



OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Annual Evaluation Report

for the

Regulatory and Abandoned Mine Land Reclamation Programs

Administered by the State

of

Arkansas

for

Evaluation Year 2001

(October 1, 2000, through September 30, 2001)

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I. Introduction

The Surface Mining Control and Reclamation Act of 1977 (SMCRA) created the Office of Surface Mining Reclamation and Enforcement (OSM) in the Department of the Interior. SMCRA provides authority to OSM to oversee the implementation of and provide Federal funding for State regulatory programs that have been approved by OSM as meeting the minimum standards specified by SMCRA. This report contains summary information regarding the Arkansas program and the effectiveness of the Arkansas program in meeting the applicable purposes of SMCRA as specified in Section 102. The evaluation period covered by this report is October 1, 2000, to September 30, 2001.

OSM continued to implement the oversight policy initiated in the 1996 evaluation year. The primary focus of the policy is an on-the-ground results-oriented strategy that evaluates the end result of State program implementation, i.e., the success of the State programs in ensuring that areas off the minesite are protected from impacts during mining, and that areas on the minesite are contemporaneously and successfully reclaimed after mining activities are completed. The policy emphasizes a shared commitment between OSM and the States to ensure the success of SMCRA through the development and implementation of a performance agreement. Also, the policy encourages public participation as part of the revised oversight strategy. Besides the primary focus of evaluating end results, the oversight guidance makes clear OSM's responsibility to conduct inspections to monitor the State's effectiveness in ensuring compliance with SMCRA's environmental protection standards.

Oversight is a continuous and ongoing process. To further the idea of continuous oversight, this annual report is structured to report on OSM's and Arkansas' progress in conducting evaluations and completing oversight activities. It also reports accomplishments during the evaluation period. Detailed background information and comprehensive reports for the program elements evaluated during the period are available for review and copying at the Office of Surface Mining, Tulsa Field Office, 5100 E. Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6547.

The following acronyms are used in this report:

ADEQ	Arkansas Department Environmental Quality
AEA	Alternative Enforcement Action
AMD	Acid Mine Drainage
AML	Abandoned Mine Land
AMLR	Abandoned Mine Land Reclamation
CFR	Code of Federal Regulations
EY	Evaluation Year
MCRCC	Mid-Continent Regional Coordinating Center
NAAMLPL	National Association of Abandoned Mine Land Programs
NOV	Notice of Violation
NRCS	Natural Resources Conservation Service
OSM	Office of Surface Mining

SMCRA Surface Mining Control and Reclamation Act of 1977
TFO Tulsa Field Office

At the beginning of the evaluation period Richard Weiss was named Interim Director of the Arkansas Department of Environmental Quality (ADEQ). He was subsequently selected to fill the position on a permanent basis. Long-time Chief of ADEQ's Surface Mining and Reclamation Division, Floyd Durham, retired from State service effective November 30, 2000. James Stephens from ADEQ's noncoal program was selected to fill Mr. Durham's position.

At the August 2001, National Association of Abandoned Mine Land Programs (NAAML) National Conference, OSM announced ADEQ Abandoned Mine Land's (AML) West Huntington Joint Reclamation Project as a winner of OSM's AML Reclamation Award. This awards program was started in 1992, to publicly recognize outstanding abandoned mine land reclamation and to publicize exemplary reclamation techniques.

II. Overview of Coal Mining Industry

Arkansas has reserves of bituminous, semianthracite, and lignite coal. The original bituminous and semianthracite coal reserves were estimated at approximately 2.2 billion tons, half of which is recoverable. Prior to the 1950's, much of the coal was mined by underground mining methods. Since then, most Arkansas coal has been mined by area surface mining methods. Remining, especially surface mining methods to remove coal left in pillars in old underground mines and removing coal from old coal mine waste piles, has been common. Lignite, potentially a major energy resource in Arkansas, was mined in southern Arkansas before the Civil War and used as a fuel by local industries. The Arkansas lignite deposits are estimated as high as 9 billion tons. In 1988, an exploratory operation confirmed that Arkansas lignite could be used in the State's coal-fired energy plants. As yet, the lignite field has not been developed. In 2000, the 4 coal-producing operations in the State produced approximately 18,057.48 tons of bituminous coal using conventional surface mining methods. Permitted acreage was 1,454.29 acres. In 2001, Arkansas had 5 producing operations with one deep mine resuming limited operations. Total permitted acreage at the end of the evaluation period was 1,144.4. Because coal operations in Arkansas are small and the demand for coal unsteady, the industry employs fewer than 25 on a daily basis.

III. Overview of Public Participation in the Program

The State allows public participation in a number of ways including commenting on permit and major revision applications and State rulemaking. The public can also participate in the informal and formal review process of many State decisions related to permitting and inspection and enforcement matters. The public can further participate in the State inspection and enforcement process through bond releases and citizen's request for inspections. Each public notice of an AML project includes an invitation for members of the public to provide

input on the need for the proposed project, how the proposed project should be carried out, what the post reclamation use of the project should be, and suggestions of other possible coal-related reclamation sites in Arkansas.

IV. Accomplishments/Issues in the Arkansas Program

A. Regulatory Program

In January, ADEQ issued a 10-year Strategic Plan to improve all aspects of environmental protection they regulate in Arkansas.

Arkansas' first Small Operators Assistance Program permit started coal production. The permit overpermitted and is re-affecting part of an unreclaimed bond forfeiture site. The operator will reprocess onsite coarse refuse and surface mining reserves left by shallow underground mining.

ADEQ started Evaluation Year (EY) 2001 with 4 pre-1990, forfeiture permits still on the books. Early in the review period ADEQ terminated jurisdiction on one site. One site is in the revegetation stage of reclamation. Reclamation liability greatly exceeds collected funds on the remaining 2 sites that were forfeited several years ago. OSM has offered assistance to the State to investigate the possibility of pursuing Alternative Enforcement Action (AEA's) to procure additional reclamation funding from responsible entities.

An additional site was forfeited and bond collected during EY-2000. ADEQ has not finalized a bond forfeiture reclamation plan for the site.

OSM anticipates ADEQ's successful implementation of its approved program throughout EY 2002.

B. Abandoned Mine Land Reclamation Program

ADEQ is the agency designated by the State to administer the Abandoned Mine Land Reclamation (AMLR) Program. Since program approval, ADEQ has reclaimed 3,058 acres of abandoned mine land. It operated in EY 2001 with a grant of \$1.6 million and 6.65 staff members. Project selection is based on a system that considers protection of the public health, safety and general welfare, and property from extreme danger of adverse affects of coal mining practices. ADEQ solicited citizen input for projects selected for construction. Priority selection complied with Section 403 of SMCRA.

In EY 2001, ADEQ's construction of AML projects consisted of its annual appropriation plus carry-over projects started in previous years. Most planning and design is done with in-house staff. Projects selected for construction met eligibility

requirements under the approved AML program. The majority of health and safety features on approved projects were open strip pits with dangerous high walls and associated water impoundments that were located near the general public. Pits were filled in with mine spoil and the highwalls reclaimed to eliminate the hazard. Some water-filled pits were partially filled with spoil and inslopes reshaped to form lakes with gentle slopes leading to shallow water around the edges of impoundments. ADEQ involved the general public and local citizens in project selection before construction was initiated.

ADEQ followed standard construction practices using State approved contracting procedures. Inspection of projects indicated ADEQ completed projects with no significant problems. ADEQ completed four regular AML projects. The completed projects represented a total of 158 acres reclaimed including 1,800 linear feet of highwall, 10 hazardous water bodies, 2 vertical openings, 4 subsidences, 1 hazardous equipment and facility, and 1 industrial/residential waste area.

ADEQ identified four projects that it determined were emergencies. Three involved subsidence events that created surface openings to abandoned underground works. Two of these impacted city streets. A fourth emergency project addressed an opening to an underground mine. The opening resulted in a water-filled void adjacent to a public school.

Each year OSM selects a small number of AML projects for special recognition. Among those recognized at this year's NAAML's National Convention was a joint ADEQ/National Resources Conservation Service (NRCS) project. The West Huntington Joint Reclamation Project located near Huntington, Arkansas, was selected as the winner of the Mid-Continent Region Reclamation Award. The project was the first of Arkansas's joint projects with NRCS. The agencies shared almost equally in the \$408,364 project construction costs. The project facilitated the realignment of a dangerous stretch of highway by reclaiming old pits and highwalls.

C. Program Amendments

During the EY 2001, OSM approved one amendment to the Arkansas regulatory program (AR-38). Arkansas submitted another amendment to change both the regulatory program and AML program (AR-36) that was still being processed as of October 30, 2001. A third amendment (AR-33), also in response to a 30 CFR 732 letter, is waiting for further guidance from OSM before it will be submitted. The status and content of each of these is described below:

AR-33 On January 6, 1997, OSM sent a 30 CFR 732 letter to all States requiring changes in the States' regulatory programs' ownership and control regulations. The requirement was prompted by changes in OSM's ownership and control regulations. As a result of legal challenges to OSM's regulations and additional

changes in OSM's regulations in response to the judicial decision, Arkansas requested additional guidance from OSM before it submitted the amendment. OSM has not yet provided that guidance.

AR-36 Arkansas submitted the multiple part amendment on August 13, 2001. It included four parts:

- (1) On November 26, 1985, OSM sent a 30 CFR 732 letter to Arkansas requiring revegetation success standards to be included in the State program. Arkansas submitted most of those standards, and OSM approved them in 1998, but standards for grazingland and prime farmland were not included.
- (2) On October 14, 1997, OSM sent a 30 CFR 884 letter to Arkansas requiring changes in its AML program relating to reclamation project evaluation.
- (3) At its own initiative, Arkansas included changes in assessment conference procedures.
- (4) After changing the name of the regulatory authority, Arkansas stated it would include the name change in the next program amendment. It is included in this amendment.

OSM was still reviewing it as of the end of the evaluation period. The proposed rule that opened public comment on the amendment was published on October 5, 2001.

AR-38 On August 23, 2000, OSM sent a 30 CFR 732 letter to all States requiring changes in the States' valid existing rights regulations. The requirement was prompted by changes in OSM's valid existing rights regulations. In response to the letter, Arkansas submitted an amendment on March 1, 2001. After further changes in the amendment that resulted from OSM's review of the amendment, OSM approved the amendment on August 15, 2001. Arkansas plans to promulgate the amendment at the next opportunity.

V. Success in Achieving the Purposes of SMCRA as Measured by the Number of Observed Off-Site Impacts and the Number of Acres Meeting the Performance Standards at the Time of Bond Release

To further the concept of reporting end results, the findings from performance standards and public participation evaluations are being collected for a national perspective in terms of the number and extent of observed off-site impacts and the number of acres that have been mined and reclaimed, which meet the bond release requirements for the various phases of reclamation and the effectiveness of customer service provided by the State. Individual topic reports are

available in the Tulsa Field Office (TFO) that provide additional details on how the following evaluations and measurements were conducted.

A. Off-Site Impacts

Arkansas' off-site impact forms were not available for all off-site impacts observed during the review period. Using off-site impact forms and State and Federal inspections, 3 new off-site impacts were observed from 184 opportunities for observations. This is greater than the one off-site impact observed in EY 2000 and the two off-site impacts observed in EY 1999. Two of the impacts were from bond forfeiture sites, which were not included last year due to lack of data. An observation is defined as an inspection, either State or Federal, partial or complete. When a Federal observation leads to a State observation, the observation is counted only once. The observation on the active site resulted in a Notice of Violation (NOV). The off-site impacts identified on forfeited sites for this evaluation period were impacts to hydrology with moderate impact. The off-site impact from the active site resulted in moderate impact to land resources. Off-site impacts from coal mining and reclamation activities in Arkansas continued to be minimal in EY 2001.

B. Reclamation Success

OSM is evaluating reclamation success by comparing the number of acres released in comparison with acres disturbed. At the end of EY 2000, Arkansas had 1,114.34 disturbed acres. During EY 2001, 61.3 acres received a Phase III release with 34 acres of new disturbance occurring. 56.7 acres received Phase I bond release. (See Table 5, Appendix A).

C. Customer Service

The Customer Service topic for this year's review was handling of citizen's complaints. As in the last several years, there were no citizen's complaints filed during the evaluation period.

VI. OSM Assistance

As part of OSM's ongoing national emphasis on Acid Mine Drainage (AMD), OSM continued assisting the State in implementing the AMD plan previously developed by a joint ADEQ/OSM team. The AMD plan has the dual goals of preventing AMD from future coal extraction and the cleanup of AMD impacts from previous coal mining activities. During EY 2001, the ADEQ/TFO efforts toward implementing the AMD plan were integrated into OSM's national AMD inventory work with emphasis on assisting Mid-Continent Regional Coordinating Center (MCRCC) staff in its sampling efforts in Arkansas. OSM provided Arkansas with AMD related reports generated from a study performed by an OSM contractor, Tetra Tech.

In addition to Technical Information Processing System training, OSM provided ADEQ with training in AML realty, underground mining technology, ground-water modelling, permit findings, and ownership and control rules. OSM provided one half of ADEQ's administrative and enforcement budget for its approved regulatory program. OSM provided 100 percent funding for ADEQ's AMLR program (See Table 8, Appendix A).

VII. General Oversight Topic Reviews

OSM intends the oversight reviews and reports be used as a basis for continuing joint efforts in assisting the State in meeting its regulatory responsibilities. Detailed background information and comprehensive reports for the program elements evaluated during the period are available for review and copying at the Office of Surface Mining, Tulsa Field Office, 5100 E. Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6547.

Mine-Site Evaluation: During EY 2001, TFO conducted 6 complete inspections on Arkansas mines. All inspections were conducted jointly with ADEQ. OSM issued one Ten-Day Notice. The State took appropriate action in the form of issuance of a State enforcement action. The Federal NOV and resulting Failure-To-Abate Cessation Order issued during a previous evaluation period were still outstanding at the close of the evaluation year.

Bond Forfeiture Reclamation: A joint ADEQ/OSM team completed the review. The team determined the State is making progress in implementing the team's previous recommendations. ADEQ terminated jurisdiction on one site it previously completed bond forfeiture reclamation on. OSM offered assistance with AEA's for the two forfeited sites where remaining reclamation liability significantly exceeds collected bond forfeited funds. Adequacy of funds collected during the previous evaluation period to reclaim the forfeited Scott Branch site have not been determined.

Acid Mine Drainage: The AMD project is being addressed by a joint ADEQ/TFO AMD Team that was formed in 1997 due to an OSM National emphasis on repairing the impacts of past and current AMD and prevention of future AMD occurrences. During the evaluation period the AMD Team assisted MCRCC staff in its initial sampling of AMD producing Title V sites. The sampling was part of an OSM National AMD inventory. OSM provided the AMD Team with the report on bonding for postmine AMD prepared for OSM by Tetra Tech. The AMD Team anticipates its emphasis in the coming evaluation period will center around assisting MCRCC staff with long-term sampling of Arkansas AMD sites.

Bond Adjustments for Postmine AMD: Bond adjustments for postmine AMD is an OSM National emphasis of concern that closely parallels work the AMD Team planned under its AMD initiative. Since the existing ADEQ/OSM AMD Team planned to address similar issues it assumed the task of looking at the potential need for bond adjustments for sites that generate AMD after the completion of coal extraction. During the evaluation period the AMD Team determined that the evolution of its work in the areas of AMD in general, bond adjustments for

postmine AMD, and OSM's National Title V AMD project have created duplication in efforts and reporting. The AMD Team's future Title V AMD efforts will be addressed in one AMD updated report, eliminating the separate report on bond adjustments for postmine AMD.

Reclamation of Abandoned Sites: The Performance Agreement directs the review to emphasize exploring and implementing options within the State's approved program to acquire complete reclamation of sites mined in the 1980's and release old permits that meet applicable bond release requirements. ADEQ, OSM, and Federal Solicitor's Office met in November 2000, to explore legal options. An offer of technical assistance was made by the Federal Solicitor's Office. As yet OSM has not received a reply from ADEQ on what, if any, specific assistance they desire in resolving the various issues concerning the long abandoned sites.

Appendix A: Tabular Summaries of Data

These tables present data pertinent to mining operations and State and Federal regulatory activities within Arkansas. They also summarize funding provided by OSM and Arkansas staffing. Unless otherwise specified, the reporting period for the data contained in all tables is October 1, 2000, to September 30, 2001. Additional data used by OSM in its evaluation of Arkansas' performance is available for review in the evaluation files maintained by TFO.

TABLE 1

COAL PRODUCTION (Millions of short tons)			
Annual Evaluation Period	Surface mines	Underground mines	Total
Coal production ^A for entire State:			
1998	0.035	0.000	0.035
1999	0.034	0.000	0.034
2000	0.018	0.000	0.018

A Coal production as reported in this table is the gross tonnage which includes coal that is sold, used or transferred as reported to OSM by each mining company on form OSM-1 line 8(a). Gross tonnage does not provide for a moisture reduction. OSM verifies tonnage reported through routine auditing of mining companies. This production may vary from that reported by States or other sources due to varying methods of determining and reporting coal production.

TABLE 2

INSPECTABLE UNITS As of September 30, 2001												
Coal mines and related facilities	Number and status of permits								Insp. Units ^B	Permitted acreage ^A (hundreds of acres)		
	Active or temporarily inactive		Inactive Phase II bond release		Abandoned		Totals			IP	PP	Total
	IP	PP	IP	PP	IP	PP	IP	PP				
	REGULATORY AUTHORITY: STATE											
STATE AND PRIVATE LANDS	REGULATORY AUTHORITY: STATE											
Surface mines	0	7	0	0	2	3	2	10	12	0.12	11.21	11.33
Underground mines	0	1	0	0	0	0	0	1	1	0	0.098	0.098
Other facilities	0	1	0	0	0	0	0	1	1	0	0.016	0.016
Subtotals	0	9	0	0	2	3	2	12	14	0.12	11.324	11.444
FEDERAL LANDS	REGULATORY AUTHORITY: STATE											
Surface mines	0	0	0	0	0	0	0	0	0	0	0	0
Underground mines	0	0	0	0	0	0	0	0	0	0	0	0
Other facilities	0	0	0	0	0	0	0	0	0	0	0	0
Subtotals	0	0	0	0	0	0	0	0	0	0	0	0
ALL LANDS ^B	REGULATORY AUTHORITY: STATE											
Surface mines	0	7	0	0	2	3	2	10	12	0.12	11.21	11.33
Underground mines	0	1	0	0	0	0	0	1	1	0	0.098	0.098
Other facilities	0	1	0	0	0	0	0	1	1	0	0.016	0.016
Totals	0	9	0	0	2	3	2	12	14	0.12	11.324	11.444
Average number of permits per inspectable unit (excluding exploration sites)									1			
Average number of acres per inspectable unit (excluding exploration sites)									96.4			
Number of exploration permits on State and private lands:	0								On Federal lands ^C :	0		
Number of exploration notices on State and private lands:	2								On Federal lands ^C :	0		
IP: Initial regulatory program sites												
PP: Permanent regulatory program sites												
^A When a unit is located on more than one type of land, include only the acreage located on the indicated type of land.												
^B Numbers of units may not equal the sum of the three preceding categories because a single inspectable unit may include lands in more than one of the preceding categories.												
^C Includes only exploration activities regulated by the State pursuant to a cooperative agreement with OSM or by OSM pursuant to a Federal lands program. Excludes exploration regulated by the Bureau of Land Management.												
^D Inspectable Units include multiple permits that have been grouped together as one unit for inspection frequency purposes by some State programs.												

TABLE 3

STATE PERMITTING ACTIVITY As of September 30, 2001												
Type of Application	Surface mines			Underground mines			Other facilities			Totals		
	App. Rec.	Issued	Acres	App. Rec.	Issued	Acres ^A	App. Rec.	Issued	Acres	App. Rec.	Issued	Acres
New Permits	0	0	0	0	0	0	0	0	0	0	0	0
Renewals	0	0	0	0	0	0	0	0	0	0	0	0
Transfers, sales and assignments of permit rights	1	1		1	0		0	0		2	1	
Small operator assistance	0	0		0	0		0	0		0	0	
Exploration permits	0	0		0	0		0	0		0	0	
Exploration notices ^B		0			0			0			0	
Revisions (exclusive of incidental boundary revisions)		1			2			0			3	
Incidental boundary revisions		0	0		0	0		0	0		0	0
Totals	1	2	0	1	2	0	0	0	0	2	4	0

OPTIONAL - Number of midtier permit reviews completed that are not reported as revisions. φ

^A Excludes only the number of acres of proposed surface disturbance.

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

TABLE 4
OFF-SITE IMPACTS
RESOURCES AFFECTED

DEGREE OF IMPACT	OFF-SITE IMPACTS RESOURCES AFFECTED											
	People			Land			Water			Structures		Total
	minor	moderate	major	minor	moderate	major	minor	moderate	major	minor	major	
TYPE	0	0	0	0	0	0	0	0	0	0	0	0
OF	0	0	0	0	0	1	0	0	0	0	0	1
IMPACT	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	1	0	0	0	0	0	1
Total number of susceptible units:	14											
Impactable units free of off-site impacts:	11											
OFF-SITE IMPACTS ON BOND FORFEITURE SITES												
DEGREE OF IMPACT	RESOURCES AFFECTED											
	People			Land			Water			Structures		Total
	minor	moderate	major	minor	moderate	major	minor	moderate	major	minor	major	
TYPE	0	0	0	0	0	0	0	0	0	0	0	0
OF	0	0	0	0	0	0	0	0	0	0	0	0
IMPACT	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0
Total number of susceptible units:	6											
Impactable units free of off-site impacts:	5											

Refer to the report narrative for complete explanation and evaluation of the information provided by this table.

TABLE 5

ANNUAL STATE MINING AND RECLAMATION RESULTS		
Bond release phase	Applicable performance standard	Acres released during this evaluation period
Phase I	- Approximate original contour restored - Topsoil or approved alternative replaced	56.70
Phase II	- Surface stability - Establishment of vegetation	0.00
Phase III	- Post-mining land use/productivity restored - Successful permanent vegetation - Groundwater recharge, quality and quantity restored - Surface water quality and quantity restored	61.30
Bonded Acreage Status^A		Acres
Total number of bonded acres at end of last review period (September 30, 2000) ^B		572.76
Total number of bonded new acres during this evaluation year		5.50
Number of acres bonded during this evaluation year that are considered re-mining, if available		0.00
Number of acres where bond was forfeited during this evaluation year (also report this acreage on Table 7)		0.00

^A Bonded acreage is considered to approximate and represent the number of acres disturbed by surface coal mining and reclamation operations.

^B Bonded acres in this category are those that have not received a Phase III or other final bond release (State maintains jurisdiction).

TABLE 6

STATE BOND FORFEITURE ACTIVITY (Permanent Program Permits)		
Bond Forfeiture Reclamation Activity by SRA	Number of Sites	Acres
Sites with bonds forfeited and collected that were unreclaimed as of September 30, 2000 (end of previous evaluation year) ^a	4	163.00
Sites with bonds forfeited and collected during Evaluation Year 2001 (current year)	0	0.00
Sites with bonds forfeited and collected that were re-permitted during Evaluation Year 2001 (current year)	0	0.00
Sites with bonds forfeited and collected that were reclaimed during Evaluation Year 2001 (current year)	0	0.00
Sites with bonds forfeited and collected that were unreclaimed as of September 30, 2001 (end of current year) ^a	4	163.00
Sites with bonds forfeited but uncollected as of September 30, 2001 (end of current year)	0	0.00
Surety/Other Reclamation (In Lieu of Forfeiture)		
Sites being reclaimed by surety/other party as of September 30, 2000 (end of previous evaluation year) ^b	0	0.00
Sites where surety/other party agreed to do reclamation during Evaluation Year 2001 (current year)	0	0.00
Sites being reclaimed by surety/other party that were re-permitted during Evaluation Year 2001 (current year)	0	0.00
Sites with reclamation completed by surety/other party during Evaluation Year 2001 (current year) ^c	0	0.00
Sites being reclaimed by surety/other party as of September 30, 2001 (current evaluation year) ^b	0	0.00

^a Includes data only for those forfeiture sites not fully reclaimed as of this date

^b Includes all sites where surety or other party has agreed to complete reclamation and site is not fully reclaimed as of this date

^c This number also is reported in Table 5 as Phase III bond release has been granted on these sites

TABLE 7

Arkansas EY 2001 (Full-time equivalents at the end of evaluation year)	
Function	EY 2001
Regulatory Program	
Permit review	0.65
Inspection	1.15
Other (administrative, fiscal, personnel, etc.)	2.20
Regulatory Program Total	4.00
AML Program Total	6.65
TOTAL	10.65

TABLE 8

**FUNDS GRANTED TO ARKANSAS
BY OSM**

(Millions of dollars)

EY 2001

Type of Grant	Federal Funds Awarded	Federal Funding as a Percentage of Total Program Costs
Regulatory - Administration & Enforcement	\$146,588.00	50%
Regulatory Totals	\$146,588.00	50%
AMLR - Administration & Construction	\$1,615,000.00	100%
AMLR Totals	\$1,615,000.00	100%
Total Regulatory & AMLR	\$1,761,588.00	

TABLE 9

ARKANSAS INSPECTION ACTIVITY PERIOD: OCTOBER 1, 2000 - SEPTEMBER 30, 2001		
Inspectable Unit Status	Number of Inspections Conducted	
	Complete	Partial
Active*	75	36
Inactive*	2	0
Abandoned*	40	20
Total	117	56

* Use terms as defined by the approved State program.

TABLE 10

ARKANSAS ENFORCEMENT ACTIVITY		
PERIOD: OCTOBER 1, 2000 - SEPTEMBER 30, 2001		
Type of Enforcement Action	Number of Actions*	Number of Violations*
Notice of Violation	1	3
Failure-to-Abate Cessation Order	0	0
Imminent Harm Cessation Order	0	0

* Do not include those violations that were vacated.

TABLE 11

**LANDS UNSUITABLE ACTIVITY
ARKANSAS**

PERIOD: OCTOBER 1, 2000 - SEPTEMBER 30, 2001

Number of Petitions Received	0		
Number of Petitions Accepted	0		
Number of Petitions Rejected	0		
Number of Decisions Declaring Lands Unsuitable	0	Acreage Declared as Being Unsuitable	0
Number of Decisions Denying Lands Unsuitable	0	Acreage Denied as Being Unsuitable	0

TABLE 12

**ABANDONED MINE LAND RECLAMATION
NEEDS AND ACCOMPLISHMENTS SINCE PROGRAM APPROVAL**

Problem nature	Unit	Coal-related problem				Noncoal-related problem	
		Abatement status			Total	Abatement status	
		Unfunded	Funded	Completed		Funded	Completed
Priority 1 & 2 (Protection of public health, safety, and general welfare)							
Clogged streams	Miles	1	0	0.5	1.5	0	0
Clogged stream leads	Acres	0	0	0	0	0	0
Dangerous highways	Lin Foot	68,402	2,450	54,635	126,487.00	0	0
Dangerous impoundments	Count	0	0	1	1	0	0
Dangerous piles and embankments	Acres	121	0	711	832	0	0
Dangerous slides	Acres	0	0	0	0	0	0
Gas: hazardous/explosive	County	0	0	0	0	0	0
Underground mine flow	Acres	0	0	0	0	0	0
Hazardous equip. & facilities	Count	4	0	1	5	0	0
Hazardous water bodies	Count	31	5	68	104	0	0
Industrial/residential waste	Acres	4	4	21	29	0	0
Partials	Count	10	0	21	31	0	0
Polluted water: agric. & indust.	Count	0	0	0	0	0	0
Polluted water: human consumption	Count	0	0	0	0	0	0
Subsidence	Acres	5	0	11	16	0	0
Surface burning	Acres	0	0	4	4	0	0
Vertical opening	Count	9	0	89	98	0	0
Priority 3 (Environmental restoration)							
Spill areas	Acres	1,492	0	8	1500	0	0
Reslopes	Acres	0	0	0	0	0	0
Pits	Acres	317	0	0	317	0	0
Goaf piles	Acres	31	0	0	31	0	0
Slurry ponds	Acres	0	0	0	0	0	0
Haul roads	Acres	0	0	0	0	0	0
Mine openings	Count	9	0	0	0	0	0
Skumps	Acres	11	0	0	11	0	0
Highways	Lin Foot	4,000	0	0	4000	0	0
Equipment/facilities	Count	1	0	0	1	0	0
Industrial/residential waste	Acres	1	0	0	1	0	0
Water problems	Gallons	20	0	0	20	0	0
Other		0	0	0	0	0	0

Appendix B: State Comments on Report