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	U.S. DEPARTMENT OF THE INTERIOR **OFFICE OF SURFACE MINING** **RECLAMATION AND ENFORCEMENT** **DIRECTIVES SYSTEM**	**Subject Number:** AML-1 **Transmittal Number:** 826 **Date:** JAN 20 1995

Subject: Abandoned Mine Land Inventory System

Approval: **Title: Director**

1. Purpose. This directive sets forth the Office of Surface Mining Reclamation and Enforcement (OSM) policy and procedures for maintenance of the Abandoned Mine Land Inventory System (AMLIS).

2. Summary of Changes. This directive has been revised to clarify policy and procedures for submission of Problem Area Descriptions (PADs) as amended by the simplified grant process and the Abandoned Mine Land Inventory Team review of abandoned mine land priority determination criteria under the Management Guidance Plan. It clarifies the role of OSM and its Field Offices in conducting enhancement and performance evaluation activities with respect to State and Indian tribe priority determination decisions. The directive also addresses the use of AMLIS and the State Abandoned Mine Land Inventory System (SAMLIS) in inventory maintenance activities. It contains new criteria for classifying a site as high priority because of impacts to the general welfare of the public. The directive also has been revised to reflect the recent OSM reorganization.

3. Definitions.

a. Abandoned Mine Land Inventory System (AMLIS). AMLIS is a nationwide database containing information primarily about abandoned coal mines. Some data is computerized and maintained by OSM; other data is in hard copy and maintained by the applicable State/Indian tribe.

(1) Data for AMLIS is collected on Form OSM-76, "Abandoned Mine Problem Area Description" (PAD). AMLIS records show a problem area's name, location and program information, and measurements of on-the-ground problems by priority and cost.

(2) Sites and information updates are added to AMLIS at different times depending on the program and priority.

(3) AMLIS contains:

(a) ***Unfunded, funded and completed sites*** for pre-SMCRA coal State grant reclamation programs, the Federal Reclamation Program, and the Rural Abandoned Mine Program (RAMP), Soil Conservation Service, U.S. Department of Agriculture (SCS/USDA).[1]

[1] These priority 1 and 2 (Health, Safety and General Welfare) sites often include associated priority 3 problems.

(b) ***Funded and completed sites*** for the following programs/priorities: Priority 3 (environmental problems on standalone sites), Priority 4 (coal research), Priority 5 (facilities), and Priority 6 (development of public lands); post-SMCRA interim coal sites and insolvent surety coal sites; acid mine drainage sites; and noncoal sites.[2]

(c) ***Completed sites*** for State emergency programs, remining, and private reclamation.

b. Abandoned Mine Land Problem Area Description (PAD) (Form OSM-76). The form describes AML problem areas and is a means by which the States and Indian tribes, SCS, and OSM Regional Coordinating Centers (RCC's) submit information for inclusion in AMLIS for unfunded, funded and completed AML projects. A copy of this form is contained in Attachment A.

c. Eligible Lands and Waters. As specified in sections 404 [coal] and 411 [noncoal] of SMCRA, land and waters which were mined or processed for coal and other minerals, or which were affected by such mining or processing and abandoned or left in an inadequate state of reclamation, and for which there is no continuing reclamation responsibility under State or other Federal laws.[3]

d. Priority 1. An AML problem category meeting the conditions under Section 403(a)(1) [coal], or 411(c)(1) [noncoal] of SMCRA concerning the protection of public health, safety, general welfare, and property from extreme danger of adverse effects of mining practices or a condition that could reasonably be expected to cause substantial physical harm to persons or property, and to which persons or improvements on real property are currently exposed. Pursuant to section 402(g)(4)(C) and 30 CFR 874.12(d)(3), in addition to the Priority 1 criteria contained in the OSM-76 supplemental forms, a State or Indian tribe may also consider an eligible ***post-Act*** coal problem areas high priority if the narrative description on the supplemental form states that the site to be reclaimed is in the immediate vicinity of a residential area or is having an adverse economic impact upon a local community. By this directive the additional criteria may be applied to ***pre-Act*** coal problem areas. Details concerning the general welfare criteria and associated documentation guidelines for use with the supplemental forms are included in the Instruction Booklet for Completing Form OSM-76.

e. Priority 2. An AML problem category meeting the conditions under Section 403(a)(2) [coal] or 411(c)(2) [noncoal] of SMCRA concerning the protection of public health, safety and general welfare from adverse effects of mining practices or a condition that is

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[2] Non-coal sites include public facility and governor certified projects allowed under SMCRA section 411(e) and (f). Some States and Indian tribes also have chosen to submit information concerning ***unfunded sites for these programs and priorities (further reference is in paragraph 4.b.(10)(a)).***

[3] Section 404 contains cross-references to other SMCRA sections for lands and waters eligible for reclamation: 402(g)(4) post-SMCRA interim program and insolvent surety coal sites; 403(b)(1) water supply projects; and 409 pre-certification non-coal sites.

threatening people but is not an extreme danger. Pursuant to section 402(g)(4)(C) and 30 CFR 874.12(d)(3), in addition to the Priority 2 criteria contained in the OSM-76 supplemental forms, a State or Indian tribe may also consider an eligible ***post-Act*** coal problem area high priority if the narrative description on the supplemental form states that the site to be reclaimed is in the immediate vicinity of a residential area or is having an adverse economic impact upon a local community. By this directive the additional criteria may be applied to ***pre-Act*** coal problem areas. Details concerning the general welfare criteria and associated documentation guidelines for use with the supplemental forms are included in the Instruction Booklet for Completing Form OSM-76.

f. Priority 3. An AML problem category meeting the conditions under Section 403(a)(3) [coal] or 411(c)(3) [noncoal] of SMCRA concerning the restoration of land and water resources and the environment previously degraded by adverse effects of mining practices or a condition that is causing degradation of soil, water, woodland, fish, wildlife, recreational resources, or agricultural productivity.

g. Priority 4.

(1) Research and demonstration projects relating to the development of surface coal mining reclamation and water quality control program methods and techniques.[4] Pursuant to the provisions of the 1990 amendments to SMCRA, Priority 4 coal related research and demonstration projects can no longer be funded; however, the pre-1990 SMCRA nomenclature for priorities 4, 5 and 6 are being used in this directive because there are existing research and demonstration funding records that need to remain in AMLIS.

(2) Funding under section 411(e) or (f) for noncoal community impact assistance projects are, for the purposes of AMLIS, regarded as noncoal Priority 4 because the kinds of projects being contemplated are different from the reclamation activities under priorities 1, 2, and 3.

h. Priority 5. Funding under section 403(a)(4) for the protection, repair, replacement, construction, or enhancement of public facilities such as utilities, roads, recreation, and conservation facilities adversely affected by coal mining practices.

i. Priority 6. Funding under section 403(a)(5) for the development of publicly owned land adversely affected by coal mining practices including land acquired for recreation and historic purposes, conservation, and reclamation purposes and open space benefits.

j. Problem Area. Subdivision(s) of a planning unit, containing one or more coal-related or noncoal mining related problem types together with immediately adjacent impacted land and water.

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[4] Refer to INSERT TO INSTRUCTION BOOKLET for information on procedures for previously funded Priority 4 coal related research and demonstration projects/grants.

k. State Abandoned Mine Land Inventory System (SAMLIS). SAMLIS is a local version of the nationwide computerized AMLIS database. The State system allows the States and Indian tribes, Field Offices, RCC's, and the SCS to view their records and run standard reports.

4. Policy/Procedures.

a. Background.

(1) Title IV of SMCRA, as amended, establishes the AML Fund, moneys from which are to be used primarily for reclamation and restoration of land and water resources adversely affected by past coal mining.

(2) In 1990, SMCRA section 403(c) was established and mandates the Secretary to maintain an inventory of eligible lands and waters which meet the priorities under section 403(a)(1) and (2) ("high priority" coal sites).

(3) Under section 403(c), AMLIS is to assist in planning and evaluating reclamation projects, and in making the certification under section 411(a) by a State or Indian tribe that all known coal reclamation has been completed (including post-Act coal sites under 402(g)(4)(f)). AMLIS is also used to determine which States and Indian tribes are eligible for the minimum threshold of historical coal distribution [402(g)(5)] and minimum program funding [402(g)(8)] under the annual distribution of AML grant funds. See 30 CFR 872.11(b)(4) and OSM Directive AML-18, "Annual Distribution of AML Grant Appropriation to States and Indian tribes".

(4) Section 403(c) requires information about all projects completed under Title IV of SMCRA to be added to AMLIS on a regular basis, but not less than annually. Under 30 CFR 886.23(c), a Form OSM-76 shall be submitted upon project completion to report the accomplishments achieved through the project. The Secretary also is to provide standardized procedures for States and Indian tribes to use in updating AMLIS for eligible land and waters under their jurisdiction.

(5) Under section 405(d) of SMCRA, as well as the final AML guidelines for reclamation programs and projects (45 FR 14810, March 6, 1980), the States and Indian tribes have exclusive responsibility and authority for administering their individual abandoned mine land programs. Under section 405(f)(2), the States and Indian tribes are the ones to provide a priority evaluation of each proposed project.

(6) The 1990 amendments to SMCRA emphasize the responsibility of the States and Indian tribes for setting their own priorities. SMCRA section 402(g)(4) and 30 CFR 874.12(e) provide for funding of a post-SMCRA site if the State determines that the reclamation priority of the site is the same or more urgent than the pre-SMCRA high priority sites defined in section 403(a)(1) and (2).[Emphasis added.]

(7) While information on Priority 3 problems, particularly those associated with Priority 1 and 2 problem areas, also are included in AMLIS, they are not required to be inventoried under SMCRA. OSM will not require an inventory of unfunded Priority 3 coal or unfunded noncoal mining problems, but funding and accomplishment information will be maintained in AMLIS.

(8) During the immediate years after enactment of SMCRA, OSM, together with States and Indian tribes, conducted surveys of eligible lands and waters for inclusion in AMLIS. Subsequently, the primary objective has shifted to maintaining and updating AMLIS to reflect: (a) newly-discovered problem areas's meeting eligibility and priority criteria for funding, (b) changes in priority status due, for example, to on-the-ground events, and (c) program accomplishments in terms of cost of reclamation, problem type, and site reclamation measures.

b. Policy. It is OSM policy that:

(1) Moneys from the AML Fund are used for reclamation projects that meet the eligibility and other requirements of SMCRA and Federal regulations;

(2) AMLIS will be the means to document unfunded high priority coal reclamation, to record the funding of problem areas, to report accomplishments for completed Title IV problems and to assist in making the determination that a State or Indian tribe has funded all known coal problems;[5]

(3) Non-emergency, non-RAMP coal and noncoal problems must be in AMLIS, or accepted for inclusion in AMLIS, and be assigned the same or higher priority as shown in the request for authorization to proceed before OSM (Field Office Directors or, in the case of Federal Reclamation Program projects, Regional Directors) gives authorization to proceed on projects to reclaim those problem areas in accordance with OSM Directive GMT 10-2, "Federal Assistance Manual."

(4) OSM recognizes AMLIS to be a dynamic system, with an expectation that new PADs and new high priority problems on existing PADs will be added by the States, Indian tribes, SCS, and OSM (for non-program States and Indian tribes);

(5) All sites listed in AMLIS are expected to be funded consistent with available grant fund levels and in accordance with each State or Indian tribe's approved reclamation plan and guidance outlined in this directive. If, upon reevaluation, a State or Indian tribe finds that a site does not meet the criteria for inclusion in AMLIS, the site

[5] While Federal emergency projects are normally tracked exclusively in the Federal Reclamation Program Management System, AMLIS will contain data on Federal emergencies to the extent that it becomes necessary to fund and complete reclamation as a high priority project under the State or Federal reclamation programs. This is necessary so that AMLIS can reflect total project completions from combined program funding sources.

should be removed from that State or Indian tribe's inventory. If such reevaluation changes the priority of a site, then the priority should be raised or lowered as appropriate.

(6) The AML inventory is a compilation of the individual State/Indian tribe inventories of problem areas in need of reclamation. The AML inventory is not to be Federally controlled. It is, however, to be Federally maintained under standardized procedures developed by OSM which the program States and Indian tribes use to prepare their inventory updates (see SMCRA section 403(c));

(7) Acceptance of PADs into AMLIS does not constitute OSM concurrence with either a State or Indian tribe's priority or eligibility determination;

(8) OSM can fulfill inventory maintenance responsibilities (i.e., data validity, integrity and consistency) through a system of policies, procedures, and internal controls. Monitoring activities can best be done through enhancement and performance evaluations. While most such reviews can occur at the point of authorization to proceed with a project, performance evaluation can occur at any point in the process. Evaluations should be adjusted to individual State and Indian tribe assistance needs. Site visits are expected to be a part of the process; but they do not need to occur before a site is added to AMLIS. Details of enhancement and performance evaluation activities can be specified in individual programmatic agreements with the States and Indian tribes;

(9) In reviewing State and Indian tribe priority determination processes, OSM will give deference to States and Indian tribes in matters of subjective judgment, but will call to the State/Indian tribe's attention decisions where there appears to be a lack of factual support; that is, only where a State or Indian tribe was found not to be following the guidance outlined in this directive as implemented through its approved reclamation plan. Concerns raised over priority determinations or other inventory matters will be viewed as a program evaluation matter to be discussed with the State/Indian tribe. Even when OSM considers the State/Indian tribe's priority determination decision on a given site to lack factual support, the funding status of the site will not be affected. Only in situations where OSM determines that a site is ineligible by law for AML funding could the funding status of a particular site, or fund recovery, become an issue; and

(10) Use of AMLIS and SAMLIS as planning tools.

(a) There is not a requirement to inventory post-SMCRA coal interim and coal insolvent surety sites. However, information concerning unfunded high priority sites to be reclaimed under the post-SMCRA coal interim and coal insolvent surety site programs is used for planning purposes. States and Indian tribes may voluntarily submit such unfunded PADs at any time. One purpose is to ascertain how many unfunded coal problems remain and the associated costs for the States and Indian tribes to address them. These cost estimates are used by OSM to determine which States and Indian tribes have sufficient Priority 1 and 2 coal problems to justify a grant distribution from the Federal

historic coal share (402(g)(5)). Therefore, States and Indian tribes who have low inventories of remaining unfunded high priority coal problems but who also have such post-SMCRA sites should submit their unfunded PADs to OSM well in advance of the fiscal year end.

(b) The Field Offices should use SAMLIS to monitor each State or Tribal inventory of unreclaimed problems and should alert the State or Indian tribe when the total of unfunded coal problems (pre- and post-SMCRA) fall to a level that could adversely impact the amount of Federal historic coal share to be distributed for the next fiscal year. The States and Indian tribes should have sufficient lead time in order to prepare new PADs.

(c) At the time a State or Indian tribe certifies completion of all known coal problems, AMLIS will be used to determine that all coal sites listed in the State's and Indian tribe's inventory are being addressed (i.e., that the sites have been funded). See 30 CFR 875.13.

c. Responsibilities.

(1) Assistant Director for Program Support (AD/PS) is responsible for developing and implementing AMLIS policies and procedures, maintaining AMLIS and providing updated data to SAMLIS users. These activities are conducted through the Reclamation Support Team (RST).

(2) Regional Directors are responsible for coordinating activities of their RCC's and Field Offices. On a case-by-case basis, as the need arises, this responsibility may include rendering decisions on changes to the scope of enhancement and performance evaluation activities as related to a State or Indian tribe's inventory. Regional Directors are responsible for completing PAD forms for all nonprogram States and Indian tribes and for projects they administer in their RCC's, both emergency and nonemergency, in accordance with this directive.

(3) Field Office Directors (FODs) are responsible for providing guidance and assisting States and Indian tribes in completing PAD forms, assisting in resolving problems identified with submitted PAD forms, forwarding PADs to the RST, and conducting enhancement and performance evaluation activities in accordance with the established procedures. FODs may participate in the PAD completeness review process; and may conduct site visits in response to requests for assistance by a program State or Indian tribe, for evaluation purposes, in response to citizen complaints, and when essential in order to make a decision on a State/Indian tribe request for authorization to proceed with a project.

d. Procedures. The quality control procedures described herein have been developed for reviewing all AMLIS submissions fairly and equally. Requirements for implementing these procedures are the use of the Form OSM-76 (or for updates, the SAMLIS equivalent as described herein), and the preparation and retention of specified information to support the priority and estimated cost determinations.

(1) PAD Submissions.

(a) Reason for Submission:

1. PADs should be submitted for pre-SMCRA coal Priority 1, 2, and associated Priority 3 problems when: ***new problem areas are identified; new problems occur on existing problem areas; estimated costs are revised substantially; priority rankings change; requests for authorization to proceed on construction projects are submitted; and when projects are completed,*** except as specified below in (a)(6).

2. PADs for all stand-alone priority 3 coal problems, Priority 4, 5 and 6 coal problems, eligible interim program coal, insolvent surety coal problems, Acid Mine Drainage Plans, and all noncoal problems are required ***at the time of request for authorization to proceed, and again at the time of project completion.*** See 30 CFR 886.23. Unfunded interim program coal and insolvent surety coal problems should be submitted if a State or Indian tribe is seeking to receive historical coal share funds in its AML grant distribution in a given fiscal year.

3. PADs submitted with the authorization to proceed must indicate, in the funded columns of the OSM-76, the problem type(s) to be addressed by the proposed project. This will be used to satisfy the requirements of OMB Circular A-102 as referenced in the Federal Assistance Manual for a quantitative projection of accomplishments to be achieved under the grant.

4. If, at the time of the request for authorization to proceed, a project includes one or more new hazards on an existing problem area or is in a problem area not previously inventoried, a new or updated PAD must be submitted reflecting the funding.

5. Once funded, the FOD must assure that funding information is reflected in the updated PAD submitted to RST.

6. PADs for problems reclaimed under remining or through private funding should be submitted when the preparer becomes aware that the problems have been abated. PADs for all State administered emergency projects (and those Federal emergency projects discussed in Section 4.b.(2)) are required **after project completion.**[6] The State emergency program completion PADs may be either on an individual problem area basis or on a "lump sum" basis each year by county or State.[7]

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[6] When reporting costs for problems reclaimed under remining or through private funding, the preparer should include the actual reclamation costs, if known. If unknown, the preparer should show "$1": this is the lowest default cost allowed by AMLIS/SAMLIS.

[7] If done on a "lump sum" basis, AMLIS/SAMLIS will be limited in the ability to report detailed data.

7. ***Updated PADs are not required under the following conditions***: a. when Priority 1 and 2 coal problem types are limited to those involved solely in design and engineering projects since there is no proposed construction work; however, the problems to be addressed by these design projects must be in AMLIS; b. when problem types that are added to an active grant project are ones where the additional hazard is not considered to be a change in scope. In such circumstances, the hazard can be reported on the completion PAD.

8. Specific instructions for submission of PADs are contained in the PAD form and accompanying instructions. FODs and RCC AML staff are responsible for being knowledgeable of those instructions.

9. ***A fully completed OSM-76 form is required for new problem areas. For PAD updates,*** as an alternative to the OSM-76 form, ***SAMLIS may be used*** to print out individual problem area description records and denote changes in the existing information, such as funding status and units, or to add new problems to existing areas and submit such markups for input into AMLIS.

10. Supplemental forms are required to be prepared for high priority problems only for non-RAMP pre-SMCRA and eligible interim and insolvent surety coal sites. They are required for new sites and when new high priority problems are identified on existing sites already in AMLIS (except as explained under paragraph a.5. above) and must be completed ***and retained by the States, Indian tribes, and RCC's***. The supplemental forms need not be forwarded to OSM except when requested by a Field Office Director: 1) in order to make a decision on an authorization to proceed, 2) for enhancement and performance evaluation purposes, and 3) in order for OSM to respond to an inquiry or to conduct inventory research activities.

(b) Source and Timing of Submission.

1. States/Indian tribes submit PADs to the cognizant FODs. FODs submit unfunded PADs to RST within 5 business days of receipt, funded PADs within 5 business days after approval of the authorization to proceed, and completion PADs within 30 business days of receipt after grant closeout. FODs must assure that PADs submitted to RST after authorization to proceed or project completion accurately reflect funding and completion data.

2. RCC's are to submit PADs to the RST within 5 business days after funding non-emergency coal problems, and within 30 business days of closeout action of non-emergency projects and those Federal emergency projects which are included in AMLIS. See footnote 5.

3. SCS submits all RAMP PADs ***to the appropriate State/Indian tribe*** which transmits the PADs to the cognizant FODs for forwarding to the RST. This step is needed in order to assure no duplication of project funding will occur.[8]

(2) Completeness Check.

(a) A completeness check of all PADs ***may be*** done by the Field Office and ***shall be*** done by the RST consisting of the following:

1. Upon receipt of PADs, check to ensure that all applicable parts of Form OSM-76 have been completed, and that all appropriate questions have been answered.

2. For update and completion PADs, a comparison will be made of the data on the PAD against any existing data in AMLIS/SAMLIS to ensure that the updated data to be entered into AMLIS/SAMLIS will contain and reflect complete, ***cumulative***, and accurate data.

3. The RST will notify the appropriate Field Office or OSM Regional Coordinating Center within 5 business days when a new PAD or a new problem type on an existing PAD is determined to be complete and acceptable for entering into AMLIS or when problems have been identified which require resolution before the PAD can be entered into AMLIS. If problems have been identified, the Field Office shall contact the submitting State or Indian tribe to request the necessary corrections. If RST does not receive such corrections within 60 business days, it may then return the PAD to the State or Indian tribe, through the Field Office, for correction and resubmission. In such circumstances, AMLIS will be re-set to report the existing data until the PAD is resubmitted and accepted.

4. The RST will provide the FODs, the RCC's, the SCS, and those States and Indian tribes that chose to use SAMLIS, with updated SAMLIS data based on individually determined schedules as stipulated by the SAMLIS user to the RST (i.e., upon each submission, monthly, quarterly, etc.).

(3) Enhancement and Performance Evaluations. In carrying out evaluation activities, Field Offices are to:

(a) Identify patterns or trends that indicate a State or Indian tribe is rendering decisions on priority determinations that appear to lack factual support. Site visits

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[8] When SCS and a State/Indian tribe agree that a problem area will be submitted in whole or in part under the RAMP program, the State/Indian tribe will need to submit a PAD update deducting those problem types that are covered by the SCS PAD form. This is necessary to avoid duplicative counting. If the entire problem area is to be reclaimed under RAMP, the State/Indian tribe should request removal of the site from its inventory at the same time the RAMP PAD is entered into AMLIS. The same features of a site may not be duplicated in the inventory under State Grant or Federal Reclamation programs versus RAMP.

should be conducted as part of the overall performance evaluation activities in such circumstances.

(b) Hold discussions with States and Indian tribes to ensure that standard procedures related to AMLIS are understood, assist the States and Indian tribes to better implement their programs and review/adjust any programmatic agreements as necessary.

(c) Ensure that where AMLIS/SAMLIS shows a State or Indian tribe has a low inventory of unfunded high priority coal projects, that the State or Indian tribe is advised of any potential impacts on its AML funding level. Once the Field Office has so advised the State or Indian tribe, it should coordinate with the State or Indian tribe to schedule the submission of any additional sites or problems on existing sites so that they are in AMLIS in time for the next AML grants distribution (i.e., by September 30 of each year).

5. Reporting Requirements. None.

6. Effect on Other Documents. Supersedes OSM Directive AML-1, "Abandoned Mine Land Inventory System," dated November 26, 1991; Temporary Directive 92-9, "Elimination of OSM Review of State and Tribal Abandoned Mine Land Priority Determinations," dated August 12, 1992, and Change #1 to Temporary Directive 92-9, dated March 2, 1994.

7. References.

A. Surface Mining Control and Reclamation Act of 1977, Title IV, as amended.
B. 30 CFR Parts 870, 872, 873, 874, 875, 876, and 886.
C. OSM Directive GMT 10-2, "Federal Assistance Manual."
D. OSM Directive AML-18, "Annual Distribution of AML Grant Appropriation to States and Indian tribes."

8. Effective Date. Upon issuance.

9. Contact. Reclamation Support Team, (202) 208-5365.

10. Keywords. Abandoned Mine Land Inventory, Health and Safety.

11. List of Attachments.

Attachment A: OSM 76 Form and Instructions.

THE ATTACHED INSERT TO THE INSTRUCTION BOOKLET PROVIDES ONLY THE REVISIONS TO BE MADE TO EXISTING INSTRUCTIONS AND FORMS. REVISED INSTRUCTIONS AND FORMS WILL NOT BE RE-PRINTED AT THIS TIME.

NOTE: THESE ADDITIONAL INSTRUCTIONS AND GENERAL WELFARE CRITERIA ARE OPTIONAL FOR USE BY AML PROGRAM STATES AND INDIAN TRIBES PENDING APPROVAL OF THE INFORMATION COLLECTION REQUIREMENTS BY THE OFFICE OF MANAGEMENT AND BUDGET. ADDITIONAL NOTIFICATION WILL BE MADE ONCE THAT APPROVAL HAS BEEN OBTAINED. IN THE MEANTIME, PROGRAM STATES AND INDIAN TRIBES MAY, BUT ARE NOT REQUIRED, TO APPLY THESE ADDITIONAL INSTRUCTIONS AND CRITERIA TO THEIR PAD SUBMISSIONS.

INSERT TO INSTRUCTION BOOKLET

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(b) Hold discussions with States and Indian tribes to ensure that standard procedures related to AMLIS are understood, assist the States and Indian tribes to better implement their programs and review/adjust any programmatic agreements as necessary.

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INSERT TO INSTRUCTION BOOKLET

REVISIONS TO GENERAL INSTRUCTIONS

The following changes revise the procedures as follows:

PAGE 1, FIRST PARAGRAPH, REPLACE SENTENCE 3.

States/Tribes must submit to the Field Office a PAD reflecting the funding and problem types to be addressed when authorization to proceed is sought to begin work on a project site.

PAD SUBMISSION GUIDE, PAGES 1 AND 7.

PAD submissions are now required at the time of award for P4, P5 and P6 Pre-SMCRA Coal, Acid Mine Drainage Plans, Coal Interim Sites, Coal Insolvent Surety Sites, and all priorities of Noncoal in addition to the programs already listed under "FUNDED Awards" on the PAD Submission Guide.

PAD SUBMISSION GUIDE

Planned Program	UNFUNDED 1/ New Problems	UNFUNDED 1/ Revisions 2/	FUNDED Awards 3/	COMPLETION Reclaimed Problems
1. Pre-SMCRA Coal (P1,P2,P3) Grant Funding	X	X	X	X
2. Pre-SMCRA Coal (P3 Only)			X	X
3. Pre-SMCRA Coal (P4) Grant Funding	5/			X
4. Pre-SMCRA Coal (P5,P6) Grant Funding			X	X
5. RAMP	X	X	X	X
6. FRP (Non-Emergency)	X	X	X	X
7. Acid Mine Drainage Plan			X	X
8. Coal Interim Site			X	X
9. Coal Insolvent Surety Site			X	X
10.State Emergency 4/				X
11.Noncoal (P1,P2,P3)			X	X
12.Noncoal (P4)			X	X
13.Private (P1,P2,P3)				X
14.Remining				X

1/ For FRP this means prior to submission of Briefing Papers.
2/ New problems in existing PAs, change in priority ranking, revised cost estimates, partial completion, or any change in status of PAs.
3/ Includes grants, cooperative agreements and contracts.
4/ Those Federal emergency projects affecting a high priority project funded under another program require a PAD submission at time of completion. A "master" State emergency PAD may be submitted on an annual basis at the State or county level.
5/ Priority 4 coal related research and demonstration may no longer be funded under the AML program; however, those Priority 4 research projects or grants that are open must be closed as they are completed and a completion report submitted to OSM.

PAGE 10, QUESTION 24. (PRIORITY 4, 5, AND 6 COAL; PRIORITY 4 Noncoal)

To report funded amounts for Priority 5 and 6 coal or Priority 4 noncoal on the OSM-76 Form: ***check*** Question A.1. New problem area (PA) and ***fill out*** Page 6 of 6.

To report completed costs on the OSM-76 Form for Priority 4, 5 and 6 coal or Priority 4 noncoal: ***check*** Question A.3. Completion of PA and ***fill out*** Page 6 of 6.

PAGE 10, SECTION "G. PRIORITY INFORMATION," ADD TO THIRD PARAGRAPH (REGARDING PART II, NARRATIVE, OF THE SUPPLEMENTAL FORMS).

Criteria for Basing Priority Settings on "General Welfare"

In addition to the existing priority 1 or 2 criteria listed on the OSM-76 supplemental forms, projects can be considered high priority if the narrative description on the supplemental form indicates that the problem to be reclaimed affects the protection of general welfare, i.e., the problem area is located in the immediate vicinity of a residential area or has an adverse economic impact upon a local community.

The supplemental forms identify criteria relevant to health and safety problems. Some mine related problems may have other negative impacts on the general welfare not addressed in the supplemental forms. A mine related feature may be considered a priority 2 general welfare problem if it has an adverse economic impact on a local community or if it is in the immediate vicinity of a residential area.

If mine related features meet one of these conditions, the preparer should select the priority 2 keyword that most closely describes the feature and complete the unit and cost information on the OSM-76 form. Follow the documentation requirements identified below for the appropriate problem type.

Immediate Vicinity of a Residential Area

- In order for a site to qualify under this category, the problem or feature proposed to be addressed must be within one mile from the nearest affected structures in a residential area.

- A residential area is a group of structures including homes, apartments, schools, grocery stores, shopping malls, retail stores, etc., where concentrations of people can be expected.

- An isolated problem area that affects individual homes that are not in close proximity to each other would not qualify under this category.

While neither the supplemental forms nor supporting materials need to be submitted to OSM at the time a PAD is entered into AMLIS, documentation and narrative evidence which the preparer should gather and make readily available for OSM under program evaluation and enhancement activities include:

1. Map of local vicinity with problem area, mine related features and residential area(s) indicated.

2. Narrative description of the problem area and current site conditions.

3. Statement from the landowner(s) agreeing with the proposed site reclamation plan.

Adverse Economic Impact on the Local Community

- Under this category a local community may be a group of people sharing a common physical location such as: locale populated by people having a common ethnic or religious origin, school district, municipality, geographic boundary, etc.

- If a local community is different from the examples provided, a preparer should document how local community is defined. Any definition used, however, must show how a group of people are linked, and how the affected people consider themselves a "community."

Examples of adverse economic impacts may include:

* Water quality damages that result in lost community services or benefits (i.e. stream previously providing a community sport fishery that no longer supports aquatic life)

* Impacts that increase the cost of community services (i.e. water treatment costs, road maintenance, water service maintenance).

* Impacts that have resulted in population migration away from the affected area.

* Impacts discouraging industrial or residential development.

* Decreases in revenues to municipality, school district, etc., that reduce the ability to provide ordinary public services.

While neither the supplemental forms nor supporting materials need to be submitted to OSM at the time a PAD is entered into AMLIS, documentation and narrative evidence which the preparer should gather and make readily available for OSM under program evaluations include:

1. A description of the current site conditions, including any unusual characteristics, features or hazards. If certain features meet the priority 1 or 2 standards for health and safety

problems, describe those separately from the remaining site characteristics. Use maps and photos where appropriate.

2. A description of the local community. Explain how the "community" is defined. Describe how the local community is adversely affected by the problem area. Provide examples on how current site conditions directly impact any or all of the following factors:

   --the use or enjoyment of surrounding properties;
   --the monetary value of the surrounding properties;
   --land use potential;
   --local tourist or sporting industries;
   --availability of community services; or
   --other economic aspects of the community.

   Provide available market values (as compared to pre-mining market values if available, or compared to current market values of similar properties in nearby residential areas that are unaffected by past mining) or other financial data to support conclusions.

3. An indication of landowner(s) concern of the problem and agreement with the proposed reclamation.

4. An explanation of how reclamation of the AML feature will offset, eliminate or otherwise mitigate the adverse affect.

<u>ADDITIONAL CONSIDERATIONS FOR POST ACT SITES AS REQUIRED BY SMCRA SECTION 402(g)(4)(B)</u>

5. A discussion of the reclamation plan filed by the operator and the proposed post-mining land use. Indicate the amount of any available bond funds, including those available from the State bonding pool.

GENERAL INSTRUCTIONS, SUPPLEMENTAL FORM FOR DANGEROUS HIGHWALLS, PAGE 2 OF 3, QUESTIONS 11 AND 16.

Delete reference to conventional two-wheel drive vehicles or the exclusion of four-wheel drive and replace with the word "vehicle", (i.e., impacts will now include all vehicles).

GENERAL INSTRUCTIONS, SUPPLEMENTAL FORM FOR DANGEROUS PILE OR EMBANKMENT, HAZARDOUS EQUIPMENT AND FACILITIES, HAZARDOUS WATER BODY, PORTAL AND VERTICAL OPENING.

The title "Hazardous Recreational Water Body" is corrected to read "Hazardous Water Body."

Delete reference to conventional two-wheel drive vehicles or the exclusion of four-wheel drive vehicles and replace with the word "vehicle", (i.e., impacts will now include all vehicles).