–	–	0
Preparation plants	–	–	–	–	–	–	0
Other facilities	–	–	–	–	–	–	0
Totals	0	0	0	0	0	0	0
Mine activity status[B]							
Active	–	–	–	–	–	–	0
Inactive	–	–	–	–	–	–	0
Abandoned			–	–	–	–	0
Total bond release		–	–	–	–	–	0
Reclaimed forfeiture			–	–	–	–	0
Permit not started			–	–	–	–	0
Unpermitted			–	–	–	–	0
Type of permit[B]							
Initial program	–	–	–	–	–	–	0
Permanent program	–	–	–	–	–	–	0
Unpermitted			–	–	–	–	0
Coal exploration sites							
Exploration permits			–	–	–	–	0
Exploration notices			–	–	–	–	0

[A] When State response is inappropriate and Federal inspection is necessary.

[B] Does not include coal exploration sites.

TABLE 7

OSM INSPECTIONS OF SITES WHERE THE STATE IS NOT THE PRIMARY REGULATORY AUTHORITY

Type of unit inspected	Type of program under which inspections were conducted							
	Federal lands[A]		Indian lands		Other		Totals	
	Complete insp.	Partial insp.	Complete insp.	Partial insp.	Complete insp.	Partial insp.	Complete insp.	Partial insp.
Type of mine or facility[B]								
Surface mines	–	–	–	–	–	–	0	0
Underground mines	–	–	–	–	–	–	0	0
Preparation plants	–	–	–	–	–	–	0	0
Other facilities	–	–	–	–	–	–	0	0
Totals	0	0	0	0	0	0	0	0
Mine activity status								
Active	–	–	–	–	–	–	0	0
Inactive	–	–	–	–	–	–	0	0
Abandoned	–	–	–	–	–	–	0	0
Total bond release	–	–	–	–	–	–	0	0
Reclaimed forfeiture	–	–	–	–	–	–	0	0
Permit not started	–	–	–	–	–	–	0	0
Unpermitted	–	–	–	–	–	–	0	0
Type of permit								
Initial program	–	–	–	–	–	–	0	0
Permanent program	–	–	–	–	–	–	0	0
Unpermitted	–	–	–	–	–	–	0	0
Coal exploration sites								
Exploration permits	–	–	–	–	–	–	0	0
Exploration notices	–	–	–	–	–	–	0	0

[A] In those States that have not entered into a State - OSM cooperative agreement providing for State regulation of mining and exploration on Federal lands.

[B] Does not include coal exploration sites.

TABLE 8

COMPLIANCE FINDINGS -- OSM INSPECTIONS

Performance standard	Random sample inspections			Other OSM inspections		
	Number of times standard was evaluated	Times site was in compliance with standard		Number of times standard was evaluated	Times site was in compliance with standard	
		Number	Percent		Number	Percent
A. Administrative						
1. Mining within valid permit area	–	–	–	–	–	–
2. Mining within bonded area	–	–	–	–	–	–
3. Terms and conditions of permit	–	–	–	–	–	–
4. Liability insurance	–	–	–	–	–	–
5. Ownership and control	–	–	–	–	–	–
6. Temporary cessation	–	–	–	–	–	–
B. Hydrologic balance						
1. Drainage control	–	–	–	–	–	–
2. Inspections and certifications	–	–	–	–	–	–
3. Siltation structures	–	–	–	–	–	–
4. Discharge structures	–	–	–	–	–	–
5. Diversions	–	–	–	–	–	–
6. Effluent limits	–	–	–	–	–	–
7. Ground water monitoring	–	–	–	–	–	–
8. Surface water monitoring	–	–	–	–	–	–
9. Drainage--acid\toxic materials	–	–	–	–	–	–
10. Impoundments	–	–	–	–	–	–
11. Stream buffer zones	–	–	–	–	–	–
C. Topsoil and subsoil						
1. Removal	–	–	–	–	–	–
2. Substitute materials	–	–	–	–	–	–
3. Storage and protection	–	–	–	–	–	–
4. Redistribution	–	–	–	–	–	–
D. Backfilling and grading						
1. Exposed openings	–	–	–	–	–	–
2. Contemporaneous reclamation	–	–	–	–	–	–
3. Approximate original contour	–	–	–	–	–	–
4. Highwall elimination	–	–	–	–	–	–
5. Steep slopes (includes downslope)	–	–	–	–	–	–
6. Handling of acid\toxic materials	–	–	–	–	–	–
7. Stabilization (slides, rills, gullies)	–	–	–	–	–	–

(Table 8 continued on next page)

TABLE 8 (CONTINUATION)

COMPLIANCE FINDINGS -- OSM INSPECTIONS

Performance standard	Random sample inspections			Other OSM inspections		
	Number of times standard was evaluated	Times site was in compliance with standard		Number of times standard was evaluated	Times site was in compliance with standard	
		Number	Percent		Number	Percent
E. Excess spoil disposal						
1. Placement	–	–	–	–	–	–
2. Drainage control	–	–	–	–	–	–
3. Surface stabilization	–	–	–	–	–	–
4. Inspections and certifications	–	–	–	–	–	–
F. Coal mine waste disposal						
1. Drainage control	–	–	–	–	–	–
2. Surface stabilization	–	–	–	–	–	–
3. Placement	–	–	–	–	–	–
4. Inspections and certifications	–	–	–	–	–	–
5. Impounding structures	–	–	–	–	–	–
G. Use of explosives						
1. Blaster certification	–	–	–	–	–	–
2. Distance prohibitions	–	–	–	–	–	–
3. Blast survey/schedule	–	–	–	–	–	–
4. Warnings and records	–	–	–	–	–	–
5. Control of adverse effects	–	–	–	–	–	–
H. Subsidence control plan	–	–	–	–	–	–
I. Roads						
1. Road construction	–	–	–	–	–	–
2. Certification	–	–	–	–	–	–
3. Drainage	–	–	–	–	–	–
4. Surfacing and maintenance	–	–	–	–	–	–
5. Reclamation	–	–	–	–	–	–
J. Signs and markers						
1. Signs	–	–	–	–	–	–
2. Markers	–	–	–	–	–	–
K. Distance prohibitions	–	–	–	–	–	–
L. Revegetation						
1. Vegetative cover	–	–	–	–	–	–
2. Timing	–	–	–	–	–	–
M. Postmining land use	–	–	–	–	–	–
N. Other	–	–	–	–	–	–
Totals (both pages)	–	–	–	–	–	–

[A] Does not include violations in ten-day notices which either are on appeal to the Deputy Director or have not been affirmed on appeal.

TABLE 9

VIOLATIONS PRESENT AT TIME OF LAST STATE COMPLETE INSPECTION OF SITES INSPECTED BY OSM [A]

Performance standard	Random sample inspections		Other OSM inspections	
	Number cited by State	Number uncited by State	Number cited by State	Number uncited by State
A. Administrative				
1. Mining within valid permit area	–	–	–	–
2. Mining within bonded area	–	–	–	–
3. Terms and conditions of permit	–	–	–	–
4. Liability insurance	–	–	–	–
5. Ownership and control	–	–	–	–
6. Temporary cessation	–	–	–	–
B. Hydrologic balance				
1. Drainage control	–	–	–	–
2. Inspections and certifications	–	–	–	–
3. Siltation structures	–	–	–	–
4. Discharge structures	–	–	–	–
5. Diversions	–	–	–	–
6. Effluent limits	–	–	–	–
7. Ground water monitoring	–	–	–	–
8. Surface water monitoring	–	–	–	–
9. Drainage--acid\toxic materials	–	–	–	–
10. Impoundments	–	–	–	–
11. Stream buffer zones	–	–	–	–
C. Topsoil and subsoil				
1. Removal	–	–	–	–
2. Substitute materials	–	–	–	–
3. Storage and protection	–	–	–	–
4. Redistribution	–	–	–	–
D. Backfilling and grading				
1. Exposed openings	–	–	–	–
2. Contemporaneous reclamation	–	–	–	–
3. Approximate original contour	–	–	–	–
4. Highwall elimination	–	–	–	–
5. Steep slopes (includes downslope)	–	–	–	–
6. Handling of acid\toxic materials	–	–	–	–
7. Stabilization (slides, rills, gullies)	–	–	–	–
E. Excess spoil disposal				
1. Placement				
2. Drainage control				
3. Surface stabilization				
4. Inspections and certifications				

(Table 9 continued on next page)

TABLE 9 (CONTINUATION)

VIOLATIONS PRESENT AT TIME OF LAST STATE COMPLETE INSPECTION OF SITES INSPECTED BY OSM [A]

Performance standard	Random sample inspections		Other OSM inspections	
	Number cited by State	Number uncited by State	Number cited by State	Number uncited by State
F. Coal mine waste disposal				
1. Drainage control	–	–	–	–
2. Surface stabilization	–	–	–	–
3. Placement	–	–	–	–
4. Inspections and certifications	–	–	–	–
5. Impounding structures	–	–	–	–
G. Use of explosives				
1. Blaster certification	–	–	–	–
2. Distance prohibitions	–	–	–	–
3. Blast survey/schedule	–	–	–	–
4. Warnings and records	–	–	–	–
5. Control of adverse effects	–	–	–	–
H. Subsidence control plan	–	–	–	–
I. Roads				
1. Road construction	–	–	–	–
2. Certification	–	–	–	–
3. Drainage	–	–	–	–
4. Surfacing and maintenance	–	–	–	–
5. Reclamation	–	–	–	–
J. Signs and markers				
1. Signs	–	–	–	–
2. Markers	–	–	–	–
K. Distance prohibitions	–	–	–	–
L. Revegetation				
1. Vegetative cover	–	–	–	–
2. Timing	–	–	–	–
M. Postmining land use	–	–	–	–
N. Other	–	–	–	–
Totals (both pages)	–	–	–	–

Note: For all sites on which OSM conducted certain types of inspections in [State] during EY 1994, Table 9 provides a breakdown by performance standard of the number of violations that were present at the time of the last State complete inspection (LSCI), including those cited by the State at that time but which are no longer present at the time of the OSM inspection. It also categorizes these violations by whether they were cited or uncited by the State inspector at the time of the LSCI. **Violations cited prior to the LSCI are not included.**

[A] Does not include violations in ten-day notices which either are on appeal to the Deputy Director or have not been affirmed on appeal.

TABLE 10

SERIOUSNESS OF VIOLATIONS[A] PRESENT AT TIME OF LAST STATE COMPLETE INSPECTION OF SITES INSPECTED BY OSM
OSM Random Sample Inspection Sites Only

NUMBER OF VIOLATIONS WITH ACTUAL OR POTENTIAL IMPACTS REMAINING WITHIN PERMIT AREA

Probability of occurrence of event that the violated standard is designed to prevent	Degree of impact or potential impact						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
None or unlikely	–	–	–	–	–	–	0	0
Likely	–	–	–	–	–	–	0	0
Occurred	–	–	–	–	–	–	0	0
Subtotals	0	0	0	0	0	0	0	0

NUMBER OF VIOLATIONS WITH ACTUAL OR POTENTIAL IMPACTS EXTENDING OUTSIDE PERMIT AREA

Probability of occurrence of event that the violated standard is designed to prevent	Degree of actual or potential impact						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
None or unlikely	–	–	–	–	–	–	0	0
Likely	–	–	–	–	–	–	0	0
Occurred	–	–	–	–	–	–	0	0
Subtotals	0	0	0	0	0	0	0	0

NUMBER OF ADMINISTRATIVE (RECORDKEEPING) VIOLATIONS

	Degree of obstruction to enforcement						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
	–	–	–	–	–	–	0	0

ALL TYPES OF VIOLATIONS

	Degree of impact or obstruction						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
TOTALS (entire table)	0	0	0	0	0	0	0	0

[A] Does not include violations in ten-day notices which either are on appeal to the Deputy Director or have not been affirmed on appeal.

[B] Violations cited by the State at the time of the last State complete inspection.

[C] Violations not cited by the State at the time of the last State complete inspection.

Note: For all sites on which OSM conducted random sample inspections in [State] during EY 1994, Table 10 summarizes the seriousness of those violations which existed at the time of the last State complete inspection (LSCI), including those violations which were cited by the State at the time of the LSCI but which no longer exist at the time of the OSM inspection. It also characterizes the seriousness of these violations according to whether they were cited by the State at the time of the LSCI. **Violations cited prior to the LSCI are not included.**

TABLE 11

SERIOUSNESS OF VIOLATIONS[A] PRESENT AT TIME OF LAST STATE COMPLETE INSPECTION OF SITES INSPECTED BY OSM
Excluding OSM Random Sample Inspection Sites

NUMBER OF VIOLATIONS WITH ACTUAL OR POTENTIAL IMPACTS REMAINING WITHIN PERMIT AREA

Probability of occurrence of event that the violated standard is designed to prevent	Degree of impact or potential impact						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
None or unlikely	–	–	–	–	–	–	0	0
Likely	–	–	–	–	–	–	0	0
Occurred	–	–	–	–	–	–	0	0
Subtotals	0	0	0	0	0	0	0	0

NUMBER OF VIOLATIONS WITH ACTUAL OR POTENTIAL IMPACTS EXTENDING OUTSIDE PERMIT AREA

Probability of occurrence of event that the violated standard is designed to prevent	Degree of actual or potential impact						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
None or unlikely	–	–	–	–	–	–	0	0
Likely	–	–	–	–	–	–	0	0
Occurred	–	–	–	–	–	–	0	0
Subtotals	0	0	0	0	0	0	0	0

NUMBER OF ADMINISTRATIVE (RECORDKEEPING) VIOLATIONS

	Degree of obstruction to enforcement						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
	–	–	–	–	–	–	0	0

ALL TYPES OF VIOLATIONS

	Degree of impact or obstruction						Totals	
	Minor		Moderate		Considerable			
	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]	Cited[B]	Uncited[C]
TOTALS (entire table)	0	0	0	0	0	0	0	0

[A] Does not include violations in ten-day notices which either are on appeal to the Deputy Director or have not been affirmed on appeal.

[B] Violations cited by the State at the time of the last State complete inspection.

[C] Violations not cited by the State at the time of the last State complete inspection.

Note: For all sites on which OSM conducted certain types of oversight inspections in [State] during EY 1994, Table 11 summarizes the seriousness of those violations which existed at the time of the last State complete inspection (LSCI), including those violations which were cited by the State at the time of the LSCI but which no longer exist at the time of the OSM inspection. It also characterizes the seriousness of these violations according to whether they were cited by the State at the time of the LSCI. **Violations cited prior to the LSCI are not included.**

TABLE 12

CITIZEN COMPLAINTS		
Number of complaints	**State**	**OSM**
Action pending as of July 1, 1993	–	–
Complaints received in EY 1994	–	–
Complaints referred to State		–
Complaints investigated	–	–
Responses provided to complainant	–	–
Action pending as of June 30, 1994	–	–

TABLE 13

PERMIT APPLICATIONS RECEIVED BY STATE				
Type of application	**Surface mines**	**Underground mines**	**Other facilities**	**Totals**
New permits	–	–	–	0
Renewals	–	–	–	0
Transfers, sales and assignments of permit rights	–	–	–	0
Small operator assistance	–	–	–	0
Exploration permits	–	–	–	0
Totals	0	0	0	0

TABLE 14

STATE PERMITTING ACTIONS
(Applications Approved and Authorizations to Operate Issued)

Type of application	Surface mines		Underground mines		Other facilities		Totals	
	No.	Acres	No.	Acres[A]	No.	Acres	No.	Acres
New permits	–	–	–	–	–	–	0	0
Renewals	–	–	–	–	–	–	0	0
Revisions (exclusive of incidental boundary revisions)	–		–		–		0	
Incidental boundary revisions	–	–	–	–	–	–	0	0
Transfers, sales and assignments of permit rights	–		–		–		0	
Small operator assistance	–		–		–		0	
Exploration permits	–		–		–		0	
Exploration notices[B]	–		–		–		0	
Totals	0	0	0	0	0	0	0	0

Number of permits identified by OSM as being improvidently issued[C]. . . . . _____

Number of improvidently issued permits for which the State took appropriate corrective action. . . . . _____

[A] Includes only the number of acres of proposed surface disturbance.

[B] State approval not required. Involves removal of less than 250 tons of coal and does not affect lands designated unsuitable for mining.

[C] Permits meeting the criteria of 30 CFR 773.20(b) and requiring rescission or other action by the State.

TABLE 15

BONDS RELEASED BY STATE
(Permanent Program Permits)

Reclamation phase	Number of release applications approved	Acres released
I	–	–
II	–	–
III	–	–

TABLE 16

STATE BOND FORFEITURE ACTIVITY
(Permanent Program Permits)

	Sites	Dollars	Acres
Bonds forfeited as of July 1, 1993[A]	–	–	–
Bonds forfeited during EY 1994	–	–	–
Forfeited bonds collected as July 1, 1993[A]	–	–	–
Forfeited bonds collected during EY 1994	–	–	–
Forfeiture sites reclaimed during EY 1994	–	–[B]	–
Forfeiture sites repermitted during EY 1994	–		–
Forfeiture sites unreclaimed as of June 30, 1994	–		–
Excess reclamation costs recovered from permittee	–	–	–
Excess forfeiture proceeds returned to permittee	–	–	–

[A] Includes data only for those forfeiture sites not fully reclaimed as of this date.

[B] Cost of reclamation, excluding general administrative expenses.

TABLE 17

STATUS OF STATE'S BOND POOL OR FORFEITURE RECLAMATION FUND (For States with Alternative Bonding Systems)

	July 1, 1993	June 30, 1994
Number of participating permits	–	–
Acreage of participating permits	–	–
Fund balance	$	$
Fund income		$
Expenditures		$
Funds restricted to use on a specific site (to be returned if permittee reclaims site)	$	$
Reclamation liabilities[A]		
Number of sites	–	–
Acres	–	–
Estimated cost of reclamation	$	$
Portion of estimated reclamation cost covered by site-restricted bonds	$	$

[A] Includes cost of reclaiming all sites for which the State has issued final bond forfeiture orders.

TABLE 18

LANDS UNSUITABLE PETITIONS

Petitions seeking to designate lands as unsuitable for mining

Decisions pending as of July 1, 1993	_____
Petitions received during EY 1994	_____
Petitions approved during EY 1994	_____
Petitions rejected during EY 1994	_____
Petitions approved in part/rejected in part during EY 1994	_____
Decisions pending as of June 30, 1994	_____

Petitions seeking to terminate previous lands unsuitable designations

Decisions pending as of July 1, 1993	_____
Petitions received during EY 1994	_____
Petitions approved during EY 1994	_____
Petitions rejected during EY 1994	_____
Petitions approved in part/rejected in part during EY 1994	_____
Decisions pending as of June 30, 1994	_____

TABLE 19

[STATE/TRIBAL] STAFFING
(Fulltime Equivalents at End of Evaluation Year)

Function	EY 1992	EY 1993	EY 1994
Abandoned mine land reclamation program (total)	–	–	–
Regulatory program			
Permit review [A]	–	–	–
Inspection [A]	–	–	–
Other (general administration, fiscal, personnel, etc.)	–	–	–
Totals for regulatory program	0	0	0
Interagency personnel assignments	–	–	–
Totals	0	0	0

[A] Does not include supervisory or clerical personnel.