

# OFFICE OF SURFACE MINING

1 9 9 4      A N N U A L      R E P O R T

NEW VISION ■ NEW INITIATIVES ■ SHARED COMMITMENT



U. S.   D E P A R T M E N T   O F   T H E   I N T E R I O R

# A NEW REPORT

## OFFICE OF SURFACE MINING

**T**his report describes the operations of the Interior Department's Office of Surface Mining Reclamation and Enforcement (OSM) for the period October 1, 1993, through September 30, 1994 -- Fiscal Year 1994<sup>1</sup>. This year the report combines the Office of Surface Mining's Annual Report to Congress with its Annual Financial Report, and was compiled to meet the specific requirements of Section 706 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and the Chief Financial Officers Act of 1990. In addition, the report has been written and presented in a format that will make it easier for the general public to use the information it contains. This change is in response to public demand for information about Surface Mining Control and Reclamation Act implementation and Office of Surface Mining operations.

Included in this report are activities carried out under several parts of SMCRA: Title IV, Abandoned Mine Reclamation; Title V, Control of the Environmental Impacts of Surface Coal Mining; and Titles VI and VII, Administrative and Miscellaneous Provisions. Surface Mining Control and Reclamation Act responsibilities of other bureaus or agencies have been omitted. Those responsibilities include Title III, the Mining and Minerals Resources and Research Institutes

Program, which is administered by the U.S. Bureau of Mines; Titles VIII and IX, the University Coal Research Laboratories and the Energy Resource Graduate Fellowships, which are administered by the Secretary of Energy; and Section 406, the Rural Abandoned Mine Program (RAMP), which is administered by the Secretary of Agriculture. Programmatic and financial information about those activities is reported directly to Congress by the agencies responsible for them.

Although this year's Annual Report is presented in a completely new format, it contains the same tabular statistics found in Office of Surface Mining annual reports prepared since 1988. This will facilitate comparison of data from year to year. Some of the tables have been combined to simplify use of the data presented. (For example, state and federal program tables have been combined in response to many requests for an easier way to compare this information.) Financial and accounting information, which is presented in a format similar to that of a traditional corporate annual report, is contained in the Financial Review section.

The Inspector General's audit statement, which was issued after this report was completed, is being published separately as Appendix 1.

Data compiled by several western states is contained in Appendix 2. This provides non-coal abandoned mine land project accomplishments for Alaska,

Colorado, Montana, New Mexico, Utah, Wyoming, the Navajo Tribe, and National Park Service locations in the six states. This information has been included as an appendix to the Office of Surface Mining Annual Report because the full accounting of abandoned mine land accomplishments was not available in existing Office of Surface Mining statistics. However, it should be noted that this is state data that uses different units of measure, definitions, and collection periods. In the near future, this information will be included in the abandoned mine land inventory.

To meet the need for national and state-by-state statistical data and the growing demand for Office of Surface Mining operational and financial information, copies of the Annual Report will be distributed to the public upon request.

For information about Office of Surface Mining activities, news releases, and publications, or for additional copies of this report, contact:

Public Affairs  
Office of Surface Mining  
1951 Constitution Ave., N.W.  
Washington, D.C. 20240  
(202)208-2553

1. Throughout this document "1994" refers to Fiscal Year 1994, unless otherwise noted.

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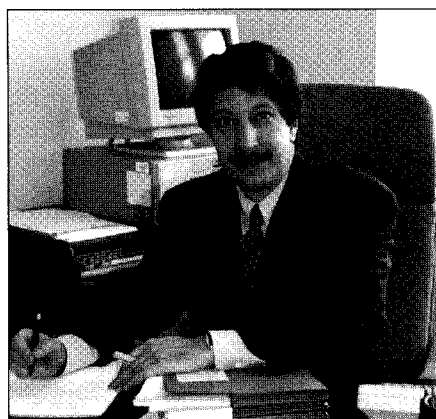
1 9 9 4 A N N U A L R E P O R T

## ON THE COVER

This sedimentation pond is the third in a series of five at this mine site. Water running off the active mine site is routed through the ponds to

collect sediment washed from the exposed rock and overburden. The ponds ensure

that water running off the disturbed area is sediment-free when it leaves the mine site. As the pond fills with sediment, the temporary wetland environment it creates is home for a diverse wildlife population of small mammals and waterfowl.



## ROBERT J. URAM

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# ROBERT J. URAM

## A MESSAGE FROM THE DIRECTOR

In 1994, the Office of Surface Mining was at an important crossroads, where we could look back at a great deal accomplished as well as look forward to a job that is far from complete. To meet this challenge and become more effective, we need to build a solid foundation. As the first step in planning the Office of Surface Mining's course for the future, the agency has developed a mission and vision statement that reflects the Office of Surface Mining's responsibilities under the surface mining law. This statement is the framework for our strategic planning process, which is currently under way.

### MISSION

Our mission is to carry out the requirements of the Surface Mining Control and Reclamation Act in cooperation with States and Tribes. Our primary objectives are to ensure that coal mines are operated in a manner that protects citizens and the environment during mining and assures that the land is restored to beneficial use following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

### VISION

In regulating active coal mining, we will maintain compliance at high levels and ensure that all mines are properly operated and promptly reclaimed to the standards established under the Act. We will emphasize prevention and ensure that long-term environmental problems do not



Robert J. Uram

occur. We will ensure that the premining productivity of the land is restored.

**In reclaiming abandoned mine lands,** we will aggressively pursue reclamation with a primary emphasis on correcting the most serious problems related to public health, safety, and the general welfare. We will ensure maximum public benefit through the prompt and fair distribution of public funds.

**In cooperating with State regulatory authorities,** the primary enforcers of SMCRA, and with Tribes, we will promote a shared commitment to the goals of the Act. We will develop comprehensive understandings about the fairness, effectiveness, and efficiency of SMCRA programs. We will provide constructive program reviews, oversight monitoring, and technical assistance that focus on results. We will act independently to protect the public interest in situations of imminent harm or when a

State does not implement an approved regulatory program.

**In dealing with those who are affected by mining and reclamation,** we will ensure the protection of citizens from abusive mining practices, be responsive to their concerns, and allow them full access to information needed to evaluate the effect of mining on their health, safety, general welfare, and property.

**In our relations with the coal industry,** we will have clear, fair, and consistently applied policies and will respect the importance of coal production as a source of our Nation's energy supply.

**In all communications,** we will maintain open, courteous, constructive, and timely dialogue and will use information to understand and improve our programs and those of our State and Tribal partners.

**In demonstrating leadership in mining and reclamation,** we will promote the development of the highest quality technical information and research and will seek the transfer of technology to those who would benefit.

**In meeting our responsibilities,** we will be a diverse, competent, innovative, and highly-trained work force. We will serve with integrity, and demonstrate technical, legal, administrative, and professional excellence at all times. We will constantly strive to create a more responsive, efficient, and effective process for achieving SMCRA's objectives.

### Appalachian Clean Streams Initiative

In 1977, when President Carter signed the surface mining law, thousands of miles of the nation's streams were polluted by acid mine drainage. In fact, this was one of the main reasons the



law was passed. Now, 17 years later, acid mine drainage is still the number one water quality problem in the Appalachian region. Thousands of miles of streams in 13 Appalachian states and the Midwest have been destroyed or severely damaged by acid mine drainage and remain unreclaimed. In addition, hundreds of miles of currently healthy streams face a daily threat from acid mine drainage.

Acid mine drainage associated with coal mining occurs when acid-forming materials containing sulfide are exposed to air and water. When acid mine drainage problems are eliminated, the restored streams provide major economic benefits to the region by creating recreational waters, enhancing the availability of drinking water, and supporting the beauty and biological diversity that characterized the premining ecosystem.

This year the Office of Surface Mining took a major step forward and developed the Appalachian Clean Streams Initiative, a multi-agency federal effort, in consultation with states, citizens, universities, the coal industry, and the environmental community, to establish a focused, on-going effort to clean up polluted streams. This is the first major initiative undertaken by the Office of Surface Mining since it was created in 1977. In addition, the Office of Surface Mining's overall acid mine drainage policy will help prevent future acid mine drainage in the Appalachian ecosystem.

Implementation of the acid mine drainage policy through the Eastern Mine Drainage Federal Consortium will address methods to prevent acid mine drainage problems. The Office of Surface Mining has changed the way inspections are conducted so that potential acid mine drainage perpetual discharge problems can be detected while the operation is active, as opposed to the past procedure that only detected it after mining was completed and it was too late to correct.

The consortium, a partnership of federal agencies, has been formed to focus available resources on establishing a better scientific basis for evaluating coal mine permits in acid-prone areas.

## Office of Surface Mining Priorities

Since my confirmation as director of the Office of Surface Mining, I've met with many people throughout the country -- citizens, mine operators, environmentalists, community officials, and tribal leaders -- and I've listened to their concerns. Most of them say there have been successes at the Office of Surface Mining; however, they all talked about the agency's checkered past. This year, the Office of Surface Mining has developed a set of priorities as a way to eliminate many chronic problems and achieve significant progress in implementing the surface mining law.

Solving the Office of Surface Mining's organization, management, and communication problems has become my number one priority. To meet the needs of our constituents, we have to change the way we do business. In addition, under Vice President Gore's National Performance Review all federal agencies must meet a 12 percent reduction in employees by 1999. For the Office of Surface Mining, this means reducing our staff from 1,260 people in 1989 to 889 by 1999. In addition, we have a 1:5 supervisory ratio this year; the plan is to go to 1:12 in the planned reorganization, and to 1:15 by 1999. This year many steps were taken to help the Office of Surface Mining become more efficient and effective.

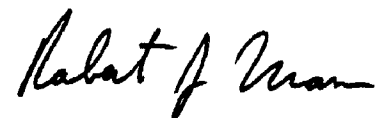
Our second priority is to improve our relationship with the states by building on the concept of shared commitment and focusing on on-the-ground results. We are eliminating prolonged process disputes, and both the Office of Surface Mining and the states are committed to achieving reclamation goals. The next priority is to improve our

relationship with citizens and the industry. The surface mining law is a program that really focuses on the land. You can see, you can measure, and you can walk on the accomplishments that have been achieved. It's critically important that all those concerned about the land and this program are involved in implementing the surface mining law, with all affected parties participating in the decision-making process, and that the importance of coal producers is respected.

The fourth priority is a common sense word: prevention. Preventing environmental problems from occurring is much more efficient and cost-effective than fixing problems after they occur. Everyone in the business world knows it's many times more expensive to fix a problem than to prevent one. That's particularly true in environmental programs.

Our fifth priority is to aggressively pursue the abandoned mine land program. Recognizing that the President and the Congress have difficult budget issues, I have been and will be an advocate for increased appropriations for abandoned mine land reclamation within the administration.

During 1994 we have focused our efforts on those priorities, and although this year was just the beginning, much of the progress described in this report shows the strength and effectiveness of this direction. The Office of Surface Mining's dedicated employees and their state counterparts have achieved increased success this year. If all those involved with Surface Mining Control and Reclamation Act implementation work together, there is no limit to what can be accomplished. We welcome your comments and suggestions for improvement.



# SUMMARY FOR FISCAL YEAR 1994

## T H E Y E A R I N B R I E F

**T**his began as a year of transition for the Office of Surface Mining (OSM) and ended as a year of renewed focus and clear direction. Early in the year

Secretary of the Interior Bruce Babbitt named an Interim Management Team for the Office of Surface Mining until a director was confirmed by the Senate.

The Interim Management Team conducted a thorough evaluation of the Office of Surface Mining. It started by interviewing employees and those with a stake in what the Office of Surface Mining does -- state regulators, coal industry representatives, environmentalists, labor union officials, and citizen groups. The team produced an action plan designed to address problems identified during the interview process. This plan provided the building blocks for 1994, and, after adoption by Director Uram, a number of actions were set in motion that have provided renewed enthusiasm and clear, positive direction for all those involved with implementing the

surface mining law.

**A Mission and Vision Statement** was developed to serve as the framework for Office of Surface Mining activities.

**A Comprehensive Strategic Plan**, which evolved from the mission and vision statement, will guide the Office of Surface Mining for the next five years. Out of this effort will come operational plans that align day-to-day activities with the goals of the strategic plan. This work has been designed to lay a foundation for effective and efficient day-to-day operations for years to come and fulfill the commitment the Congress made to the American people when it passed the surface mining law. This foundation has already accomplished the following:

**Restructuring the Office of Surface Mining** to make it more responsive to the needs of citizens and the regulatory community. A team of career employees developed a realignment plan based

on a regional structure. The plan conforms to the government streamlining initiatives of Vice President Gore's National Performance Review. This restructuring will achieve a high-priority goal -- improving the Office of Surface Mining's management, administration, and operation. If approved by Congress, the new structure should be fully implemented in 1995.

**The Appalachian Clean Streams Initiative**, the first major initiative since the Office of Surface Mining was created in 1977, is a cooperative effort that involves federal, state, and local governments, as well as citizens, corporations, and universities, in cleaning up acid mine drainage in Appalachia. This initiative focuses resources and energies at the federal, state, and local levels on addressing one of the main problems that originally prompted passage of the Surface Mining Act and has remained a major environmental problem in the region.

### OFFICE OF SURFACE MINING 1994 MILESTONES

**NOVEMBER 15, 1993**

Secretary of the Interior  
Bruce Babbitt named  
Interim Management Team  
and appointed Anne H.  
Shields Acting Director of  
the Office of Surface  
Mining.

**MARCH 10, 1994**

Robert J. Uram confirmed  
as the seventh Director of  
the Office of Surface  
Mining.

**MARCH 25, 1994**

New mission and vision  
statement issued to guide  
the operations of the Office  
of Surface Mining and focus  
work of the employees.

Another priority this year has been **abandoned mine land reclamation**, with a focus on correcting the most serious health, safety, and general welfare problems. The Office of Surface Mining has become an advocate within the Administration for increased abandoned mine land appropriations so that more of the fees paid into the Abandoned Mine Reclamation Fund are used to accomplish reclamation.

**Customer service standards** developed in 1994 will help agency employees better serve coalfield citizens, the general public, and the coal industry. With the standards in place, employee teams are addressing problems and developing innovative solutions.

A sound **state-federal relationship** is the foundation for real progress under the surface mining law because the states and the Office of Surface Mining should operate under a shared commitment to carry out the requirements of the Act. This year, the Office of Surface Mining has renewed its efforts to clarify what shared commitment means, including developing a set of principles that will form the basis for the state-federal working relationship and result in a mission and vision statement in common for the Office of Surface Mining and the states.

Another part of this relationship is the **state performance evaluation process**. The policy now identifies

states that are better able to act on their own, as well as states that need more help from the Office of Surface Mining. The process is aimed at heading off problems and reducing conflict. A new interim policy, developed this year, moves toward emphasizing on-the-ground results more than processes that bear no direct relationship to achieving those results.

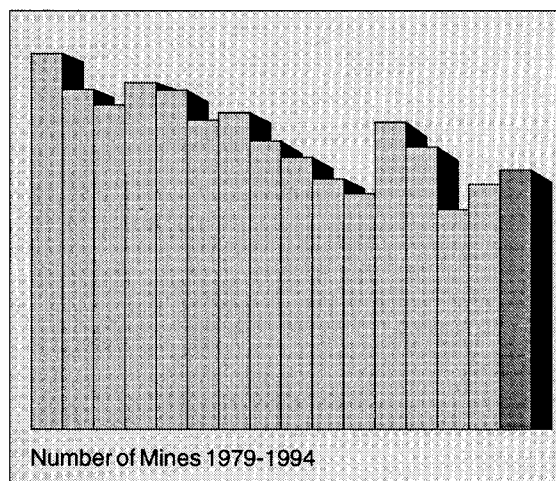
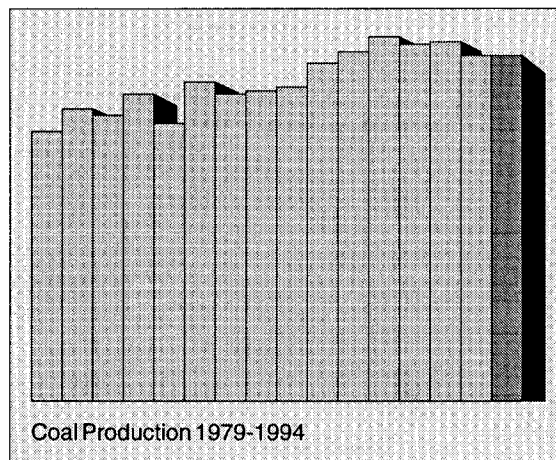
**National Standards of Excellence** are being developed. In the future, the Office of Surface Mining will document how well reclamation performance standards are being met by states. The Office of Surface Mining and the states will be able to enter into performance agreements to define the scope of program responsibilities and commitments for each. This effort links state program evaluation directly to results achieved.

This year, the Office of Surface Mining made progress toward **improving the rules that govern active mining**. The Office of Surface Mining published final Applicant Violator System (AVS) procedures, with corresponding permit information rules. The Office of Surface Mining was proactive in trying to see that all concerned parties were prepared for this change. In July, a letter to coal associations offered training to members on how

to use AVS to identify and resolve ownership and control problems before they affect the ability to obtain permits. AVS information is available toll-free (800-643-9748).

The final rule on **liability for subsidence damage** is scheduled to be published early in 1995. This rule is designed to protect citizens from subsidence damage while being fair to the coal industry.

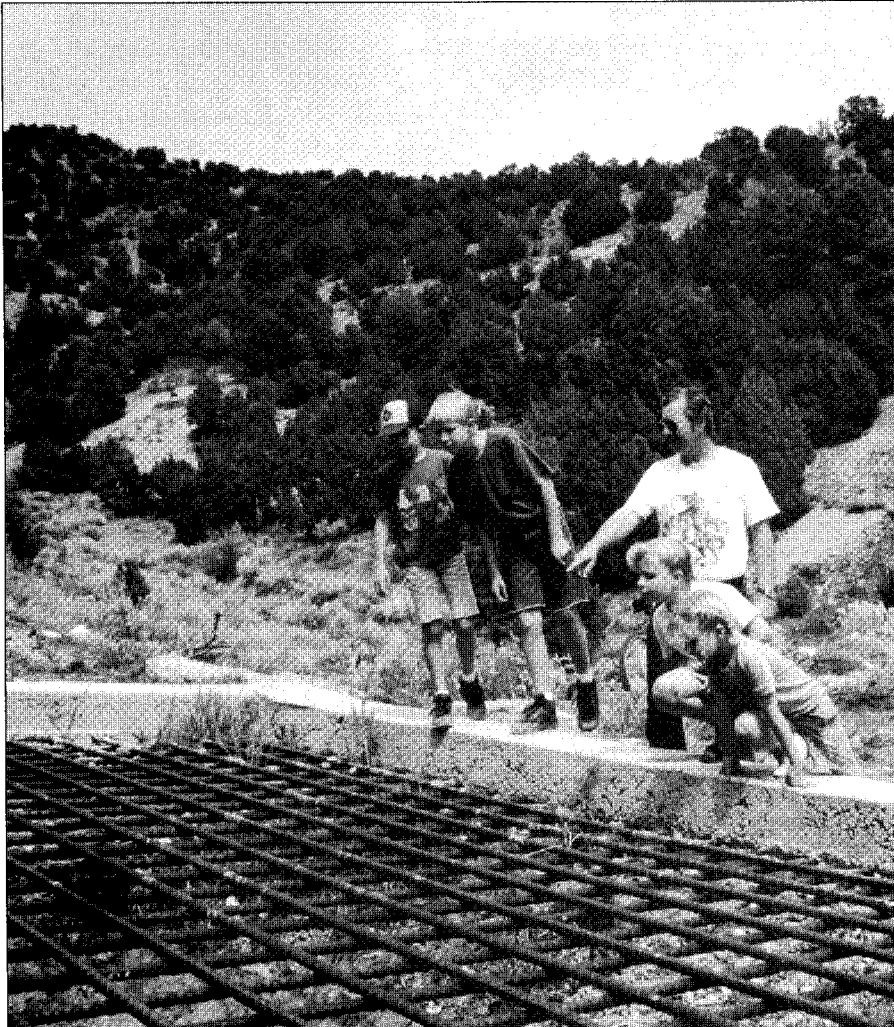
**Remining rule changes** were proposed in June, limiting the revegetation responsibility period and the liability for pre-existing conditions. Comments are now being reviewed, and a final rule is being prepared. New incentives contained in this rule will make it easier for operators to recover coal from abandoned sites without being unfairly liable for past reclamation shortcomings. Reclamation through remining can be a key to solving many environmental problems at abandoned



**SEPTEMBER 22, 1994**      **SEPTEMBER 28, 1994**

Customer service standards established to improve the way people's needs are met when dealing with the federal government on coal mine reclamation matters.

Acid Mine Drainage Policy Team released report that makes controlling and avoiding acid mine drainage at coal mine sites nationwide one of the highest environmental priorities.



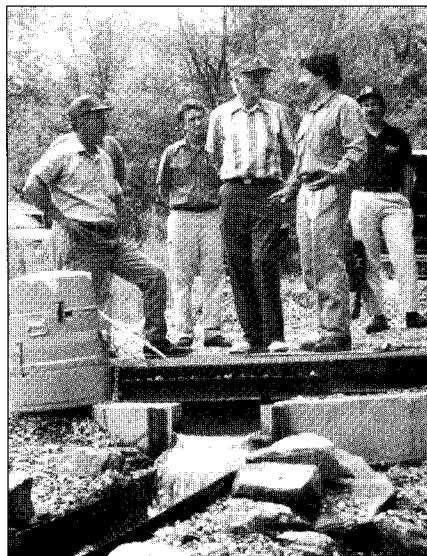
mines. The Office of Surface Mining is working to make sure the rules promote responsible remining.

Negotiated rulemaking of **performance standards and permitting requirements for reprocessing coal waste** also began this year. These rules should serve as incentives for cleaning up refuse piles. Reclamation of coal refuse piles for burning in fluidized bed combustion furnaces is an effective use of the remaining coal resource, with the added benefit of eliminating associated abandoned mine problems.

One of the greatest areas for potential improvement in the way the Office of Surface Mining operates stems from technological innovation. This year, the Office of Surface Mining began to encourage **electronic permitting** to capture the efficiencies this technology

can bring to both the coal industry and to regulators.

An **Office of Surface Mining advisory committee** was approved by Secretary Babbitt, and final approval was received from OMB and the General



Louis Amodt, a senior reclamation specialist with the Utah Abandoned Mine Reclamation Program, describes the danger of open shafts to a group of youngsters. This award-winning reclamation project covered open shafts with iron grates, which provide safety to hikers and limited environmental disturbance during construction.

Services Administration. The committee is expected to be formed in the near future.

Another priority is improving the **Office of Surface Mining's relationships with citizens and coal producers**. This means protecting citizens from abusive mining practices and being responsive to their concerns. It means sitting down with states, citizens, and the industry and trying to resolve problems around a table rather than in a courtroom. This year Director Uram met with citizens in the coal fields resulting in their involvement in planning state performance evaluations.

At its core, the surface mining law is about prevention, but the Office of Surface Mining has not always emphasized this enough in the past. Beginning in 1994, that changed. The Office of Surface Mining began using existing data systems and information to identify potential problems and to **avoid reclamation failures and bond forfeitures**. The Office of Surface Mining now works with the states to anticipate and to try to prevent problems, instead of having to fix them after they occur.

A review of progress over the 17-year life of the Office of Surface Mining clearly shows that 1994 was a highly productive year, noteworthy for setting the stage for effective implementation of the surface mining law in the future.

Standing on the Babb Creek inversion well, Bob McCullough and citizens with the Pennsylvania Environmental Defense Fund describe the improved water quality resulting from their project. This facility routes the creek through a pipe containing crushed limestone to reduce acidity.



# ADMINISTRATION AND FINANCE

## M A N A G I N G   T H E   O F F I C E

Since 1977 protecting the environment during coal mining and making sure the land is reclaimed after the coal is removed have been required by the Surface Mining Control and Reclamation Act (SMCRA). Making sure those requirements are met is the responsibility of the Interior Department's Office of Surface Mining.

Functionally, the Office of Surface Mining is organized around the two principal requirements of the surface mining law: regulating active coal mining and reclaiming abandoned mines.

### Organization of the Office of Surface Mining

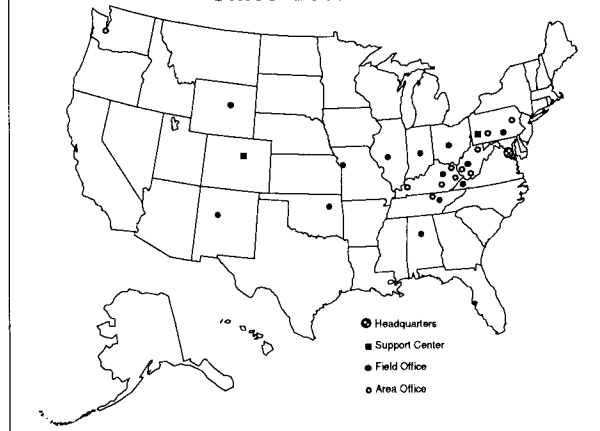
The Office of Surface Mining is field-oriented, with headquarters in Washington, D.C. Thirteen field offices located in the coal-producing states and

11 area offices located where coal mining is most active are responsible for on-the-ground regulation and enforcement. In addition, two support centers, in Pittsburgh, Pennsylvania, and Denver, Colorado, provide technical assistance to the field offices and the states. The Office of Surface Mining also maintains a financial management office in Denver and an audit investigation office in Lexington, Kentucky.

### Management Guidance Plan

On November 15, 1993, Secretary Babbitt appointed an Interim Management Team to assist in the daily management of the Office of Surface Mining and identify its strengths and

Office Locations

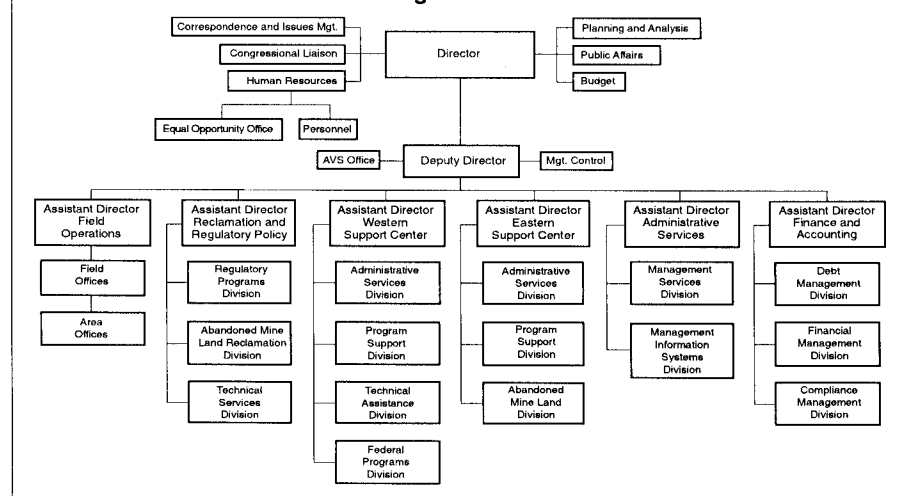


weaknesses. A review of the agency occurred in three phases:

- Employee comments were solicited during group interviews.
- Citizen groups, environmental groups, state regulatory authorities, the coal industry, and labor unions were invited to comment on the effectiveness of the Office.
- Information was evaluated and a Management Guidance Plan was developed. The plan addresses the problems that were identified and recommends solutions.

The plan is being implemented by teams of employees from a diverse geographic and functional cross-section of offices. Of the 134 projects included in the plan, 89 percent have been started, and by the end of 1994 almost 63 percent were completed or a draft product was underway. Results of the teams' work is being used as the basis

### Organization

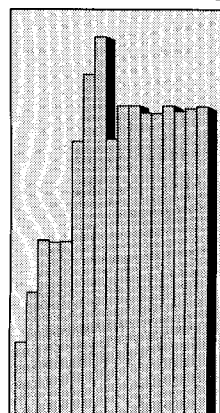


for developing a five-year strategic plan that will be completed during the spring of 1995.

### Restructuring Plan

One of the Management Plan's first recommendations was to restructure the Office of Surface Mining, enabling it to better carry out the surface mining law. In response to this need, a proposal formulated by Office of Surface Mining employees was developed. This proposal, based on a regional structure, meets the National Performance Review's stream-lining goals and empowers employees in the field to make decisions and accept more responsibility. The proposed restructuring plan has been approved by the Office of Management and Budget. The plan is expected to be approved by Congress and implemented in 1995.

### Budget and Appropriations



Office of Surface Mining  
Budget 1978-1994

The Department of the Interior and Related Agencies Appropriations Act of 1994 (Public law 103-138) appropriated \$110,552,000 from the General Fund for the Office of Surface Mining's regulatory and

enforcement activities. These appropriations included the following provisions:

- Performance bonds forfeited under Section 509 of SMCRA can be used to reclaim lands where the mine operator did not meet all the requirements of SMCRA and the permit. In 1994, performance bond forfeitures received and credited to this account totaled \$664,400. Of current- and prior-year bond forfeitures, \$1,010,065 was obligated for reclamation in 1994.

- Federal civil penalties collected

under Section 518 of SMCRA can be used to reclaim lands abandoned after August 3, 1977. Civil penalties collected in 1994 totaled \$519,170. Of current- and prior-year collections, \$100,650 was obligated for reclamation in 1994.

- State regulatory program grants were funded at \$51,661,000, which was unchanged from 1993.

In addition, \$190,107,000 was appropriated from the Abandoned Mine Reclamation Fund, and up to 20 percent of the funds recovered from delinquent debts was authorized for continuing collection of those debts. In 1994, the Office of Surface Mining spent \$929,000 to collect approximately \$7.7 million in delinquent AML fees and delinquent AML audit bills. The following provisions were included in the AML appropriation:

- State reclamation grants were funded at \$135,793,000, which was unchanged from 1993.
- Federal emergency program expenditures were limited to \$12,000,000.
- No more than 25 percent of total funds available for emergency reclamation projects could be used in any one state.

All the appropriations provisions were met.

In addition, the Office of Surface Mining received \$7,200,000 from the Emergency Supplemental Appropriations Act of 1994 to deal with abandoned mine land emergency landslides in Kentucky.

**TABLE 1**  
**APPROPRIATIONS**

	1994	1993
<b>Regulation &amp; Technology</b>		
State Regulatory Grants	\$ 51,661,000	\$ 51,661,000
Regulatory Program Operations	21,732,000	21,457,000
Tech. Services, Training & Research	14,004,000	15,227,000
<b>Assessments and Collections</b>	<b>9,315,000</b>	<b>9,220,000</b>
General Administration	13,840,000	14,151,000
Executive Direction	[2,082,000]	[2,124,000]
Administrative Support	[5,456,000]	[6,050,000]
General Services	[6,302,000]	[5,977,000]
Subtotal	110,552,000	111,716,000
<b>Abandoned Mine Reclamation Fund</b>		
State Reclamation Grants	135,818,000	135,793,000
Fee Compliance	6,539,000	6,520,000
Reclamation Program Operations	26,555,000	25,262,000
Rural Abandoned Mine Program	13,233,000	13,385,000
Small Operator Assistance Program	1,760,000	1,760,000
Kentucky Emergency Fund	7,200,000	0
General Administration	6,202,000	5,210,000
Executive Direction	[853,000]	[888,000]
Administrative Support	[2,339,000]	[1,469,000]
General Services	[3,010,000]	[2,853,000]
Subtotal	197,307,000	187,930,000
Civil Penalties	519,000	295,000
Total	\$308,378,000	\$299,941,000

### Financial System: Electronic Improvements

The Office of Surface Mining continues to apply the latest technology to enhance its financial management. Automated procurement and budgeting systems have been upgraded in the accounting system, and those systems provide on-line access to accurate, up-to-the-minute financial management information. Improvements added in 1994 include:

After October 30, 1994, all companies owing Abandoned Mine Reclamation Fund fee payments of \$25,000 or more must submit payments via an electronic funds transfer mechanism approved by the U.S. Department of the Treasury. Currently those approved mechanisms are by wire transfer and automated clearinghouse. This requirement is designed to enhance cash management, improve the accuracy and efficiency of processing payments, and streamline fee collection efforts.

The Fee Billing and Collection System (FEEBACS), a subsidiary accounts receivable system that supports the recording, billing, monitoring, and collection of all Abandoned Mine Reclamation Fund fees, became operational in April 1994. This system is an on-line, real-time system designed to include both accounting and programmatic data.

The Office of Surface Mining began using the Department of the Treasury's Electronic Certification System (ECS) in July 1994. This system provides on-line payment capabilities and more timely payments for Office of Surface Mining vendors and travelers, and eliminates manual payment schedule preparation and mailing.

#### **Fee Compliance and Debt Management**

Thirteen Office of Surface Mining offices throughout the coal-producing regions of the country conduct on-site fee compliance audits of coal companies. In 1994, 388 audits and audit-related projects identified \$6.2 million in under-reported or non-reported Abandoned Mine Reclamation Fund fees, interest, and penalties. The findings covered about 21 million tons of coal.

Fee compliance improvements completed in 1994 included development of an automated system for auditors' use in conducting, documenting, and reporting their work. The automated system replaces several manual functions that are more time-consuming. To simplify the process, an audit guide, or program, followed in executing the audits was significantly streamlined. Further enhancements are planned through increased reliance on automation.

The Office of Surface Mining pursues delinquent debtors who owe civil penalties for mine site environmental violations and unpaid Abandoned Mine Reclamation Fund fees, including unpaid fees resulting from Office of

Surface Mining compliance audits. Collections and year-end debt for 1994 are shown in Table 2. Delinquent debt information is retained in the Applicant Violator System to prevent violators from receiving new mining permits until their accounts are settled. Of the \$83.2 million 1994 year-end debt balance, \$49.8 million (60 percent) is principal. The remainder represents interest, late payment penalties, and administrative charges on unpaid balances.

The Office of Surface Mining is currently processing \$5.2 million in delinquent debt. When agency avenues of debt collection have been exhausted, delinquent debts are referred to the Department of the Interior's Solicitor for appropriate legal action or bankruptcy proceedings. At the end of 1994, \$54.4 million was referred to the Solicitor. Of this amount, \$17.8 million is in bankruptcy proceedings, and the remainder has been referred for collection action. The remaining \$12.4 million was referred to the Department of Justice.

**TABLE 2  
DEBT MANAGEMENT**

Category	Amount Collected	Balance Owed
Civil Penalties	\$ 519,170	\$33,711,492
AML Fees	240,785,633	25,668,980
AML Audited Fees	3,510,147	23,795,911
<b>Totals</b>	<b>\$244,814,950</b>	<b>\$83,176,383</b>
Debt Not Delinquent		11,266,627
<b>Total Delinquent</b>		<b>\$71,909,756</b>

#### **Audited Financial Statements**

Since 1990, the Office of Surface Mining has prepared an Annual Financial Statement after the close of each year, as required by the Chief Financial Officers Act of 1990 (Public Law 101-576). These statements are audited by the Department of the Interior's Inspector General to ensure that financial results are fairly stated and conform with generally accepted accounting principles for federal agencies. Results of the most recently completed audit, covering fiscal years 1992 and 1993, were favorable. The Office of Surface Mining received an

unqualified, or "clean," opinion from the Inspector General (OIG Report No. 94-I-5, April 1994).

Preparation of financial statements for 1994 began with the close of the fiscal year on September 30; the Inspector General's audit findings are in Appendix 1 of this report.

#### **Human Resources Management**

The year ended with 77 fewer full-time permanent employees than when it began (down from 1,003 to 926 employees). Headquarters decreased by 31; the Eastern Support Center by 10; the Western Support Center by 11; and the field offices by a total of 25.

#### **Monitoring Potential Conflicts of Interests**

Sections 201(f) and 517(g) of SMCRA prohibit any federal or state employee "performing any function or duty under this Act" from having "direct or indirect financial interests in underground or surface coal mining operations." The Office of Surface Mining monitors employees to prevent conflicts. In 1994, 1,002 OSM employees and 2,337 state employees filed financial disclosure statements. One violation was identified and resolved.

As part of state program oversight, a State Ethics Program review was conducted on the West Virginia program in March 1994. No major problems were identified.

#### **Labor-Management Partnership**

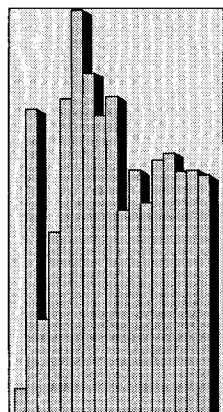
On June 23, 1994, the Office of Surface Mining director and the president of Local 1993 of the National Federation of Federal Employees entered into a Memorandum of Understanding to establish a local Labor-Management Partnership. This new relationship grew out of Executive Order 12871, Labor-Management Partnerships, signed by President Clinton on October 1, 1993. The partnership, which involves Headquarters employees, is the first in the Office of Surface Mining.

# REGULATORY ENFORCEMENT

## SHARED ENVIRONMENTAL PROTECTION

**U**nder the Surface Mining Control and Reclamation Act (SMCRA), the Office of Surface Mining is responsible for publishing the rules and regulations necessary to carry out the Act. The permanent regulatory program and related rules provide the fundamental mechanism for ensuring that SMCRA's goals are achieved. A major objective is to establish a stable regulatory program by improving the regulation development process and obtaining a broad spectrum of viewpoints on rulemaking activities.

### Rulemaking and State Program Amendments



Final Rulemaking Actions  
1978-1994

The 1994 rulemaking process included discussions with representatives of the coal industry, environmental groups, and state regulatory authorities to obtain their input and suggestions. During the year, the Office of Surface Mining published five proposed permanent program rules in the *Federal Register*: Definition of Coal on October 7, 1993; AML Grant Procedures on November 8, 1993; Coal Formation Outcrop Fires on December 27, 1993; Coal Remining on June 2, 1994; and Arizona Federal Program on August 10, 1994. Also, four final permanent program rules were pub-

lished during 1994. Table 3 describes final regulations published in the *Federal Register* during 1994. Each regulation includes a *Federal Register* citation that gives the volume and page number, effective date, Code of Federal Regulations (CFR) number, and date of publication.

Subject to Office of Surface Mining approval, states have the right to amend their programs at any time for appropriate reasons. In addition, whenever SMCRA or its implementing regulations are revised, the Office of Surface Mining is required to notify the states of the changes needed to make sure that state programs continue to meet federal requirements. As a result, the states have submitted a large number of complex amendments. The Office of Surface Mining has taken several steps to process states' submissions more efficiently. For example, the amendment review process within the Office of Surface Mining has been decentralized, and format and content guidelines for state program amendment submissions have been issued to the states.

Also, steps have been taken to make sure that states' schedules for rulemaking in response to CFR Part 732 notification can be accomplished in a reasonably timely manner. In 1994, the Office of Surface Mining published 82 proposed and 51 final state program amendments in the *Federal Register*.

### State Programs

Since May 3, 1978, all surface coal mines have been required to have permits and to comply with either Office of Surface Mining regulations or approved state program provisions (primacy). Currently, there are 24 primacy states that administer and enforce programs for regulating surface coal mining and reclamation under SMCRA.

TABLE 3  
FINAL RULES PUBLISHED DURING 1994

#### Wire Transfer

59 FR 14476 4/27/94 30 CFR Part 870 Published 3/28/94

This rule lowers the threshold for requiring the payment of Abandoned Mine Land Fees by electronic transfer from \$100,000 to \$25,000.

#### Abandoned Mine Land Reauthorization Implementation

59 FR 28136 6/30/94 30 CFR Parts 795, 870, 874, 875, 876, and 886 Published 5/31/94

As a result of the Abandoned Mine Reclamation Act of 1990, the regulations found at 30 CFR Subchapter R -- Abandoned Mine Land Reclamation -- required revision and amendment in order to reflect and implement the provisions contained in the statute. Those provisions address the eligibility of both coal and non-coal reclamation projects and also relate to the collection and allocation of Abandoned Mine Land Fees to eligible reclamation projects, including the Rural Abandoned Mine Program and the Small Operator Assistance Program.

#### Land Use Information (formerly Paperwork Reduction Rule)

59 FR 29732 6/27/94 30 CFR Parts 779, 780, 783, and 784 Published 5/27/94

This rule deletes and restructures sections of the regulations to reduce the burden of collecting excessive amounts of information.

#### Regulation of Indian Lands

59 FR 43414 9/22/94 30 CFR Parts 710, 715, 716, and 750 Published 8/23/94

This rule removes the current initial program regulations for Indian lands and revises the existing initial program regulations for non-Indian lands to apply to Indian lands. These amendments enable operators on Indian lands initial program sites, in appropriate circumstances, to reclaim to the latest technical and environmental standards of the permanent program.



## TABLE 4 1994 SIGNIFICANT COURT DECISIONS

### TAKINGS

#### *M & J Coal Co. v. United States*, No. 92-266L (Fed. Cl.)

In January 1994, the U.S. Court of Federal Claims ruled favorably for the Government in this takings claim. In April 1992, plaintiffs filed a complaint asserting that the Office of Surface Mining's enforcement action requiring them to leave additional coal in place to protect surface structures and single private dwellings from subsidence effected a taking of their property. They sought \$2,365,881 plus interest. The court observed that the plaintiffs had acquired their interest subsequent to the passage of SMCRA and that the bundle of rights the plaintiffs purchased was subject to the limitations of SMCRA. Accordingly, the court ruled that the Office of Surface Mining's enforcement actions did not constitute a regulatory taking.

#### *Whitney Benefits, Inc. v. United States*, No. 94-5129 (Fed. Cir.)

In February 1994, the Court of Federal Claims issued a decision awarding Whitney Benefits compound, rather than simple, interest in this taking case. The decision brings the total the Government owes in this case to \$300 million. The Government has appealed the decision. The award is based on the Federal Circuit's 1991 affirmation of the Claims Court's decision that SMCRA's prohibition of surface mining on alluvial valley floors constituted a taking of Whitney's mineral interest.

### CITIZEN'S COMPLAINTS

#### *Coal-Mac, Inc. v. Babbitt*, No. 93-117 (E.D. Ky.)

In October 1994, the court held that the time limits established in the regulations for appealing an Office of Surface Mining decision to the Interior Board of Land Appeals (IBLA) are jurisdictional, and the Office of Surface Mining may not extend those time limits by retransmitting the decision to a citizen complaint.

### OFFICE OF SURFACE MINING'S ENFORCEMENT AUTHORITY

#### *Southern Ohio Coal Co. v. Office of Surface Mining Reclamation and Enforcement*, No. 94-98 (S. Ct.)

In October 1994, the Supreme Court denied SOCCO's petition for certiorari of the Sixth Circuit's April 1994 decision in this case. The Sixth Circuit reversed the district court's order enjoining the Office of Surface Mining and the Environmental Protection Agency from taking enforcement action against SOCCO to prevent the company from pumping untreated toxic mine water into tributaries of the Ohio River. The Sixth Circuit specifically found as to the Office of Surface Mining that the district court lacked jurisdiction to review the Office of Surface Mining's enforcement actions because SOCCO had not availed itself of administrative relief available under SMCRA. The court also concluded that the fact that a state has primacy is irrelevant to the Office of Surface Mining's enforcement duties.

### RULE CHALLENGES

#### *National Coal Ass'n v. Babbitt*, Nos. 87-2076, etc. (D.D.C.) (consolidated) (ten-day notice)

In September 1994, the district court upheld the Office of Surface Mining's 1988 ten-day notice regulation, finding that the Office of Surface Mining had independent enforcement authority to issue Notices of Violation (NOV's) in primacy states. The court also upheld the regulation against National Wildlife Federation's challenges to the Office of Surface Mining's definitions of "appropriate action" and "good cause," and to the informal review procedures under which states can seek review of the Office of Surface Mining's initial decision regarding whether a state acted appropriately in response to a ten-day notice.

#### *Pittsburg & Midway Coal Co. v. Babbitt*, No. 90-073-JC (D.N.M.)

#### *New Mexico v. Lujan*, No. 89-758-M Civil (D.N.M.) (Indian lands)

In September 1994, the district court, in Pittsburg & Midway upheld the Secretary's determination that "Indian lands" include lands for which an Indian tribe owns the surface fee for regulatory jurisdiction under SMCRA. In February 1994, another judge in the same district in New Mexico v. Lujan similarly found on the issue.

federal inspection is conducted. If a violation is found, a federal Notice of Violation or a Cessation Order is issued. Table 7 summarizes the Office of Surface Mining's oversight inspection and enforcement activities during 1994.

### New Oversight Plan

The interim state performance evaluation process is another accomplishment of 1994. A draft plan, currently being reviewed, builds on a results-oriented policy, focusing on solving problems rather than collecting data. This new policy moves toward emphasizing on-the-ground results and away from processes that bear no direct relationship to those results. Field office directors were authorized to direct resources where there are known problems and given the flexibility to depart from using only random inspections.

### Federal Programs

Section 504(a) of SMCRA requires the Office of Surface Mining to regulate

As part of the inspection of mining and reclamation operations under SMCRA, federal and state inspectors take samples of water discharged from sedimentation ponds. Point source effluent limitations established by EPA must be met. Here, an Office of Surface Mining inspector is collecting water samples during an early spring rainstorm when excessive siltation would occur if the operator had not designed and constructed an adequate drainage system.



### Shared Commitment

An effective relationship between the Office of Surface Mining and the states is fundamental to the successful implementation of SMCRA. In 1994, this shared federal-state commitment to carry out the requirements of SMCRA began by clarifying roles and developing a set of principles that will form the basis for a better working relationship.

### Oversight of State Programs

SMCRA Section 517(a) requires the Office of Surface Mining to make inspections as necessary to evaluate the administration of approved state programs. To meet this requirement, the Office of Surface Mining reviews permits, conducts oversight inspections of mine sites, and undertakes oversight review on topics of concern in the 24 states with approved primacy programs.

Until July 1994 oversight inspections were conducted only on a random-sample basis and in response to citizen complaints. If there is reason to believe a state program violation exists, the Office of Surface Mining must notify the state (except in the case of imminent danger to the public or the environment, in which case the Office of Surface Mining must immediately inspect the site and issue a Cessation Order if the state has not taken appropriate action). The Office of Surface Mining notifies the state of a possible violation by issuing a Ten-Day Notice. Once notified of a possible violation, the state has ten days in which to correct the violation or show good cause for not doing so. In the relatively few instances where the Office of Surface Mining determines that a state has not taken appropriate action or has not shown good cause, a

surface coal mining and reclamation activities on non-federal and non-Indian lands in the state if:

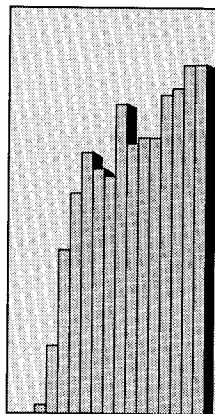
- the state's proposal for a permanent program has not been approved by the Secretary of the Interior;
- the state does not submit its own permanent regulation program; or
- the state does not implement, enforce, or maintain its approved state program.

Although the Office of Surface Mining encourages and supports state primacy in the regulation of surface coal mining and reclamation operations, certain states with coal reserves have elected not to submit or maintain regulatory programs. Those states are called federal program states, and their surface coal mining and reclamation operations are regulated by the Office of Surface Mining. Full federal programs are in effect in eleven states: California, Georgia, Idaho, Massachusetts, Michigan, North Carolina, Oregon, Rhode Island, South Dakota,

Tennessee, and Washington. Of the federal program states, only Tennessee and Washington had active coal mining in 1994. Table 5 includes the Office of Surface Mining's regulatory actions in those two states during 1994.

## Grants to States

Section 201 of SMCR A authorizes the Office of Surface Mining to help state regulatory authorities develop or revise surface mining regulatory programs. In 1994, no program development grants were awarded.



Permanent Program Regulatory Grants 1978-1994

Section 705 of SMCR A authorizes the Office of Surface Mining to provide grants to states with approved regulatory programs in amounts not exceeding 50 percent of annual state program costs. In addition, when a state elects to administer an approved

program on federal land through a cooperative agreement with the Office of Surface Mining, the state becomes eligible for financial assistance of up to 100 percent of the amount the federal government would have spent to regulate coal mining on those lands. Table 6 shows grant amounts provided to states during 1994 to administer and enforce regulatory programs.

## Regulation of Surface Mining on Federal and Indian Lands

Section 523(a) of SMCR A requires the Secretary of the Interior to establish and implement a federal regulatory program that applies to all surface coal mining and reclamation operations that take place on federal land. The Office of Surface Mining enacted the current federal lands program on February 16, 1983.

The federal lands program is important because the federal government owns significant coal reserves, primarily in the West. The development of federal coal reserves is governed by the Federal Coal Management Program of the Department of the Interior's Bureau

**TABLE 5**  
**REGULATORY PROGRAM STATISTICS**  
**1993 (July 1, 1993 - June 30, 1994)**

	Alabama	Alaska	Arkansas	Colorado	Crow Tribe**	Georgia*	Hopi Tribe**	Illinois	Indiana	Iowa	Kansas	Kentucky	Kentucky*	Louisiana	Maryland	Missouri
Regulatory Program Staffing (FTE's 6/30/94)	34	4	6.9	26	NA	NA	NA	64	65	4	4	508	NA	4	13	15
Abandoned Mine Land Program Staffing (FTE's 6/30/94)	20.5	4	6.5	13	7.5	NA	2	36	26	5	12.1	52	NA	4	5	11.5
New Permits Issued	21	0	0	1	0	0	2	11	12	0	1	142	7	0	0	1
New Acreage Permitted	5,054	0	0	248	0	0	0	2,776	8,971	0	766	71,300	1,648	0	0	992
Total Acreage Permitted	95,600	4,218	1,900	158,766	4,654	306	62,760	120,367	233,700	8,700	11,610	1,581,400	26,000	45,200	7,200	46,400
Inspectable Units (6/30/94)	264	6	14	46	1	0	0	160	166	24	23	3,071	29	2	72	66
Complete Inspections	3,470	19	129	236	4	58	7	441	1,543	112	92	14,971	226	8	482	286
Partial Inspections	628	34	253	499	26	16	22	951	3,034	224	184	18,165	334	16	740	613
Notices of Violations (Actions)	391	2	4	63	2	0	10	50	268	31	6	1,599	12	3	41	60
Notices of Violations (Violations)	521	2	6	63	2	0	11	50	358	31	7	3,134	13	6	41	60
Failure-to-Abate Cessation Orders (Actions)	100	0	0	5	0	0	0	0	35	0	6	190	3	0	3	7
Failure-to-Abate Cessation Orders (Violations)	102	0	0	5	0	0	0	0	56	0	7	190	4	0	3	7
Imminent Harm Cessation Orders (Actions)	13	0	0	0	0	0	0	0	2	0	0	29	0	0	0	0
Imminent Harm Cessation Orders (Violations)	13	0	0	0	0	0	0	0	4	0	0	29	0	0	0	0
Bond Forfeitures	4	0	0	8	0	0	0	1	0	0	0	45	0	0	1	0
Acreage of Phase III Bond Release	5,127	0	49	3	0	0	0	683	2,551	0	0	17,079	269	0	390	5

\*Federal Lands Program

\*\*Indian Lands Regulatory Program

NA - Information not available

# 1994 Annual Report

of Land Management. Of the 234 billion tons of identified coal reserves in the western U.S., 60 percent is federally owned.

Through cooperative agreements, the administration of most surface coal mining requirements of the federal lands program may be delegated by the Secretary of the Interior to states with approved regulatory programs. By the end of 1994, the Secretary had entered into such cooperative agreements with Alabama, Colorado, Illinois, Montana,

The reclaimed Indiana mine site shown below contains 110 acres of open water, islands, wetlands, uplands, and forest habitats. The "wetland islands" seen here were constructed to maximize transition zones for wildlife. The islands are heavily vegetated with grasses and legumes. This reclaimed mine is now a regional wetland attraction.



**TABLE 6  
REGULATORY GRANT FUNDING  
1994 OBLIGATIONS**

State	Federal Funding* 1994	1993	Cumulative Through 1994*
Alabama	\$ 1,197,778	\$ 991,937	\$ 17,624,681
Alaska	196,428	194,321	4,251,379
Arkansas	164,247	164,803	2,236,415
Colorado	1,469,791	1,270,802	14,398,457
Illinois	2,362,417	2,429,472	33,546,570
Indiana	1,757,834	1,611,393	18,128,407
Iowa	156,468	155,644	1,592,220
Kansas	116,069	103,337	2,015,593
Kentucky	12,344,711	13,043,352	158,389,894
Louisiana	209,830	201,347	2,189,567
Maryland	443,864	479,589	7,443,583
Michigan	0	0	135,458
Mississippi	43,191	75,565	475,702
Missouri	406,255	427,979	5,039,284
Montana	840,038	850,037	9,533,024
New Mexico	681,718	735,625	7,579,218
North Dakota	513,631	517,329	7,433,604
Ohio	2,494,927	2,964,699	44,261,490
Oklahoma	843,848	930,782	10,205,502
Pennsylvania	10,515,900	10,087,400	125,412,483
Rhode Island	0	0	158,453
Tennessee	0	0	5,340,085
Texas	1,189,061	1,140,988	10,782,106
Utah	1,298,203	1,468,025	15,329,658
Virginia	3,155,354	2,947,672	40,688,537
Washington	0	0	4,893
West Virginia	7,428,970	6,919,241	56,121,175
Wyoming	1,518,455	1,871,672	19,247,783
Crow Tribe	0	0	732,759
Hopi Tribe	0	0	885,450
Navajo Tribe	0	0	2,140,461
<b>Total</b>	<b>\$51,348,988</b>	<b>\$51,583,011</b>	<b>\$623,323,891</b>
<b>Budget Amount</b>	<b>\$51,661,000</b>	<b>\$51,661,000</b>	<b>\$609,578,000</b>

\*Includes obligations for AVS, TIPS, Kentucky Settlement, and other Title V cooperative agreements. Figures do not include downward adjustments of prior-year awards. However, cumulative figures are net of all prior-year downward adjustments.

**TABLE 5 (continued)  
REGULATORY PROGRAM STATISTICS  
1993 (July 1, 1993 - June 30, 1994)**

	Montana	Navajo Tribe**	New Mexico	North Dakota	Ohio	Oklahoma	Pennsylvania	Tennessee	Texas	Utah	Ute Tribe**	Virginia	Washington	West Virginia	West Virginia*	Wyoming
Regulatory Program Staffing (FTE's 6/30/94)	20.9	NA	13.8	7.7	68	37	307	94	56	23.5	NA	93	NA	256	NA	33
Abandoned Mine Land Program Staffing (FTE's 6/30/94)	10	15	11.5	5.8	38	12	114	NA	14	9	NA	18	NA	55	NA	15.5
New Permits Issued	1	2	0	0	99	0	167	5	1	0	1	24	NA	111	1	0
New Acreage Permitted	105	0	0	0	12,871	0	5,324	422	11,309	0	0	2,907	0	12,168	20	0
Total Acreage Permitted	60,740	32,225	58,973	60,440	152,000	412	502,500	23,500	176,200	132,273	145	60,100	14,616	2,724,000	20	276,800
Inspectable units (6/30/94)	14	6	14	32	542	63	2,120	169	21	25	0	450	4	2,640	1	39
Complete Inspections	96	19	64	175	3,140	447	11,316	2,012	90	133	3	3,744	NA	11,473	3	159
Partial Inspections	127	49	149	880	4,747	754	19,333	3,419	339	252	9	4,117	NA	18,108	10	428
Notices of Violations (Actions)	27	11	7	5	420	88	1,583	214	28	48	0	403	1	3,122	2	23
Notices of Violations (Violations)	27	27	8	5	420	116	1,728	306	28	78	0	659	1	3,122	2	23
Failure-to-Abate Cessation Orders (Actions)	0	1	0	0	52	49	223	28	0	3	0	20	0	335	0	0
Failure-to-Abate Cessation Orders (Violations)	0	1	0	0	52	67	275	56	0	3	0	24	0	335	0	0
Imminent Harm Cessation Orders (Actions)	1	0	0	0	13	0	4	0	0	0	0	8	0	43	0	3
Imminent Harm Cessation Orders (Violations)	1	0	0	0	13	0	6	0	0	0	0	8	0	43	0	3
Bond Forfeitures	0	0	0	0	18	5	76	3	0	0	0	3	0	94	0	0
Acreage of Phase III Bond Release	0	0	0	0	8,124	1,446	16,123	1,446	925	0	0	2,936	0	7,341	0	0

New Mexico, North Dakota, Ohio, Oklahoma, Utah, Virginia, West Virginia, and Wyoming.

Under SMCRA, once the Secretary and a state have signed a cooperative agreement, the state regulatory authority assumes permitting, inspection, and enforcement responsibilities for surface coal mining activities on federal lands in that state. The Office of Surface Mining maintains an oversight function to ensure that the regulatory authority fully exercises its delegated responsibility under the cooperative agreement. In states without cooperative agreements, the required permitting, inspection, and enforcement activities under SMCRA are carried out by the Office of Surface Mining. During 1994, eight new permits were issued by the Office of Surface Mining on federal lands in Kentucky and West Virginia.

For states with leased federal coal, the Office of Surface Mining prepares the Mining Plan Decision Documents required by the Mineral Leasing Act, as amended, and documentation for other non-delegable authorities for approval by the Secretary. During 1994, ten mining plan actions were prepared and approved for coal mines on federal land.

Pursuant to Section 710 of SMCRA, the Office of Surface Mining regulates coal mining and reclamation on Indian lands. In the Southwest, three mines on the Navajo and Hopi reservations and a portion of a coal haul road on the Ute Mountain Ute reservation are permitted under the permanent Indian Lands Program, and one mine is operating under an interim permit. In addition, the Office of Surface Mining, in cooperation with the Bureau of Indian Affairs and the Navajo Nation, is overseeing the final reclamation of three mines on the Navajo reservation regulated under the interim program.

On the Crow Ceded Area in Montana, the Office of Surface Mining, and the

Montana Department of State Lands continue to administer applicable surface mining requirements under a Memorandum of Understanding that includes both permitting and inspection functions. Table 5 includes statistics on regulatory activity on Indian lands during 1994.

## Applicant Violator System

Section 510(c) of SMCRA and corresponding regulations (30 CFR 773) prohibit the issuance of permits to applicants with previous uncorrected violations and to applicants related to violators through ownership and control. The Applicant Violator System (AVS), a computer data base, was developed to assist the Office of Surface Mining and the state regulatory authorities to ensure compliance with those requirements. The Applicant Violator System identifies associations between permit applicants or their affiliates and uncorrected violations of SMCRA. The Office of Surface Mining and the states use the information to

help determine whether a permit should be issued. During 1994, the Applicant Violator System provided recommendations on 7,333 permit applications. The overall system reliability rate was over 89 percent on those applications. In 1994, as a result of "Deny" recommendations, or the potential for such a recommendation, the Office of Surface Mining's Division of Debt Management collected \$2,409,359 in Abandoned Mine Reclamation fees and audit debt.

## Pennsylvania Anthracite Program

Section 529 of SMCRA provides an exemption from federal performance standards for anthracite coal mining operations, provided the state law governing those operations was in effect on August 3, 1977. Pennsylvania is the only state with an established regulatory program qualifying for the exemption; for this reason, Pennsylvania regulates anthracite mining independent of SMCRA permanent program standards.

**TABLE 7**  
**FEDERAL OVERSIGHT OF STATE PROGRAMS**  
**1994 (July 1, 1993 - June 30, 1994)**

State	Number of OSM Inspections		Notice of Violation		Violations Cited in OSM Enforcement		Imminent Harm	
	Random	Other	Actions	Violations	Failure-To-Abate Actions	Cessation Orders	Actions	Cessation Orders
Alabama	157	63	0	0	0	0	0	0
Alaska	5	1	0	0	0	0	0	0
Arkansas	11	12	0	0	0	0	0	0
Colorado	20	11	4	4	1	1	1	1
Illinois	54	25	2	4	0	0	0	0
Indiana	138	4	1	1	1	1	0	0
Iowa	14	4	0	0	0	0	0	0
Kansas	12	0	0	0	0	0	0	0
Kentucky	430	638	14	23	3	13	8	8
Louisiana	2	0	0	0	0	0	0	0
Maryland	56	21	2	2	2	2	0	0
Missouri	48	20	0	0	0	0	0	0
Montana	8	4	0	0	0	0	0	0
New Mexico	7	0	0	0	0	0	0	0
North Dakota	16	13	0	0	0	0	0	0
Ohio	178	84	0	0	0	0	2	2
Oklahoma	44	63	4	4	5	5	0	0
Pennsylvania	273	400	38	38	7	7	0	0
Texas	12	1	0	0	0	0	0	0
Utah	15	2	3	4	2	2	0	0
Virginia	261	119	10	10	3	4	1	1
West Virginia	172	446	36	37	13	13	0	0
Wyoming	17	1	0	0	0	0	0	0
Total	1,950	1,932	114	127	37	48	12	12



Pennsylvania's anthracite coal region, located in the northeast quarter of the state, covers approximately 3,300 square miles. The anthracite mining industry produces around 5.1 million net tons per year, approximately 8 percent of Pennsylvania's annual coal production. The program currently covers 405 inspectable units, permitting close to 101,000 acres, and includes 108 underground mines, 17 preparation plants, 3 refuse disposal sites, 125 reprocessing operations, and 152 surface mines. More than half of Pennsylvania's anthracite coal production continues to be from reprocessing anthracite culm (waste) banks that help fuel eight cogeneration electric plants. In 1994, anthracite operators mined approximately 2.9 million tons from culm banks, 1.7 million tons from surface mines, and 0.5 million tons from underground mines.

### Technical Assistance

The Office of Surface Mining provides technical assistance to the states, tribes, and the industry to improve the effectiveness of the regulatory process. Although it deals mainly with regulatory functions, technical assistance also supports the Abandoned Mine Land program. Technology transfer seminars that were held in 1994 hold great promise for improving the quality of reclamation.

### Technical Information Processing System (TIPS)

The Technical Information Processing System (TIPS) is a computer system designed by the Office of Surface Mining in close cooperation with the states. TIPS is used by state regulatory authorities and the Office of Surface Mining to carry out the technical regulatory and abandoned mine land responsibilities of SMCRA. The

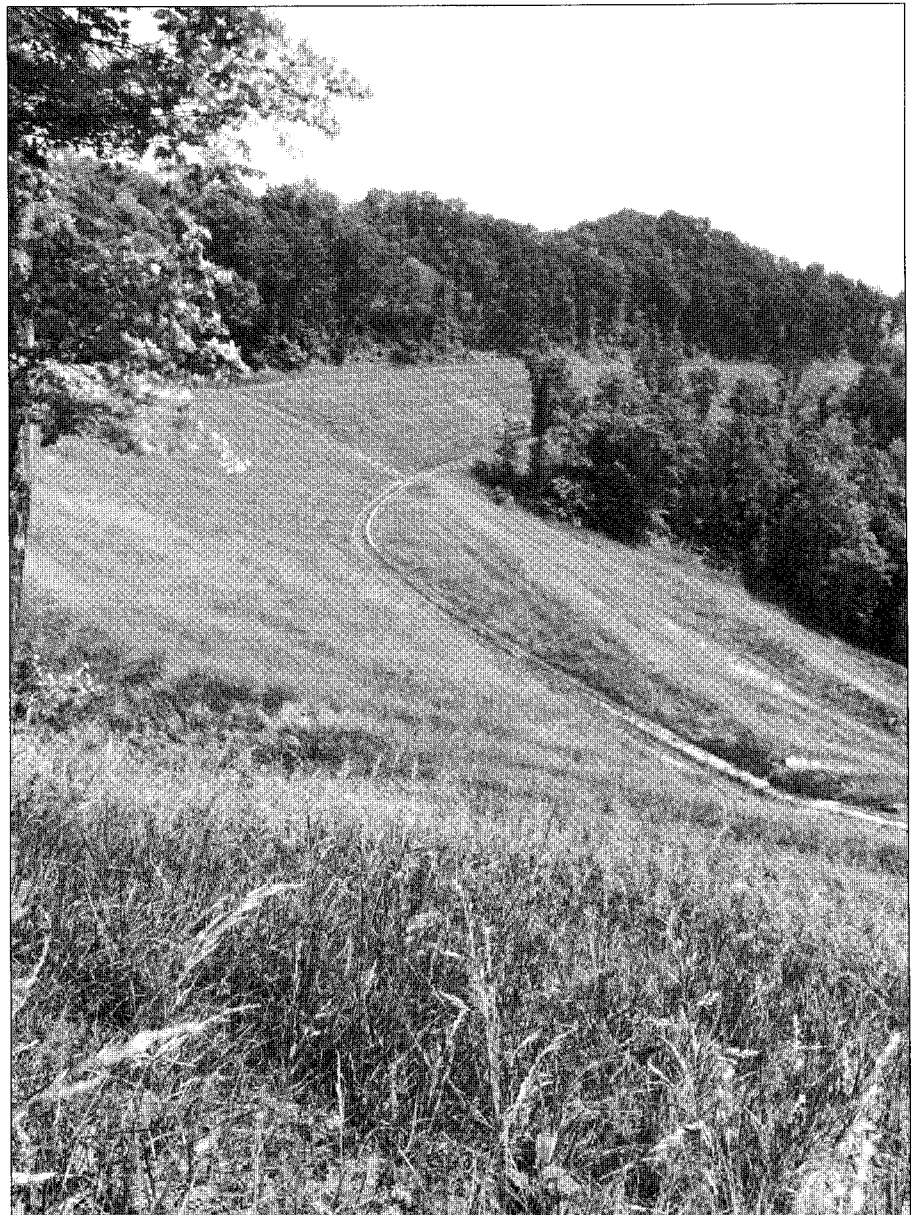
Reclamation of this 200-acre steep-slope contour mine in Eastern Kentucky exemplifies the intent of the Surface Mining Law. With proper planning and effective site management, both economical mining and successful reclamation can be achieved.

system consists of a centrally-located super minicomputer networked through the Office of Surface Mining wide area network with engineering/scientific work stations in state, tribe, and selected federal offices. TIPS aids the technical decision-making associated with conducting reviews of permits, performing cumulative hydrologic impact assessments, quantifying potential effects of coal mining, quantifying revegetation success, assisting in the design of abandoned mine lands projects, and preparing environmental assessments and environmental impact statements. In addition to increasing efficiency, a study by the U.S. Geological Survey has shown that TIPS significantly

reduces costs associated with the permit review process.

### Training

During 1994, nationwide training continued for federal, state, tribe, and private surface coal mining regulatory and reclamation personnel. The 18 courses offered in 1994 included Administration of Reclamation Projects, Basic Inspection Workbook, Bonding Workshop: Administrative and Legal, Bonding Workshop: Cost-estimating, Enforcement Procedures, Engineering Principles for Program Personnel, Evidence Preparation and Testimony, Historical and Archeological Resources, Instructor Training Course, NEPA Procedures, Permitting-

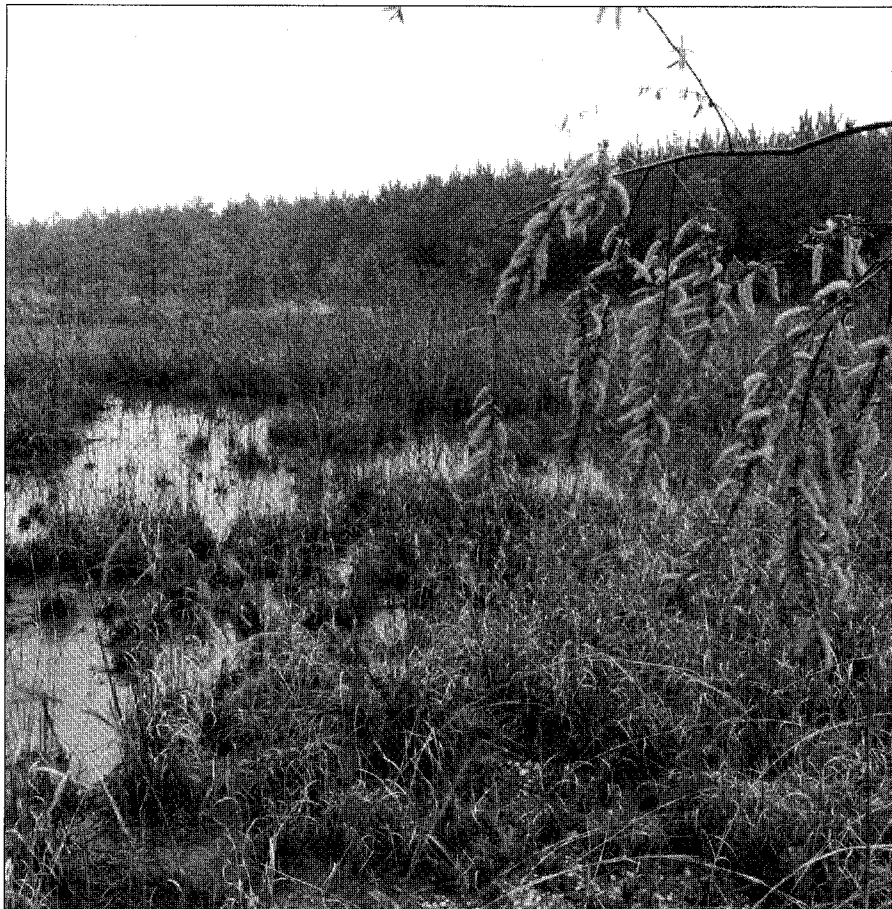


Hydrology, Principles of Inspection, Soil Erosion and Sediment Control, Soils and Revegetation, Spoil Handling and Disposal Practices, Surface and Ground Water Hydrology, Technical Writing, and Underground Mining Technology.

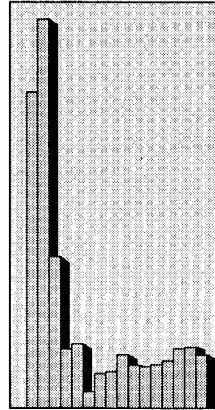
During 1994, 897 participants attended the 48 training sessions offered. State and tribal personnel totaled 77 percent of program attendance, while federal and private attendance decreased to 23 percent.

Training of state and federal personnel is identified as a priority item in the new strategic plan, and beginning in 1994 a consolidation of technical training was completed.

This old sediment pond was reclaimed into an artificial wetland. Spillway material was removed to the level of impounded sediment, then heavy stone riprap was placed on the water control section to eliminate sedimentation downstream.



## Small Operator Assistance Program (SOAP)



SOAP Grant Obligations 1978-1994

Section 401(b)(1) of SMCRA authorizes that up to 10 percent of the fees collected for the Abandoned Mine Reclamation Fund can be used to help qualified small mine operators obtain technical data needed for permit applications. Through 1991, operators who produced fewer than 100,000 tons of coal per year were eligible for assistance. Beginning with Fiscal Year 1992, the Abandoned Mine Reclamation Act of 1990 increased from 100,000 to 300,000 tons the production limit that defined whether small operators qualify for assistance.

The Energy Policy Act of 1992 (Public Law 102-486) added a number of

enhancements to the technical permitting services provided under SOAP. These include engineering analyses and designs necessary for the hydrologic impact "determination," cross-section maps and plans, geologic drilling, archaeological and historical information and plans, information and plans required for protection of fish and wildlife habitat and other environmental values, and pre-blast surveys.

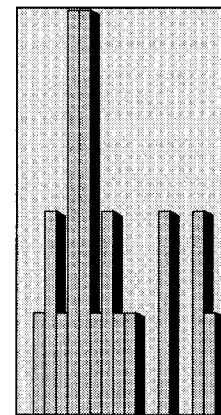
**TABLE 8  
SMALL-MINE OPERATOR ASSISTANCE  
1993 GRANT AWARDS\***

State	Grant 1994	Amount 1993
Kentucky	\$ 310,000	\$ 500,000
Maryland	50,000	50,000
Ohio	314,500	264,000
Oklahoma	0	10,000
Pennsylvania	1,200,000	1,400,000
Virginia	0	10,000
West Virginia	153,785	140,000
Total	\$2,028,285	\$2,374,000

\*These figures do not include downward adjustments of prior-year awards.

Regulations for SOAP place responsibility with the states that have approved permanent programs. In states with federal programs, the Office of Surface Mining operates SOAP. In 1994, 129 small mine operators received assistance, an increase from 119 operators in 1993. Table 8 provides a breakdown of SOAP grant awards by state during 1994.

## Experimental Practices



Experimental Practices Started 1978-1994

Section 711 of SMCRA allows alternative, or experimental, mining and reclamation practices that do not comply with sections 515 and 516 performance standards as a way of encouraging advances in mining technol-

This Wyoming mine, one of the largest in the country, produces over 6 million tons of coal each year. The coal is transported by conveyor to an adjacent 2,000 megawatt power plant. As seen here, the overburden above the coal is up to 200 feet thick.

ogy or to allow innovative industrial, commercial, residential, or public post-mining land uses. However, the experimental practices must meet all other standards established by SMCRA and must maintain protection of the environment and the public. Approval and monitoring of a permit containing an experimental practice results in a close working relationship between the mine operator, the state, and the Office of Surface Mining.

In addition to eight ongoing projects in 1994, one new project was approved, one was closed out, one was terminated by the state, and two new experimental practices are under review.

#### Reclamation Awards

To recognize the people responsible for the nation's most outstanding achievements in carrying out environmentally sound mining and reclamation under Title V, the Office of Surface Mining presents awards to operators who have developed innovative reclamation techniques or who have completed mining and reclamation operations that resulted in outstanding on-the-ground performance. Awards for 1993 were presented June 18, 1994, at the National Coal Association's annual meeting as follows:

##### *Director's Award*

- The Director's award was presented to the Hobet Mining Company for exemplary reclamation with wildlife habitat as a post-mining land use at its mine near Madison, West Virginia.

##### *National Awards*

- Buffalo Coal Company for exemplary contemporaneous reclamation at its Difficult Mine in West Virginia.



- Red River Coal Company and its mine operator, S.R. Mullins Excavating Company, for exemplary reclamation at the Flat Gap Mine remining operation in southwestern Virginia.

- Kerr-McGee Coal Corporation's Jacobs Ranch Mine, near Gillette, Wyoming, for exemplary reclamation achieved under western (arid) conditions.

- Peabody Coal Company for exemplary reclamation that resulted in outstanding crop yields at its Moorman Mine in western Kentucky.

- The Centralia Mining Company, operating in Centralia, Washington, for outstanding reclamation that created a wide range of wildlife habitat that added vegetative diversity to the company's forest plantation.

- Peabody Coal Company's River King operation, located in southern Illinois, for reclaiming 2,500 acres that provide varied aquatic habitats and recreational opportunities.

- W.H. Bowlin Coal Company, operating in eastern Kentucky, for outstanding reclamation achieved by a small mine operator.

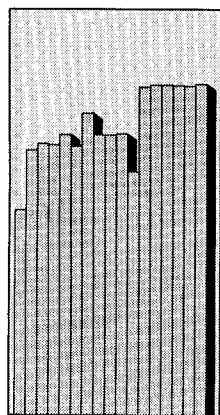


# ABANDONED MINE LAND RECLAMATION

## ELIMINATING HEALTH AND SAFETY PROBLEMS

**T**itle IV of SMCRA -- the Abandoned Mine Land Reclamation Program -- provides for the restoration of lands mined and abandoned or left inadequately restored before August 3, 1977. Situations of danger to public health, safety and general welfare are given priority.

### Fund Management



Abandoned Mine Land  
Fund Collections  
1978-1994

Production fees of 35 cents per ton of surface mined coal, 15 cents per ton of coal mined underground, and 10 cents per ton of lignite are collected from coal producers at all active coal mining operations. The fees are deposited in

the Abandoned Mine Reclamation Fund, which is used to pay the reclamation costs of abandoned mine land projects. The fund consists of fees, contributions, late-payment interest, penalties, administrative charges, and interest earned on investment of the fund's principal. Since January 30, 1978, when the first fees were paid, through September 30, 1994, the fund has collected \$3,765,937,237.

Before reclamation this 8,000 acre mine site contained some of the nation's worst acid soil and water associated with surface coal mining. Today, after treatment and reclamation, it is a valuable wetland.

Expenditures from the fund are made through the regular budgetary and appropriation process. SMCRA specifies that 50 percent of the reclamation fees collected in each state with an approved reclamation program, or within Indian lands where the tribe has an approved reclamation program, are to be allocated to that state or tribe. That 50 percent is designated as the state or tribal share of the fund. The remaining 50 percent (the federal share) is used by the Office of Surface Mining to complete high-priority and emergency projects under its Federal Reclamation Program, to fund the Rural Abandoned Mine

Program (RAMP) administered by the U.S. Department of Agriculture, to fund the Small Operator Assistance Program (SOAP), to fund reclamation directly through state reclamation programs, and to pay for audit and administrative costs. In 1991, at the direction of Congress, a formula to distribute federal-share money to the state reclamation programs was established based on historic coal production. Table 9 shows collections and funding by states for 1994.

The Abandoned Mine Reclamation Act of 1990 (Public Law 101-508) extended fee collection authority through

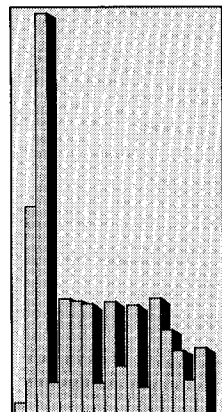




September 30, 1995, and the Energy Policy Act of 1992 (Public Law 102-468) further extended the fee collection authority until September 30, 2004.

Under 1990 Congressional authority (Public Law 101-508), the Office of Surface Mining began investing abandoned mine land funds in 1992. By law, the Office of Surface Mining is restricted to investing in certain market-based securities issued by the U.S. Treasury, such as bills, notes, bonds, and one-day certificates. Total investment earnings for 1994 were \$40.08 million. The average interest earned during this year was 3.31 percent. At the end of the year, the Office of Surface Mining had more than \$1.17 billion invested in Treasury securities. The Energy Policy Act of 1992 (Public Law 102-486) stipulated that all 1993 investment earnings received and all future investment earnings are to be made available for transfer from the Abandoned Mine Reclamation Fund to the United Mine Workers Association Combined Benefits Fund, beginning in 1996.

### Federal Reclamation Program



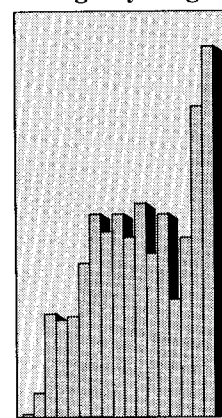
Interior Department Projects 1978-1994

Under Sections 402 and 407 of SMCRA, the Secretary of the Interior is authorized to expend Abandoned Mine Reclamation Fund monies for non-emergency reclamation of high-priority sites that present an extreme danger to the public. A non-emergency is defined in 30 CFR 870.5 as "a condition that could reasonably be expected to cause substantial harm to persons, property, or the environment and to which persons or improvements on real property are currently exposed."

Until 1980, when states and Indian tribes began to receive approval of their

abandoned mine land programs, all reclamation was administered by the Office of Surface Mining. However, as state and tribal programs were approved and the states and tribes assumed responsibility for correcting abandoned mine land problems, the Office of Surface Mining has greatly reduced its direct participation in this portion of the program. During 1994, work was accomplished on 24 projects: 2 in Georgia, 3 in Michigan, 8 in Tennessee, 9 in Washington, 1 in California, and 1 on Cheyenne River Tribe lands.

### Emergency Program



Office of Surface Mining Emergency Projects 1978-1994

Emergency projects are those involving abandoned mine lands that present a danger to public health, safety, or general welfare and which require immediate action.

Under Section 401(a) of

**TABLE 9**  
**ABANDONED MINE LAND FEE COLLECTIONS AND FUNDING**  
**1994**

State/Tribe	Total Collected	State Share Distribution*	Federal Share Distribution*	Emergency Distribution*	Total Distribution*
Alabama	\$ 5,523,952	\$ 1,725,663	\$ 1,263,282	\$ 300,000	\$ 3,288,945
Alaska	555,013	155,411	1,844,589	25,000	2,025,000
Arkansas	25,988	0	2,000,000	25,000	2,025,000
Colorado	5,464,235	1,258,023	741,977	0	2,000,000
Illinois	8,062,169	3,518,919	4,680,010	561,000	8,759,929
Indiana	9,685,181	2,987,726	0	0	2,987,726
Iowa	11,447	17,556	1,982,444	0	2,000,000
Kansas	91,110	66,388	1,933,612	675,000	2,675,000
Kentucky	36,820,287	10,336,811	4,586,706	0	14,923,517
Louisiana	326,736	87,376	0	0	87,376
Maryland	720,203	224,672	1,775,328	0	2,000,000
Missouri	235,487	249,852	1,750,148	0	2,000,000
Montana	12,201,440	3,430,404	0	100,000	3,530,404
New Mexico	5,298,843	1,127,774	872,226	0	2,000,000
North Dakota	3,178,959	873,022	1,126,978	50,000	2,050,000
Ohio	7,708,159	2,363,748	2,868,907	1,525,658	6,758,313
Oklahoma	673,289	173,694	1,826,306	0	2,000,000
Pennsylvania	13,212,668	4,299,425	15,128,115	0	19,427,540
Tennessee	669,974	0	0	0	0
Texas	5,488,693	1,496,520	0	0	1,496,520
Utah	3,429,254	871,835	1,128,165	0	2,000,000
Virginia	7,959,473	2,414,455	1,407,804	300,000	4,122,259
Washington	1,688,856	0	0	0	0
West Virginia	29,382,660	9,087,148	8,694,442	4,800,000	22,581,590
Wyoming	74,905,052	18,132,548	0	0	18,132,548
Crow Tribe	1,342,682	478,364	1,499,136	0	1,977,500
Hopi Tribe	1,437,833	446,527	0	0	446,527
Navajo tribe	8,189,540	3,977,464	0	0	3,977,464
Undist. Emerg.	0	0	0	544,692	544,692
<b>Total</b>	<b>\$244,289,183</b>	<b>\$69,801,325</b>	<b>\$57,110,175</b>	<b>\$8,906,350</b>	<b>\$135,817,850</b>

\*The term "Distribution" is now used instead of "Allocation". Allocation refers to the "pooling" of monies collected for the Abandoned Mine Land Fund. State and federal share distribution amounts are based on formulae set forth in Directive AML-18 dated November 26, 1992. Emergency distribution amounts are based on figures provided annually by the Assistant Director, Reclamation and Regulatory Policy, and as approved during the year by the Dep. Director, Operations and Technical Services. The Total Distribution does not include RAMP funding.

SMCRA, the Secretary of the Interior is authorized to spend money from the Abandoned Mine Reclamation Fund for the emergency restoration, reclamation, abatement, control, or prevention of the effects of coal mining practices if an emergency exists.

Since the beginning of the program, the Office of Surface Mining has encouraged states to assume responsibility for emergency projects. In 1983, Arkansas and Montana assumed emergency project responsibility, followed by

Illinois in 1984. During 1988 and 1989, Kansas, Virginia, and West Virginia took over responsibility for their emergency projects. Alabama assumed responsibility in 1990, followed by Ohio in 1992, and Alaska and North Dakota in 1993. In 1989, the Office of Surface Mining established an emergency policy that provided federal-share funds, in addition to the formula-based allocation, to states with emergency programs.

In December of 1993, continuing rains

and a mild winter with no sustained hard freezes combined to cause a substantial increase in the numbers of abandoned mine land problems across Appalachia, notably landslides in eastern Kentucky and subsidences in Pennsylvania. A record of 477 emergency complaints and eventual projects was recorded for eastern Kentucky. The \$5.0 million of emergency funds originally appropriated for Kentucky were exhausted early in 1994. An Emergency Supplemental appropriation of \$5.1 million was obtained. The

Commonwealth of Kentucky reclaimed 19 emergency projects costing \$3.2 million and also provided \$1.8 million to the Office of Surface Mining to reclaim six emergency-affected sites. Near the end of 1994, an Emergency Supplemental Appropriation of \$2.1 million was obtained to abate problems in eastern Kentucky which remained unreclaimed. Actual reclamation of these sites will occur in 1995.

In 1993, the average number of days required to respond to complaints (from notification of a possible emergency problem) averaged 2.65 in the East and 1.56 in the West. The total days from complaint referral to construction averaged 63.3 days in the East and 11.5 in the West. This represents a 7.3 percent improvement in response (a 2.9 percent reduction in days from complaint referral to construction) compared with 1993.

**TABLE 10  
FEDERAL RECLAMATION PROGRAM PROJECTS  
1994 OBLIGATIONS**

State/Tribe	Emergency	High Priority	Total 1978-93*	Total Emergency Prior Year Adj. in 1994*	Total High Priority Prior Year Adj. in 1994*	Total 1978-1994*
Arkansas	\$ 0	\$ 0	\$ 13,934,015	\$ 0	\$ 0	\$ 13,934,015
Alaska	0	0	194,638	0	0	194,638
California	0	0	84,904	0	0	84,904
Colorado	25,049	0	1,048,643	0	0	1,067,181
Georgia	0	186,437	1,833,313	0	(3,682)	1,858,362
Illinois	0	0	1,903,371	0	0	2,086,126
Indiana	238,004	0	5,376,749	(71,858)	0	5,376,749
Iowa	3,472	0	3,862,909	0	0	4,029,055
Kansas	0	0	1,080,036	0	0	1,083,508
Kentucky	4,943,945	0	5,094,172	(333,941)	0	5,094,172
Maryland	90,366	0	71,678,308	(1,073)	0	76,288,312
Michigan	0	134,387	2,537,645	0	0	2,626,938
Missouri	236,381	0	1,834,815	(2,783)	0	1,969,202
Montana	0	0	7,779,966	0	0	8,013,564
New Mexico	0	0	729,058	0	0	729,058
North Carolina	0	0	2,364,696	0	0	2,364,696
North Dakota	0	0	205,407	0	0	205,407
Ohio	11,680	0	1,723,933	(13,068)	0	1,723,933
Oklahoma	18,710	0	18,444,593	0	0	18,443,205
Oregon	0	0	1,191,814	0	0	1,210,524
Pennsylvania	5,090,993	0	42,275	(41,822)	(60,000)	42,275
Rhode Island	0	0	82,667,404	0	0	87,656,575
South Dakota	0	0	556,229	0	0	556,229
Tennessee	81,938	995,825	47,000	0	(19,745)	27,255
Texas	2,000	0	15,591,772	0	(55,793)	16,613,742
Utah	0	0	283,849	0	0	285,849
Virginia	0	0	123,791	0	0	123,791
Washington	0	552,365	10,139,719	(250)	0	10,139,469
West Virginia	0	0	4,344,568	(211)	(93,529)	4,803,193
Wyoming	363	0	29,023,226	0	0	29,023,226
Cheyenne River Sioux Tribe	0	200,000	1,066,738	0	0	1,067,101
Crow Tribe	0	0	2,412,372	0	100,000	2,712,372
Fort Berthold Tribe	0	0	1,097,895	0	0	1,097,895
Fort Peck Tribe	0	0	69,972	0	0	69,972
Hopi Tribe	0	0	147,991	0	0	147,991
Jacarillo Apache Tribe	0	0	1,263,409	0	0	1,263,409
Navajo Tribe	0	0	50,998	0	0	50,998
Northern Cheyenne Tribe	0	0	2,222,792	0	0	2,222,792
Southern Ute Tribe	0	0	580,005	0	0	580,005
Rocky Boy Tribe	0	0	94,206	0	0	94,206
Uintah/Ouray Tribe	0	0	60,188	0	0	60,188
Ute Mountain Tribe	0	0	138,738	0	0	138,738
White Mountain Apache Tribe	0	0	14,300	0	0	14,300
Wind River Tribe	0	0	1,838	0	0	1,838
Zuni Tribe	0	0	73,267	0	0	73,267
Total	\$10,742,901	\$2,087,552	\$295,142,538	(\$465,006)	(\$132,749)	\$307,375,236

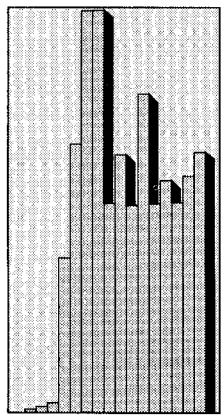
\* Includes prior year contract deobligations and upward adjustments.

Of the 493 emergency complaint investigations referred by Office of Surface Mining field offices, 269 resulted in declaration of emergency, 28 were determined to be not of an emergency nature, 8 were considered not related to coal mining or were reclaimed by the landowner, and 188 were still under investigation at the close of the fiscal year on September 30, 1994. Non-emergency mining-related complaints were referred to the states for consideration as high-priority abandoned mine land grant projects.

### Post-SMCRA Reclamation

As authorized in the 1994 appropriations, federal civil penalties collected under Section 518 of SMCRA were used to reclaim lands mined and abandoned after August 3, 1977. In 1994, the Office of Surface Mining funded six reclamation projects costing a total of \$100,650. There were five projects in Kentucky and one in Tennessee. An additional \$699,535 in unobligated funds will be carried over for use in 1995 reclamation projects.

### Grants to States and Tribes



Grant Obligations  
1978-1994

Beginning with Texas in 1980, the Office of Surface Mining has gradually approved state reclamation programs. Currently, all primacy states except Mississippi have approved abandoned mine

land reclamation programs. During 1988, the Navajo and Hopi Tribe programs were approved, and in 1989 the Crow Tribe received approval for its program. In 1994, the states and the tribes received grants totaling \$205,819,158. Since 1979, when the states began receiving abandoned mine land administrative grants to operate their programs and construction grants to compete reclamation projects, states



Abandoned mine land sites frequently contain a variety of environmental problems. At this 45-acre West Virginia site adjacent to a small town, 11 abandoned underground mine openings were discharging acid water, mountains of exposed coal refuse from an abandoned coal cleaning plant covered the valley floor, and 6,500 linear feet of dangerous highwalls from an abandoned pre-SMCRA surface mine were present. After reclamation, it is difficult to find any traces of past mining or the associated abandoned mine problems. Here, as the architects of the surface mining law envisioned, use of Abandoned Mine Land funds has resulted in permanently removing mining-related health and safety hazards, leaving the land essentially as it was before mining took place.

have received \$2,069,264,620 from the fund. Of that amount, approximately \$526 million was applied to administration grants, set-aside and subsidence insurance programs, emergency programs, and initial program development and cooperative agreement costs. Total net grant awards for abandoned mine land construction projects from grants were \$1.5 billion, and construction obligations at the state/tribe level were \$1.4 billion. Grant amounts for 1994 are shown in Table 11. On-the-ground coal mine reclamation accomplishments resulting from grant funding through 1994 are summarized in Table 12.

Simplified grant funding of state abandoned mine land programs was begun in 1994. This new grant application process eliminates the requirement for advance approval of each project before the grant is awarded to the state for the reclamation. States received amounts based on appropriated spending levels and are held accountable for using those funds in accordance with their approved abandoned mine land plan. The Office of Surface Mining is no longer involved in cumbersome and detailed pre-award scrutiny of state grant applications.

**TABLE 11**  
**ABANDONED MINE LAND GRANTS TO PRIMACY STATES AND INDIAN TRIBES**  
**1994**

State/ Tribe	Subsidence Insurance	10% Program Set-Aside	Administration <sup>4</sup>	Project Costs <sup>5</sup>	Emergency <sup>6</sup>	1994 Total	1993 Total
Alabama	\$ 0	\$ 0	\$ 529,214	\$ 2,998,878	\$ 300,000	\$ 3,828,092	\$ 4,133,901
Alaska	0	0	227,370	1,857,630	25,000	2,110,000	2,532,876
Arkansas	0	0	185,624	2,174,522	25,000	2,385,146	1,942,272
Colorado	0	200,000	526,000	1,274,000	0	2,000,000	2,035,000
Illinois	0	0	857,502	8,915,156	561,000	10,333,658	9,019,395
Indiana	0	298,773	805,443	4,041,188	0	5,145,404	7,173,000
Iowa	0	0	136,895	1,944,740	0	2,081,635	2,045,225
Kansas	0	0	200,045	2,298,407	675,000	3,173,452	4,389,718
Kentucky	0	0	1,401,277	18,584,333	0	19,985,610	14,728,663
Louisiana	0	0	146,743	0	0	146,743	82,454
Maryland <sup>2</sup>	0	63,250	478,937	2,072,829	0	2,615,016	2,480,325
Missouri	0	74,669	450,770	2,103,468	0	2,628,907	2,902,892
Montana	0	343,040	490,433	3,834,113	100,000	4,767,586	5,593,759
New Mexico	0	133,315	1,118,551	934,685	0	2,186,551	1,870,788
North Dakota	0	113,593	327,380	3,366,739	25,000	3,832,712	1,991,038
Ohio	0	0	2,531,009	2,592,568	1,525,658	6,649,235	10,693,976
Oklahoma	0	0	282,309	1,988,691	0	2,271,000	2,080,378
Pennsylvania <sup>2</sup>	0	1,942,754	2,982,294	36,136,378	0	41,061,426	48,752,574
Texas	0	0	459,169	4,628,651	0	5,087,820	3,374,562
Utah	0	0	293,127	2,188,060	0	2,481,187	2,094,528
Virginia <sup>3</sup>	0	0	1,434,446	3,526,347	1,200,000	6,160,793	6,414,211
West Virginia <sup>2</sup>	0	5,231,741	4,970,940	31,606,448	4,800,000	46,609,129	29,658,322
Wyoming	150,000	0	364,053	20,058,221	0	20,572,274	18,174,995
Crow Tribe	0	0	233,433	1,802,362	0	2,035,795	2,006,000
Hopi Tribe	0	0	105,000	0	0	105,000	143,388
Navajo Tribe	0	397,746	971,579	4,195,662	0	5,564,987	6,256,699
<b>Total</b>	<b>\$150,000</b>	<b>\$8,798,881</b>	<b>\$22,509,543</b>	<b>\$165,124,076</b>	<b>9,236,658</b>	<b>\$205,819,158</b>	<b>\$192,570,939</b>

1 Funding for these grants is derived from the FY 1994 Distribution and funds recovered or carried over from previous years. Downward adjustments of prior-year awards are not included in the totals.

2 These 10 % set-aside amounts are for Acid Mine Drainage set-aside funding rather than future set-aside funding.

3 Administrative amount includes \$75,567 for coalbed mapping grant.

4 Administrative amounts for most states/tribes contain non-emergency indirect costs which are applicable to their entire Abandoned Mine Land program. These costs cannot be broken down into separate cost categories.

5 The term "Project Costs" is now used instead of "Construction." Abandoned Mine Land simplified grants do not contain specific construction cost breakdowns, but rather list all costs associated with a construction project as a project cost. This category contains both non-water supply and water supply project costs.

6 This category contains emergency project, administrative, and indirect costs. Indirect costs are not directly attributable to either emergency project or administrative costs.

### Minimum Program

The minimum-level program was established by Congress in 1988 to ensure funding of existing high-priority projects in states where the annual allocation is too small for the state to administer a program and begin reclamation.

During 1994, Alaska, Arkansas, Iowa, Kansas, Maryland, Missouri, New Mexico, North Dakota, Oklahoma, Utah, and the Crow Tribe were eligible for minimum-level program funding and received such grants during the year. Minimum-level program funding remained at \$2,000,000 for 1994. Eligible states and tribes received contributions of \$14,479,620 in federal-

Before reclamation, this abandoned mine site contained dangerous highwalls, erosion, and acid mine drainage. Today, the problems have been eliminated and the area no longer poses a safety hazard for nearby residents.

share money from non-minimum program states and tribes. These contributions bring the 11 states and tribe to the minimum program level. Once minimum program states and tribes complete their high-priority projects listed in the National Inventory of Abandoned Mine Land Prob-

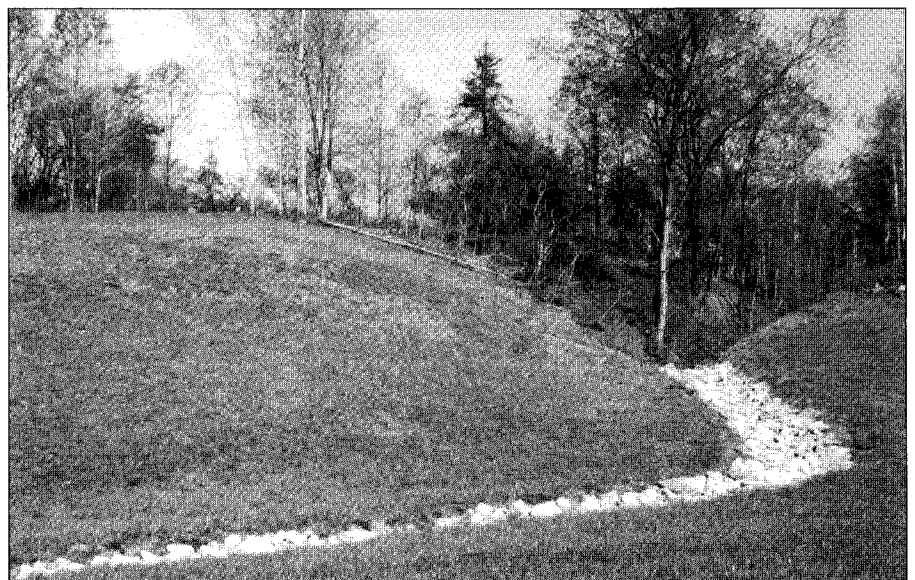
lems, annual funding is limited to state-share money.

### State Set-Aside

Beginning in 1987, Public Law 100-34 authorized states to set aside up to 10 percent of the state-share portion of their annual abandoned mine land reclamation grants. Set-aside money was deposited into special trust funds and became available, along with interest earned, for use by the state for reclaiming abandoned mine land problems after August 3, 1992, the original expiration date for the collection of abandoned mine land reclamation fees. (Subsequent legislation extended this date to September 30, 2004.) Statutory amendments contained in Public Law 101-508 created a new set-aside program that does not supersede the transfer funds deposited under the original 1987 program. The funds set aside under the new program may be used only after September 30, 1995, and only to reclaim eligible priority 1 and 2 abandoned coal mine land problems. In 1994, nine states and one tribe set aside \$8,798,881.

### Subsidence Insurance

Public Law 98-473 authorized states and tribes with approved reclamation programs to use abandoned mine land funds for establishing self-sustaining, individually administered programs to





insure private property against damage caused by land subsidence resulting from abandoned underground coal mines. Implementing rules were promulgated in February 1986. Under those rules, states can receive a subsidence insurance grant of up to \$3,000,000, awarded from the state's share of the abandoned mine land fund. In 1994, one subsidence insurance grant was issued. Through 1994, the Office of Surface Mining has granted a total of

\$11,719,662 to Colorado, Indiana, Kentucky, Ohio, West Virginia, and Wyoming to develop and administer subsidence insurance programs.

### **Inventory of Abandoned Mine Land Problems**

SMCRA, as amended by the Abandoned Mine Reclamation Act of 1990 (Public Law 101-508), requires the Office of Surface Mining to maintain an inventory of eligible abandoned coal

mine lands and waters that meet the public health, safety, and general welfare criteria of Section 403(a)(1) and (2). During 1994, this inventory was maintained and updated to reflect reclamation accomplishments as required by Section 403(c).

The Office of Surface Mining maintains its inventory data on the Abandoned Mine Land Inventory System (AMLIS), which is used to provide

The first Office of Surface Mining/state cooperative agreement project started under the surface mining law was the abatement of the Peach Creek refuse fire in West Virginia. The project contained 38 acres of burning refuse that was excavated and quenched using water from a pond constructed on the project site. Twelve years after the project's completion, the area was covered by a wide variety of vegetation.





statistical reports of problems eligible for funding, estimated reclamation costs, and reclamation accomplishments.

As of September 30, 1994, the system contained information for 12,151 problem areas, mostly related to abandoned coal mines. A problem area is a geographic area, such as a watershed, that contains one or more abandoned mine problems that could logically be corrected together. Problem area boundaries are delineated by the extent of their effect on surrounding land and water, not just the abandoned mine sites. \$1.1 billion was spent for completed projects and \$258.9 million funded for ongoing coal projects. Of these problem areas, 10,268 were pre-SMCRA coal sites with health, safety, and general welfare problems, of which 5,403 (53 percent) have been reclaimed at a cost of \$1.2 billion. The estimated cost to reclaim

the remaining 4,865 high-priority problems is \$2.4 billion.

Table 12 summarizes state, emergency, and federal coal reclamation project accomplishments through 1994. In comparing figures reported between 1993 and 1994, most categories show increases. In a few cases, totals decreased. The current data shown in the table reflects continued efforts on the part of the Office of Surface Mining, the states, and the tribes to improve the quality of the data. In some cases it was found that the data for sites reclaimed under more than one reclamation funding program had been inadvertently duplicated, or other errors had occurred. These figures have been corrected.

#### Reclamation Awards

After more than 17 years of abandoned mine land reclamation funded under SMCRA, thousands of dangerous health

and safety problems throughout the country have been eliminated. To publicly recognize the people responsible for outstanding achievements in abandoned mine land reclamation, the Office of Surface Mining presents awards to those individuals responsible for their completion. This year, 86 individuals responsible for nine award-winning projects received recognition for their work. Awards for the following projects were presented at the annual meeting of the National Association of Abandoned Mine Land Programs:

■ Harrison County Road 51 project near Germano, Ohio

■ Shirley Basin Uranium District project in Shirley Basin, Wyoming

■ Adrian Southeast project near Punxsutawney, Pennsylvania

**TABLE 12**  
**ABANDONED MINE LAND COAL RECLAMATION ACCOMPLISHMENTS**  
**1978-1994**

	Ala.	Alas.	Ark.	Calif.	CERT*	Colo.	Crow	Ga.	Hopi	Ill.	Ind.	Iowa	Kan.	Ky.	Md.	Mich.	Mo.	Mont.
<b>Priority 1 &amp; 2 (Protection of Public Health, Safety, and General Welfare)</b>																		
Clogged Streams <sup>1</sup>	2	0	0	0	0	0	0	0	0	13	14	2	1	33	3	0	10	3
Clogged stream lands <sup>2</sup>	0	0	0	0	0	0	0	0	0	552	106	234	0	7,849	41	0	1,155	2
Dangerous highwalls <sup>3</sup>	101,890	960	29,906	0	5,070	51,493	650	1,000	14,302	15,385	78,660	45,335	30,431	13,424	26,680	950	43,662	150
Dangerous impoundments <sup>4</sup>	2	3	0	0	0	0	0	2	0	6	5	1	1	76	0	0	5	3
Dangerous piles & embank. <sup>2</sup>	37	8	217	0	355	7	33	3	0	104	477	657	80	214	99	0	345	62
Dangerous slides <sup>2</sup>	8	0	0	0	0	0	22	0	0	2	0	0	1	1,404	17	0	0	1
Gases: hazardous/explosive <sup>4</sup>	0	0	0	0	0	0	0	0	0	7	2	0	0	0	0	0	0	0
Underground mine fires <sup>2</sup>	0	0	0	0	0	108	0	0	2	0	0	0	0	83	0	0	2	63
Hazardous equip. & facilities <sup>4</sup>	441	57	1	0	6	1	1	0	8	184	85	4	2	131	12	5	24	175
Hazardous water bodies <sup>4</sup>	36	0	9	0	30	0	0	0	0	1	3	20	2	16	9	2	10	0
Industrial/residential waste <sup>2</sup>	22	3	12	0	5	2	0	0	0	13	21	2	2	48	15	0	69	74
Portals <sup>4</sup>	747	6	6	25	72	486	4	67	9	100	41	1	0	1,060	17	0	14	714
Polluted water: agricultural <sup>4</sup>	0	0	0	0	0	3	1	0	0	0	6	12	3	5	3	0	29	17
Polluted water: human con. <sup>4</sup>	9	0	0	0	0	0	0	1	0	0	6	1	0	2,890	1	0	13	12
Subsidence <sup>2</sup>	10	0	2	0	35	43	16	1	0	16	16	1	27	54	9	1	0	392
Surface burning <sup>2</sup>	50	0	2	0	0	21	0	0	0	11	2	0	3	205	0	8	19	302
Vertical opening <sup>4</sup>	261	5	67	38	18	256	4	6	2	328	249	17	7	61	2	12	31	430
<b>Priority 3 (Environmental Restoration)</b>																		
Bench <sup>2</sup>	1	0	0	0	0	3	2	0	0	1	0	0	0	619	0	0	0	1
Industrial/residential waste <sup>2</sup>	9	0	0	0	0	5	0	0	0	13	46	0	0	0	0	0	3	76
Equipment/facilities <sup>4</sup>	6	0	0	0	2	7	0	0	0	83	98	0	1	51	1	1	4	58
Gob piles <sup>2</sup>	87	7	0	0	4	102	9	3	25	1,909	795	1	89	195	21	21	68	144
Highwalls <sup>2</sup>	18,000	0	0	0	1,500	2,028	450	0	551	4,510	3,080	0	3,000	2,000	3,650	0	8,624	1,170
Haul roads <sup>2</sup>	0	0	0	0	0	0	4	0	15	42	32	5	0	1	1	1	1	1
Mine openings <sup>4</sup>	26	0	0	0	1	18	0	2	0	73	13	1	0	68	0	0	0	42
Pits <sup>4</sup>	1	0	0	0	7	83	5	0	10	268	6	19	17	3	0	1	65	18
Spoil area <sup>2</sup>	5,934	0	0	0	80	829	4	0	10	2,097	1,052	440	248	976	212	10	1,042	856
Slurry <sup>2</sup>	33	9	0	0	0	0	0	0	0	906	312	0	10	58	0	0	57	0
Slump <sup>2</sup>	1	25	0	0	0	0	0	0	0	1	2	0	22	10	1	11	1	19
Water problems <sup>4</sup>	80	0	0	0	0	1	0	0	0	201	68	0	0	0	70	0	1	19
Other <sup>4</sup>	23	0	0	0	0	5	0	0	2	780	256	0	1	408	0	0	4	13

Units: 1 Miles; 2 Acres; 3 Linear feet; 4 Count; 5 Gallons/minute  
6 CERT is the Council of Energy Resources Tribes

- Eckhart Coal Waste Stabilization project in Eckhart Mines, Maryland
- Colorado Bats/Inactive Mines project in central Colorado
- Tintic project in Eureka, Utah
- Richmond Shafts project in Midlothian, Virginia
- Rush Run Portals Project in Fayetteville, West Virginia, and
- Crook County Bentonite project in Colony, Wyoming.

A mining operation that began in 1926 left this site covered with 3,000 acres of acid-forming refuse. After treating the refuse and reclaiming land, this abandoned Illinois mine site has been returned to productive wildlife habitat.



**TABLE 12 (Continued)**  
**ABANDONED MINE LAND COAL RECLAMATION ACCOMPLISHMENTS**  
**1978-1994**

	Navajo	N.Car.	N.Dak	N.Mex.	Ohio	Okla.	Ore.	Penna.	R.Is.	S.Dak.	Tenn.	Texas	Utah	Vir.	Wash.	W.Vir.	Wyo.	Total
<b>Priority 1 &amp; 2 (Protection of Public health, Safety, and General Welfare)</b>																		
Clogged Streams <sup>1</sup>	0	0	0	0	10	1	0	13	0	0	0	0	11	60	0	26	0	202
Clogged stream lands <sup>2</sup>	0	0	0	0	4,134	0	0	61	0	0	147	0	0	706	0	142	0	15,129
Dangerous highwalls <sup>3</sup>	0	0	25,596	0	20,258	127,183	0	297,479	0	135	16,755	3,285	2,925	5,983	0	115,929	9,011,084	487
Dangerous impoundments <sup>4</sup>	1	0	4	0	5	0	0	39	0	0	0	0	1	13	0	125	1	293
Dangerous piles & embank. <sup>2</sup>	1	0	303	2	85	0	0	314	0	0	200	917	100	217	3	2,173	503	7,516
Dangerous slides <sup>2</sup>	7	0	35	0	298	0	0	0	0	0	30	0	0	166	0	256	0	2,247
Gases hazardous/explosive <sup>4</sup>	0	0	0	0	0	0	0	0	0	0	0	0	19	0	0	1	0	29
Underground mine fires <sup>5</sup>	0	0	0	2	0	0	0	749	0	0	0	0	19	0	0	18	92	1,138
Hazardous equip. & facilities <sup>4</sup>	4	0	14	10	36	13	3	228	0	4	24	0	135	172	4	203	14	2,001
Hazardous water bodies <sup>4</sup>	0	0	13	0	4	108	0	64	0	0	9	0	0	1	0	1	0	338
Industrial/residential waste <sup>2</sup>	0	0	2	0	34	4	0	15	0	0	11	0	2	2	0	16	1	375
Portals <sup>4</sup>	140	0	13	115	129	101	12	203	0	5	184	1	487	547	25	1,147	192	6,670
Polluted water: agricultural <sup>4</sup>	0	0	6	1	0	3	0	1	0	0	0	0	2	0	0	7	0	99
Polluted water: human con. <sup>4</sup>	0	0	0	0	2	0	0	7	0	0	4	0	0	19	0	6	0	2,971
Subsidence <sup>2</sup>	5	0	1,055	28	40	4	1	2,065	6	1	5	0	4	4	4	162	277	4,284
Surface burning <sup>2</sup>	3	0	1	32	73	0	0	115	0	0	1	0	38	26	15	262	9	1,198
Vertical opening <sup>4</sup>	7	5	78	50	126	72	3	264	0	1	10	19	23	64	48	53	221	2,838
<b>Priority 3 (Environmental Restoration)</b>																		
Bench <sup>2</sup>	0	0	0	1	0	0	0	0	0	0	76	0	4	0	0	0	0	708
Industrial/residential waste <sup>2</sup>	1	0	0	0	0	0	0	0	0	0	0	0	7	1	0	0	11	172
Equipment/facilities <sup>4</sup>	2	0	0	6	3	0	0	14	0	0	2	0	58	21	0	0	3	421
Gob piles <sup>2</sup>	100	0	0	27	68	0	0	31	0	0	48	8	229	11	0	20	30	4,052
Highwalls <sup>3</sup>	0	0	0	0	9,220	0	0	3,050	0	0	130	0	550	0	0	7,850	1,300	70,663
Haul roads <sup>2</sup>	0	0	0	0	0	0	0	0	0	0	8	0	3	1	0	0	1	116
Mine openings <sup>4</sup>	12	0	0	0	19	0	1	4	0	0	0	0	0	20	0	1	4	305
Pits <sup>4</sup>	15	0	0	2	17	0	0	32	0	0	47	0	6	0	0	0	10	632
Spoil area <sup>2</sup>	141	0	0	1	382	0	0	613	0	0	325	152	49	3	0	2	385	15,843
Slurry <sup>2</sup>	0	0	0	2	0	0	0	1	0	0	0	0	1	0	0	0	0	1,389
Slump <sup>2</sup>	0	0	0	0	0	0	0	26	0	0	3	0	16	0	0	0	0	138
Water problems <sup>4</sup>	0	0	0	0	0	0	0	90,462	0	0	110	0	20	20	0	2	400,002	491,363
Other <sup>4</sup>	67	0	0	0	0	0	0	3	0	0	1	0	0	0	0	0	0	1,563

Units: 1 Miles; 2 Acres; 3 Linear feet; 4 Count; 5 Gallons/minute  
6 CERT is the Council of Energy Resources Tribes

U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Statement of Financial Position*

As of September 30,

(In Thousands)

1994

1993

**ASSETS**

## Entity Assets:

## Intragovernmental Assets:

Fund Balances with Treasury (Note 2)

\$ 64,186 \$ 53,631

Accounts Receivable, Net

78 73

Investments (Note 3)

1,175,384 1,097,064

## Governmental Assets (from all other sources):

Accounts Receivable, Net- Non-Federal (Note 4)

13,651 12,328

Advances and Prepayments, Non-Federal

4 17

Cash and Other Monetary Assets

38 32

Property, Plant and Equipment, Net (Note 5)

5,558 5,445

Total Entity Assets

1,258,899 1,168,590

## Non-Entity Assets:

## Governmental Assets (from all other sources):

Resources Transferable to Treasury

996 753

Total Non-Entity Assets

996 753

Total Assets

\$ 1,259,895 \$ 1,169,343

**LIABILITIES**

## Liabilities Covered by Budgetary Resources (Funded):

## Intragovernmental Liabilities:

Accounts Payable, Federal

\$ 249 \$ 259

## Governmental Liabilities:

Accounts Payable, Non-Federal

3,702 4,306

Accrued Payroll and Benefits

2,109 1,940

Deferred Revenue, Non-Federal

639 362

Other Governmental Liabilities, Non-Federal

4,420 553

Total Liabilities Covered by Budgetary Resources:

11,119 7,420

## Liabilities Not Covered by Budgetary Resources (Unfunded):

## Governmental Liabilities:

Accrued Leave

4,468 4,499

Other Governmental Liabilities

1,169 304

Total Liabilities Not Covered by Budgetary Resources

5,637 4,803

Total Liabilities

\$ 16,756 \$ 12,223

**NET POSITION**

## Balances: (Note 7)

Unexpended Appropriations

\$ 382,474 \$ 391,789

Invested Capital

5,385 5,445

Cumulative Results of Operations

859,748 764,596

Less Future Funding Requirements

(4,468) (4,710)

Net Position

\$ 1,243,139 \$ 1,157,120

Total Liabilities and Net Position

\$ 1,259,895 \$ 1,169,343

The accompanying notes are an integral part of these statements.

U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Statement of Operations and Changes in Net Position*

As of September 30,

(In Thousands)

1994

1993

**REVENUES AND FINANCING SOURCES**

Appropriations Expensed	\$ 299,426	\$ 290,586
Revenues from Sales of Goods and Services (Note 8)		
Governmental	1,070	379
Intragovernmental	188	529
AML Interest, Non-Federal (Note 9)	1,931	1,944
Investment Interest Earned, Federal	40,085	31,751
Revenue from Fees Assessed	249,135	246,056
Other Revenues and Financing Sources (Note 10)	4,408	4,953
Less: Miscellaneous Receipts - Revenue to the US Treasury	(788)	(775)
<b>Total Revenues and Financing Sources</b>	<b>\$ 595,455</b>	<b>\$ 575,423</b>

**EXPENSES**

Grants Provided to States and Tribes	201,537	198,441
Personal Services and Benefits	59,574	57,074
Contractual Services	23,877	20,188
Rent, Communications and Utilities	7,628	6,945
Travel and Transportation	2,506	2,382
Non-capitalized Equipment	1,756	2,052
Supplies	1,318	1,849
Printing and Reproduction	399	396
Other Operating Expenses	(59)	9
<b>Total Program or Operating Expenses (Note 11)</b>	<b>\$ 298,536</b>	<b>\$ 289,336</b>

## Reimbursable Costs

Governmental	1,070	379
Intragovernmental	188	529
Depreciation Expense	842	706
Bad Debt Expense	8,807	13,660
Future Funding Requirements (Note 12)	(242)	(167,563)
Interest for Late Payments	0	7
Other Expenses (Note 13)	0	537
<b>Total Expenses</b>	<b>\$ 309,201</b>	<b>\$ 137,591</b>

## Excess of Revenues and Financing Sources

Over Total Expenses Before Adjustments	286,254	437,832
Plus (Minus) Adjustments		
Prior Period Adjustments	(753)	0
Inter-Fund Transfer	(190,107)	(187,930)
<b>Excess of Revenues and Financing Sources Over Total Expenses</b>	<b>\$ 95,394</b>	<b>\$ 249,902</b>

**CHANGE IN NET POSITION**

Net Position, Beginning Balance	1,157,120	910,878
Prior Period Adjustment Correcting Equity Position	0	0
Net Position, Adjusted Beginning Balance	1,157,120	910,878
Excess of Revenues and Financing Sources Over Total Expenses	95,394	249,902
Plus (Minus) Non-Operating Changes (Note 14)	(9,375)	(3,660)
<b>Net Position, Ending Balance</b>	<b>\$1,243,139</b>	<b>\$1,157,120</b>

The accompanying notes are an integral part of these statements.



U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Statement of Cash Flow*

As of September 30,

(In Thousands)

1994

1993

**CASH PROVIDED (USED) BY OPERATING ACTIVITIES**

Excess (Shortage) of Revenues and Financing Sources Over Total Expenses \$ **95,394** \$249,902

**Adjustments Affecting Cash Flow:**

Appropriations Expensed	(299,426)	(290,586)
Decrease (Increase) in Accounts Receivable	(1,317)	2,984
Decrease (Increase) in Other Assets	(243)	(316)
Increase (Decrease) in Accounts Payable	(261)	(3,739)
Increase (Decrease) in Other Liabilities	4,894	(168,188)
Other Adjustments (Prior Year Adjustments)	0	0
Total Adjustments	( 296,353)	(459,845)

**Net Cash Provided (Used) by Operating Activities**

(200,959)	(\$209,943)
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**CASH PROVIDED (USED) BY INVESTING ACTIVITIES**

Sale of Property, Plant and Equipment	\$ 0	\$ 0
Purchase of Property, Plant and Equipment	(761)	(345)
Sale of Securities	(1,637,510)	4,355,873
Purchase of Securities	1,549,825	(4,431,573)
Other Investing Cash Provided (Used)	9,365	(1,420)

**Net Cash Provided (Used) by Investing Activities**

(\$ 79,081)	(\$ 77,465)
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**CASH FLOWS FROM FINANCING ACTIVITIES**

Appropriations:		
Current Year Appropriations	\$300,659	\$300,604
Appropriated Revenue	519	295
Add:		
Transfers of Cash From Others	7,200	0
Deduct:		
Rescissions	0	958
Withdrawals	4,444	257
Transfers To Others	13,333	13,413
Net Appropriations	\$290,601	\$286,271

**Net Cash Provided (Used) by Financing Activities**

\$290,601	\$289,271
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Net Cash Provided (Used) by Operating, Non-Operating  
and Financing Activities

10,561	(1,137)
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Fund Balances with Treasury, Cash, and  
Foreign Currency, Beginning

53,663	54,800
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Fund Balances with Treasury, Cash, and  
Foreign Currency, Ending

\$ 64,224	\$ 53,663
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U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Statement of Budget and Actual Expenses*

(In Thousands)

For the year ended September 30, 1994

Program Name	BUDGET			ACTUAL
	Resources	Obligations		Expenses
		Direct	Reimbursed	
Abandoned Mine Lands	\$324,058	\$264,465	\$1,879	\$199,411
Regulation and Technology	110,681	109,338	129	105,508
Civil Penalties	800	101	0	3,047
Bond Forfeiture	1,204	409	601	635
Other (Receipt/Special Funds)	0	0	0	600
<b>Totals</b>	<b>\$436,743</b>	<b>\$374,313</b>	<b>\$2,609</b>	<b>\$309,201</b>

**Budget Reconciliation:**

Total Expenses \$309,201

## Add:

Capital Acquisitions 1,431  
 Unfunded Contingent Liability 211  
 Unfunded Annual Leave 31  
 Expenditures Reported for Soil Conservation 12,024

## Less:

Depreciation 842  
 Bad Debt Expense Unappropriated 8,759

Accrued Expenditures \$313,297  
 Less Reimbursements 1,258

**Accrued Expenditures, Direct \$312,039**

U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Notes to Combined Financial Statements*  
*For the Fiscal Years Ending September 30, 1994 and 1993*

**Note 1. Summary of Significant Accounting Policies:**

**A. Basis of Presentation**

These financial statements have been prepared to report the financial position and results of operations of the Office of Surface Mining Reclamation and Enforcement (OSM), as required by the Chief Financial Officers Act of 1990. They have been prepared from the books and records of OSM using the accrual basis of accounting, which recognizes the financial effects of transactions as they occur. In addition, these statements were prepared in accordance with the form and content for entity financial statements specified by the Office of Management and Budget (OMB) in OMB Bulletin 94-01, and OSM's accounting policies.

**B. Reporting Entity**

The Office of Surface Mining was established as a regulatory agency in the Department of the Interior by Public Law 95-87, also known as the Surface Mining Control and Reclamation Act of 1977 (SMCRA). SMCRA was passed by Congress on August 3, 1977, and has since undergone several revisions; the most recent being the Energy Policy Act of 1992 (Public Law 102-486). Although SMCRA initially empowered OSM with the authority to collect a statutory coal reclamation fee through fiscal year (FY) 1992, the 1992 revision extended this authority through the year 2004.

The purpose of this fee is to fund, among other things, the reclamation of coal mines abandoned prior to August 3, 1977. OSM's mission is further defined by SMCRA to include administering programs designed to (1) protect society and the environment from the effects of coal mining operations, (2) reclaim existing and future mined areas which pose both a hazard to public health and safety and affect the quality of the nation's natural resources, and (3) provide technical and financial assistance to states with primary regulatory authority over jurisdictional coal mining activities.

Budget authority of funds appropriated for SMCRA is vested to OSM, which is also responsible for administrative oversight and policy direction of the program. It is required to report on the accounting of SMCRA funds by the U.S. Department of the Treasury (U.S. Treasury), the General Accounting Office (GAO), and OMB. The U.S. Treasury acts as custodian over all monies appropriated and collected by OSM, except for imprest funds.

The Office of Surface Mining is responsible for segregating accounting entries by category of source or use, otherwise known as funds. For reporting purposes, OSM has consolidated accounting data into three types:

**Regulation and Technology**-- These funds consist of expenditure accounts used to record financial transactions arising from congressional appropriations to spend general revenue: Regulation and Technology (R&T) and India. These funds support the financing of state administrative grants, research and development facilitating the transfer of reclamation expertise to India, and the partial financing of all OSM operations and maintenance costs. Trust Fund appropriations finance the remaining portion of OSM's operations and maintenance cost.

**Reclamation Programs**-- Funds for these programs come from revenues collected from excise taxes (Trust Fund), civil penalty assessments, and performance bond forfeitures for the purpose of reclamation projects.

**Trust Funds**-- These funds were established by SMCRA for the deposit of coal reclamation fees, related late payment interest, and administrative charges recovered in pursuing collections. Available reclamation fees are used solely to finance the Abandoned Mine Lands (AML) Reclamation program. However, before AML funds can be utilized, a congressional appropriation is necessary to authorize yearly spending limits.

**Investment Fund**-- Available Trust Fund balances, in excess of current cash requirements, are regularly invested in non-marketable federal securities as authorized under Public Law 101-508.

**Other**-- These are temporary holding accounts for resources pending distribution. Also, included in this category are OSM's unfunded contingencies and capitalized assets.

**Deposit Funds**-- These funds account for receipts awaiting proper classification, amounts held in escrow, and proceeds from the sale of vehicles. Vehicle proceeds, which are reserved exclusively for the purchase of replacement vehicles, are not treated as earned until replacement vehicles are acquired.

**Receipt Funds**-- The Office of Surface Mining's financial statements include accounts receivable attributable to six funds (not to include trust funds): miscellaneous judicial service fees, fines, administrative fees,

## Notes to Combined Financial Statements (Continued)

miscellaneous receipts, interest, and unclaimed monies which are credited annually to the U.S. Treasury's general government fund. In the billing and collection of these funds, OSM is merely acting as a collection agent for the U.S. Treasury. The Statement of Financial Position includes receivables and an offsetting liability to the U.S. Treasury.

### C. Financing Sources

#### 1. Realized Operating Revenue

*Appropriations* Financing sources are provided through congressional appropriations on both an annual and no-year basis. They are realized each fiscal year to the extent the funds have been expended. In FY 1993, accounting policy changed to include depreciation as an appropriation expenditure.

*Other Revenue* Revenue is also realized when earned but not collected based on recorded accounts receivable. Therefore, the only noncash expenses not funded by revenue are those requiring future funding, such as earned but unused annual leave. This example would be funded with future appropriations.

#### 2. Assessments

The Bond Forfeiture Fund receives operating authority based on revenue provided from forfeited performance bonds. The monies received in this fund are used to reclaim lands that are site-specific to the forfeited bond.

The Civil Penalty Fund receives appropriated revenue from assessments levied against permittees who violate any permit condition or any other provision of Title 30 U.S.C. 1268. The monies received in this fund are used to reclaim lands adversely affected by coal mining practices *on or after* August 3, 1977.

#### 3. Abandoned Mine Land Fees (AML)

The Abandoned Mine Land program is funded by a reclamation fee assessed on coal mine operators. The fee is based on the type and volume of coal produced for sale, transfer, or use. As appropriated by Congress, monies received and deposited in this trust fund are used to reclaim lands adversely affected by coal mining that took place prior to August 3, 1977.

Since its inception, SMCRA has required that half of the AML reclamation fees be distributed to the state of origin as the state share. The distribution formula has historically been based on each state's portion of the AML reclamation fees, late payment interest, and post-judgement interest. However, effective with FY 1992, legislation altered the state-share distribution formula. The revised state-share distribution is based on AML reclamation fees alone. All the remaining funds are designated as the federal share.

#### 4. Transfers In/Transfers Out

The Office of Surface Mining annually transfers a portion of its AML appropriations to the Department of Agriculture's Soil Conservation Service for administering the Rural Abandoned Mine Program. The transfer of OSM's appropriated funding authority to another federal agency is reported on the Statement of Cash Flow as a deduction from Financing Activities.

The Office of Surface Mining also administers and accounts for financial activity affecting no-year funds which, in earlier years, had been transferred to the bureau from the U.S. Department of State (India Fund). The purpose of the India transfer was to fund research and development of India's reclamation program within the framework of SMCRA.

### D. Centralized Federal Financing Activities

The Office of Surface Mining's financial activities interact with and are dependent on the financial activities of the centralized management functions of the federal government that are undertaken for the benefit of the whole federal government. These activities include public debt and employee retirement, life insurance, and health benefit programs. Accordingly, OSM's financial statements do not contain the results of centralized financial decisions and activities performed for the benefit of the whole government.

These statements are not intended to report OSM's proportionate share of the federal deficit. The Office of Surface Mining funds its operations and maintenance from the R&T and AML appropriations. While financing for the AML program is provided by appropriated Abandoned Mine Land fee collections held in trust, financing for the R&T program may be from tax revenue, public borrowing, or a combination of both.



U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Notes to Combined Financial Statements (Continued)*  
For the Fiscal Years Ending September 30, 1994 and 1993

#### E. Allowance for Doubtful Accounts

The Office of Surface Mining uses two different methodologies to recognize bad debts arising from uncollectible accounts receivable. The net of the allowance method, which was revised effective the fourth quarter of FY 1992, is used for trust fund and civil penalty accounts receivable. Under this method, an allowance for doubtful accounts is calculated quarterly based upon OSM's past experience in successfully collecting delinquent accounts receivables by aging category. OSM's allowance methodology is representative of the collectability of delinquent debt.

For all other fund types, the allowance is based on an analysis of each accounts receivable.

#### F. Grant Advances

The Office of Surface Mining awards grants to states and Indian tribes to facilitate the accomplishment of the overall mission. These grants are funded by OSM on an advance basis by means of an automated grant request payment system. Upon receiving approval from OSM, grantees draw down funds disbursed through an automated payment system to meet immediate cash needs. All disbursements are made by the U.S. Treasury. Generally, either semiannually or annually, grantees report costs incurred to OSM, which is the basis for liquidation of grant advances by OSM. Because grantee cost reporting dates do not coincide with OSM's needs for financial reporting purposes, OSM accrued all FY 1994 outstanding grant advances as expenditures. It is anticipated that the number of outstanding grantee cost reports will increase significantly.

#### G. Administrative Expenses

Executive and general administrative expenses incurred by OSM benefit both the R&T and AML funds. Since there is no reasonable means to direct charge shared expenses, both R&T and AML receive an equitable reallocation of indirect costs based on a budget-based formula.

#### H. Distribution of AML Appropriation for Reclamation Grants

It is OSM's policy to distribute the state-share portion of the current AML appropriation based upon each state's percent-

age of their balances in the AML Trust Fund. Additional grants are distributed from the federal-share portion of the AML appropriation based upon state historical coal production prior to 1978. OSM also supports a \$2 million minimum program for states with high-priority projects that would not otherwise receive this base amount through the normal distribution process. State emergency program funds also come from the federal share portion of the appropriation.

#### I. Principal Financial Statements

The Office of Surface Mining's principal financial statements were prepared in accordance with *OMB Bulletin No. 94-01, Form and Content of Agency Financial Statements*. The overall financial condition of the bureau, as presented, consists of four statements:

- Statement of Financial Position
- Statement of Operations and Changes in Net Position
- Statement of Cash Flow
- Statement of Budget and Actual Expenses

Additional supplemental statements are also presented after these notes.

#### Note 2. Fund Balances with Treasury:

##### Fund Balances with Treasury (in thousands):

	*Net Obligated	Unobligated Available	*Restricted	Total
Reclamation Programs	\$ 283,266	\$ 58,453	\$ 846,105	\$ 1,187,824
Regulation and Technology	35,157	0	12,207	47,364
Other	0	0	4,420	4,420
Total	\$318,423	\$ 58,453	\$ 862,732	\$ 1,239,608
Less Investments	272,429	56,850	846,105	1,175,384
Fund Balances in Cash	\$ 45,994	\$ 1,603	\$ 16,627	\$ 64,224

\* The Net Obligated figures are net of Accounts Receivable and Accounts Payable as reported on the FY 1994 Yearend Closing Statement filed with the U.S. Treasury. The Restricted Column includes Unappropriated Available Receipts, Expired Regulation and Technology Funds, and Deposited Suspense Funds.

## Notes to Combined Financial Statements (Continued)

### Note 3. Investments:

Effective October 1, 1991, Public Law 101-508 authorized the Office of Surface Mining to invest available AML trust funds in non-marketable federal securities. The Bureau of Public Debt is the sole issuer of authorized non-marketable federal securities which are available for purchase by OSM through the U.S. Treasury. OSM may invest in bills, notes, bonds, par value special issues, and one-day certificates. There are no restrictions on Federal agencies as to the use or convertibility of non-marketable treasury securities.

Presently, all earnings from AML investments are reinvested, providing a source of continuous funding to further enhance AML Trust Fund equity. However, with the enactment of P. L. 102-486 on October 24, 1992, and effective with the 1996 fiscal year, OSM will be required to transfer annually up to \$70 million in interest earned from the invested AML trust funds to the United Mine Workers Benefit fund. These AML investment proceeds will then be available to provide health benefits for certain eligible retired coal miners and their dependents.

When previously issued Treasury bills are purchased by OSM, the unamortized (discount) or premium is calculated by the U.S. Treasury at the time of purchase. As of September 30, 1994, OSM's outstanding investments in Treasury non-marketable securities consisted of:

Type of Investment	Cost (in thousands)	Unamortized Discount	Net Cost (in thousands)
Treasury Bills	\$ 1,185,795	\$ (10,411)	\$ 1,175,384

### Note 4. Accounts Receivable, Net - Non - Federal:

The Office of Surface Mining is considering a future accounting change impacting the way it identifies accounts receivable. However, any planned policy change will be based on future expected pronouncements to be made by the Federal Accounting Standards Advisory Board (FASAB). This accounting change most likely would impact the way OSM established accounts receivables for Civil Penalty Notices of Proposed Assessments. As shown on the Statement of Financial Position, OSM reported a total of \$13,651 thousand in Accounts Receivable, Net-Non-Federal, for all funds. Of this amount, there are \$3,900 thousand in Civil

Penalty accounts receivable for Notice of Proposed Assessments.

### Note 5. Property, Plant and Equipment, Net:

All property and equipment are valued at cost. Property and equipment are capitalized whenever the initial acquisition cost is \$5,000 or more, and the estimated useful life is two years or longer. There is one exception: computer software is not capitalized unless the acquisition cost is \$25,000 or more.

#### Fixed Assets

(in thousands)	Depreciation Method	Service Life	Acquisition Value	Accumulated Depreciation	Net Book Value
ADP Software	SL	15	\$ 4,520	\$ (1,278)	\$ 3,242
Office Equip.	SL	11-20	1,265	(417)	848
Vehicles	SL	6-10	3,287	(1,819)	1,468
Total			\$ 9,072	\$ (3,514)	\$ 5,558

### Note 6. Pension and Retirement Plans:

The Office of Surface Mining's employees participate in one of two government-sponsored pension and retirement plans. The Civil Service Retirement System (CSRS), the older of the two plans, requires set payroll contributions by participating employees. The Federal Employees Retirement System (FERS) is required for employees hired after December 31, 1983, and offered as optional for employees hired prior to that date. As part of its benefit package, FERS offers both a pension plan and a thrift savings plan which is underwritten by employee contributions that are matched by OSM.

These statements do not report CSRS or FERS assets, accumulated plan benefits, or unfunded liabilities, if any, applicable to OSM employees. The administration of government-wide pension and retirement plans rests solely with the Office of Personnel Management (OPM). Pension and retirement data is compiled and reported, in total, by OPM.

The Office of Surface Mining's contributions for FY 1993 to the CSRS and FERS pension plans were \$2.4 million and \$1.7 million, respectively. In addition, OSM's contribution to the FERS thrift savings plan was \$566,000 for FY 1994.



U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Notes to Combined Financial Statements (Continued)*  
*For the Fiscal Years Ending September 30, 1994 and 1993*

**Note 7. Fund Balances:**

(in thousands)	Reclamation Programs	Regulation & Technology	Other	Total
<b>Unexpended Appropriations:</b>				
Unobligated				
Available	\$ 58,453	\$ 0	\$ 0	\$ 58,453
Unavailable	0	12,206	0	12,206
Undelivered Orders	281,482	31,913	0	313,395
Unfilled Cust Orders	(1,580)	0	0	(1,580)
Invested Capital	0	0	5,385	5,385
<b>Cumulative Results</b>				
of Operations	859,748	0	0	859,748
<b>Future Funding</b>				
Requirements	0	0	(4,468)	(4,468)
<b>Total</b>	<b>\$1,198,103</b>	<b>\$44,119</b>	<b>\$917</b>	<b>\$1,243,139</b>

**Note 8. Revenues from Sales of Goods and Services:**

There are some types of receipts (e.g., reimbursable agreements with states and other federal agencies) that are recognized as revenues when earned. These revenues may be used to offset the cost of producing the product or providing the service for which they are received.

**Note 9. AML Interest:**

A financing source is recognized when interest is earned on delinquent AML fees. At a future date, Congress will decide when these funds will be made available for appropriation.

**Note 10. Other Revenues and Financing Sources:**

Accrual-based accounting includes both collected and uncollected revenue as a financing source:

Other Revenue and Financing Sources: (in thousands)	1994	1993
Administrative Revenue from AML Fees	\$ 979	\$ 1,040
Civil Penalty Revenue	2,641	2,501
Miscellaneous Receipts Revenue	788	1,412
<b>Total</b>	<b>\$ 4,408</b>	<b>\$ 4,953</b>

**Note 11. Program or Operating Expenses:**

Expenses incurred from funded appropriations by FY:

Operating Expenses by Program (in thousands)	1994	1993
AML	\$ 192,570	\$179,938
R&T	105,359	108,200
Civil Penalty	176	1,026
Bond Forfeiture	431	172
Other	0	0
<b>Total</b>	<b>\$ 298,536</b>	<b>\$289,336</b>

**Note 12. Future Funding Requirements:**

The Department of the Interior has advised OSM that each of its bureaus has an unfunded future liability for workers' compensation benefits covered by the Federal Employees' Compensation Act (FECA). However, the Department was unable to determine OSM's allocation in time for inclusion in the FY 1994 financial statements. To adequately disclose this future funding requirement, we have followed departmental guidance by using FY 1993's estimated allocation for workers' compensation benefits as of September 30, 1994, is estimated to be \$2.4 million.

**Note 13. Other Expenses**

For FY 1994, some other immaterial expenses have been included with reported program or operating expenses. Prompt pay interest expense and discounts lost have been reported in the above operating expenses.

*Notes to Combined Financial Statements (Continued)***Note 14. Non-Operating Changes:**

Non-operating changes in capital occur based on changes in appropriated equity and invested capital as follows:

(in thousands)	1994	1993
<b>Invested Capital</b>		
Capital Acquisition	\$ 1,431	\$ 1,387
Restatement of Beg Bal	85	356
Change in Accumulated Depreciation	0	207
Prior Period Adjustment to Property Book	0	737
Depreciation	(842)	(706)
Net Transfers Out	(721)	(645)
Other Capitalized Expenses	(13)	(336)
Invested Capital Change	\$ (60)	\$ 1,000
<b>Appropriated Capital</b>		
Unobligated Balance	\$ (18,351)	\$ (2,750)
Unliquidated Obligations:		
Undelivered Orders	10,215	(1,930)
Unfilled Cust Orders	(1,179)	20
Unliquidated Obligations	9,036	(1,910)
Appropriated Change	\$ (9,315)	\$ (4,660)
Net Non-Operating Changes	\$ (9,375)	\$ (3,660)

Other capitalized expenses include losses, trade-ins, sales, and deletions.

U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Supplemental Statement of Financial Position*  
*For the Year Ended September 30, 1994*

(In Thousands)

	Reclamation Programs	Regulation & Technology	Other	Combined
<b>ASSETS</b>				
Entity Assets:				
Intragovernmental Assets:				
Fund Balances with Treasury	\$ 12,402	\$47,364	\$ 4,420	\$ 64,186
Accounts Receivable, Net	22	56	0	78
Investments	1,175,384	0	0	1,175,384
Governmental Assets (from all other sources):				
Accounts Receivable, Net-Non-Federal	13,643	8	0	13,651
Advances and Prepayments, Non-Federal	0	4	0	4
Cash and Other Monetary Assets	38	0	0	38
Property, Plant and Equipment, Net	0	0	5,558	5,558
Total Entity Assets	1,201,489	47,432	9,978	1,259,899
Non-Entity Assets:				
Governmental Assets (from all other sources):				
Resources Transferable to Treasury	0	0	996	996
Total Non-Entity Assets	0	0	996	996
<b>Total Assets</b>	<b>\$1,201,489</b>	<b>\$47,432</b>	<b>\$10,974</b>	<b>\$1,259,895</b>
<b>LIABILITIES</b>				
Liabilities Covered by Budgetary Resources (Funded):				
Intragovernmental Liabilities:				
Accounts Payable, Federal	\$ 15	\$ 234	\$ 0	\$ 249
Governmental Liabilities:				
Accounts Payable, Non-Federal	2,172	\$1,530	0	3,702
Accrued Payroll and Benefits	560	1,549	0	2,109
Deferred Revenue, Non-Federal	639	0	0	639
Other Governmental Liabilities, Non-Federal	0	0	4,420	4,420
Total Liabilities Covered by Budgetary Resources:	3,386	3,313	4,420	11,119
Liabilities not Covered by Budgetary Resources (Unfunded):				
Governmental Liabilities:				
Accrued Leave	0	0	4,468	4,468
Other Governmental Liabilities	0	0	1,169	1,169
Total Liabilities Not Covered by Budgetary Resources	0	0	5,637	5,637
<b>Total Liabilities</b>	<b>\$ 3,386</b>	<b>\$ 3,313</b>	<b>\$10,057</b>	<b>\$ 16,756</b>
<b>NET POSITION</b>				
Balances:				
Unexpended Appropriations	\$ 338,355	\$44,119	\$ 0	\$ 382,474
Invested Capital	0	0	5,385	5,385
Cumulative Results of Operations	859,748	0	0	859,748
Less Future Funding Requirements	0	0	(4,468)	(4,468)
<b>Net Position</b>	<b>\$1,198,103</b>	<b>\$44,119</b>	<b>\$ 917</b>	<b>\$1,243,139</b>
<b>Total Liabilities and Net Position</b>	<b>\$1,201,489</b>	<b>\$47,432</b>	<b>\$10,974</b>	<b>\$1,259,895</b>

U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Supplemental Statement of Operations and Changes in Net Position*  
For the Year Ended September 30, 1994

(In Thousands)

	Reclamation Programs	Regulation & Technology	Other	Combined
<b>REVENUES AND FINANCING SOURCES</b>				
Appropriations Expensed	\$ 193,225	\$105,359	\$842	\$ 299,426
Revenues from Sales of Goods and Services				
Governmental	1,068	2	0	1,070
Intragovernmental	41	147	0	188
AML Interest, Non-Federal	1,931	0	0	1,931
Investment Interest Earned, Federal	40,085	0	0	40,085
Revenue from Fees Assessed	249,135	0	0	249,135
Other Revenues and Financing Sources	3,620	0	788	4,408
Less: Miscellaneous Receipts Transferred to the U.S. Treasury	0	0	(788)	((788))
<b>Total Revenues and Financing Sources</b>	<b>\$ 489,105</b>	<b>\$105,508</b>	<b>\$842</b>	<b>\$ 595,455</b>
<b>EXPENSES</b>				
Grants Provided to States and Tribes	153,566	47,971	0	201,537
Personal Services and Benefits	18,964	40,610	0	59,574
Contractual Services	16,358	7,519	0	23,877
Rent, Communications and Utilities	2,505	5,123	0	7,628
Travel and Transportation	707	1,799	0	2,506
Non-capitalized Equipment	683	1,073	0	1,756
Supplies	353	965	0	1,318
Printing and Reproduction	101	298	0	399
Other Operating Expenses	(60)	1	0	(59)
<b>Total Program or Operating Expenses</b>	<b>\$ 193,177</b>	<b>\$105,359</b>	<b>\$ 0</b>	<b>\$ 298,536</b>
Reimbursable Costs				
Governmental	1,068	2	0	1,070
Intragovernmental	41	147	0	188
Depreciation Expense	0	0	842	842
Bad Debt Expense	8,807	0	0	8,807
Future Funding Requirements	0	0	(242)	(242)
Interest for Late Payments	0	0	0	0
Other Expenses	0	0	0	0
<b>Total Expenses</b>	<b>\$ 203,093</b>	<b>\$105,508</b>	<b>\$600</b>	<b>\$ 309,201</b>
Excess of Revenues and Financing Sources				
Over Total Expenses Before Adjustments	286,012	0	242	286,254
Plus (Minus) Adjustments				
Prior Period Adjustments	0	0	(753)	(753)
Inter-Fund Transfer	(190,107)	0	0	(190,107)
<b>Excess of Revenues and Financing Sources Over Total Expenses</b>	<b>\$ 95,905</b>	<b>\$ 0</b>	<b>(\$511)</b>	<b>\$ 95,394</b>
<b>CHANGE IN NET POSITION</b>				
Net Position, Beginning Balance	1,111,442	44,190	1,488	1,157,120
Prior Period Adjustment Correcting Equity Position	0	0	0	0
Net Position, Adjusted Beginning Balance	1,111,442	44,190	1,488	1,157,120
Excess of Revenues and Financing Sources Over Total Expenses	95,905	0	(511)	95,394
Plus (Minus) Non-Operating Changes	(9,244)	(71)	(60)	(9,375)
<b>Net Position, Ending Balance</b>	<b>\$1,198,103</b>	<b>\$44,119</b>	<b>\$917</b>	<b>\$1,243,139</b>



U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
*Supplemental Statement of Cash Flow*  
For the Year Ended September 30, 1994

(In Thousands)

	Reclamation Programs	Regulation & Technology	Other	Combined
<b>CASH PROVIDED (USED) BY OPERATING ACTIVITIES</b>				
Excess (Shortage) of Revenues and Financing Sources Over Total Expenses	\$ 95,905	\$ 0	(\$ 511)	\$ 95,394
<b>Adjustments Affecting Cash Flow:</b>				
Appropriations Expensed	(193,225)	(105,359)	(842)	(299,426)
Decrease (Increase) in Accounts Receivable	(1,293)	(24)	0	(1,317)
Decrease (Increase) in Other Assets	0	0	(243)	(243)
Increase (Decrease) in Accounts Payable	(703)	442	0	(261)
Increase (Decrease) in Other Liabilities	0	0	4,894	4,894
Other Adjustments (Prior Year Adjustments)	0	0	0	0
Total Adjustments	(195,221)	(104,941)	3,809	(\$296,353)
<b>Net Cash Provided (Used) by Operating Activities</b>	<b>(\$99,316)</b>	<b>(\$104,941)</b>	<b>\$3,298</b>	<b>(\$200,959)</b>
<b>CASH PROVIDED (USED) BY INVESTING ACTIVITIES</b>				
Sale of Property, Plant and Equipment	\$ 0	\$ 0	\$ 0	\$ 0
Purchase of Property, Plant and Equipment	(611)	(819)	669	(761)
Sale of Securities	(1,637,510)	0	0	(1,637,510)
Purchase of Securities	1,549,825	0	0	1,549,825
Other Investing Cash Provided (Used)	9,365	0	0	9,365
<b>Net Cash Provided (Used) by Investing Activities</b>	<b>(\$78,931)</b>	<b>(\$ 819)</b>	<b>\$ 669</b>	<b>(\$79,081)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>				
Appropriations:				
Current Year Appropriations	\$190,107	\$110,552	\$ 0	\$300,659
Appropriated Revenue	519	0	0	519
Add:				
Transfers of Cash From Others	7,200	0	0	7,200
Deduct:				
Rescissions	0	0	0	0
Withdrawals	0	4,444	0	4,444
Transfers To Others	13,233	0	100	13,333
Net Appropriations	\$184,593	\$106,108	(\$ 100)	\$290,601
<b>Net Cash Provided (Used) by Financing Activities</b>	<b>\$184,593</b>	<b>\$106,108</b>	<b>(\$ 100)</b>	<b>\$290,601</b>
Net Cash Provided (Used) by Operating, Non-Operating and Financing Activities	6,346	348	3,867	10,561
Fund Balances with Treasury, Cash, and Foreign Currency, Beginning	6,094	47,016	553	53,663
<b>Fund Balances with Treasury, Cash, and Foreign Currency, Ending</b>	<b>\$12,440</b>	<b>\$47,364</b>	<b>\$4,420</b>	<b>\$64,224</b>

## OFFICE OF SURFACE MINING DIRECTORY

**OSM Headquarters**

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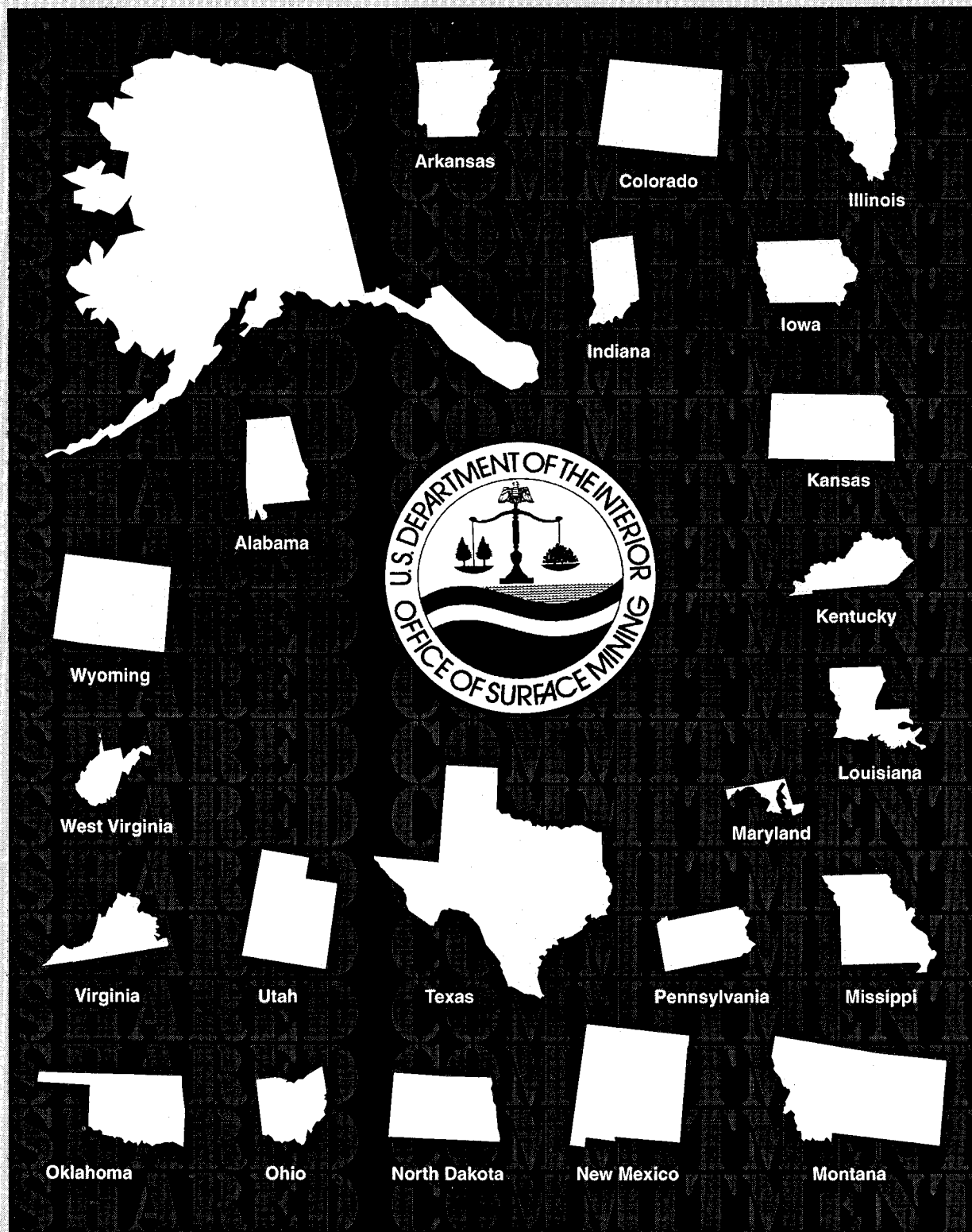
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## APPENDIX 1 AUDIT RESULTS

*On January 17, 1995, the Office of the Inspector General issued its final report (Report No. 95-I-417) on the Office of Surface Mining financial statements for fiscal years 1993 and 1994. The Office of Surface Mining received an unqualified, or "clean" audit opinion from the Inspector General. Fiscal year 1994 marks the fourth consecutive year that the Office of Surface Mining has received an unqualified audit opinion from the Inspector General.*

*To obtain copies of the Inspector General audit report contact:*

Public Affairs  
Office of Surface Mining  
1951 Constitution Avenue, N.W.  
Washington, D.C. 20240  
(202) 208-2553

## APPENDIX 2

### WESTERN STATES/TRIBES<sup>1</sup>

#### NON-COAL ABANDONED MINE LAND RECLAMATION ACCOMPLISHMENTS (August 1977 - November 1, 1994)

**Portals   Shafts   Subsidence   Highwalls   Structures   Acres**

Alaska	3	13	0	1	1	2
Colorado	835	2,340	25	6	5	330
Crow Tribe	Information not available					
Montana	668	694	57	NA	NA	280
Navajo Tribe	207	63	11	32	0	664
New Mexico	125	484	3	1	65	105
Utah	472	289	21	0	3	93
Wyoming	135	203	30	299	82	20,370

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Total	2,445	4,086	147	339	156	21,844
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National Park Service	93	0	NA	NA	NA	NA
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1. This table was compiled by Lucia Malin, Senior Reclamation Specialist, Utah Abandoned Mine Reclamation Program, using information supplied by each state and tribe, and the the National Park Service. Because the Office of Surface Mining has not previously required that non-coal accomplishments be entered into the Abandoned Mine Land Inventory System (AMLIS), this information has not been recorded uniformly by each state/tribe. Although there are differences in the ways states and tribes define mine features and reclamation work, the categories of accomplishments are generally described as follows:

**Portals:** Number of horizontal openings closed.

**Shafts:** Number of vertical openings closed.

**Subsidence:** Problems reclaimed ranging from relatively small pits to trough subsidence affecting several acres.

**Highwalls:** Number of units reclaimed (not feet of highwall). Highwalls are the final cuts of a surface mining operation.

**Structures:** Number of problems reclaimed stemming from abandoned hazardous equipment and facilities.

**Acres:** Approximate total number of acres reclaimed.

In the six states listed above, the National Park Service has 34 park units with abandoned hardrock mines. There are 722 abandoned mine sites with 909 openings or hazardous features such as highwalls. The National Park Service, either on its own or in cooperation with states or other federal agencies, has reclaimed or partially reclaimed 17 mine sites, which include 93 openings.