

Indiana

Annual Evaluation Summary Report Evaluation Year 97



Prepared By:
Indianapolis Field Office
Office of Surface Mining



20th Anniversary

Surface Mining Control and Reclamation Act

December 1997

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Annual Evaluation Summary Report

for the

Regulatory Program

Administered by the State

of

INDIANA

for

Evaluation Year 97

(October 1, 1996 to September 30, 1997)

December 18, 1997

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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 Indiana Program and the effectiveness of the Indiana program in meeting the applicable purposes of SMCRA as specified in section 102. This report covers the period of October 1, 1996 to September 30, 1997. Detailed background information and comprehensive reports for the program elements evaluated during the period are available for review and copying at the Indianapolis, Indiana OSM Office.

The following list of acronyms are used in this report:

AOC..... Approximate Original Contour
DOR..... Indiana Department of Natural Resources, Division of Reclamation
EY Evaluation Year
IFO..... Indianapolis Field Office of the OSM
OSM..... U. S. Department of the Interior, Office of Surface Mining
SMCRA..... Surface Mining Control and Reclamation Act of 1977, PL 95-87

II. Overview of the Indiana Coal Mining Industry

Coal mining in Indiana is limited to the southwestern portion of the State with coal currently being recovered in 12 counties. The coal producing area of the State covers approximately 6,500 square miles. The coal mining industry provides a strong economic base in these primarily agricultural counties by providing employment and through purchase of mining related equipment, goods and services.

In recent years the annual coal production has ranged between 28 and 35 million tons. In 1996, 29.7 million tons of coal was mined and in the first six months, of 1997, 16.8 million tons was mined. Coal mining operations in the State range from small mines of less than 100 acres to larger area mines encompassing 10,000 or more acres. There were 40 mines involving 11 permittees actively producing coal in the State. Most of the coal in Indiana is recovered by surface mining methods with a growing percentage being recovered by underground mining. Underground mining is conducted by the convent-

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ional room-and-pillar method. The State has no underground long-wall operations to date.

The "Indiana Coal Facts" published by the Indiana Coal Council, notes that approximately 40% of the surface reserves have been exploited. The Coal Council reports that Indiana has about 34 billion tons of unmined coal, and about 18 billion of it is recoverable by current technology. Of the total recoverable coal, about 16 billion tons is recoverable by underground mining and 2 billion tons is recoverable by surface mining. As is evident by these figures, the trend in Indiana within the next few decades will be toward the recovery of this deeper coal by underground mining methods.

The coal produced in Indiana is ranked as high-volatile bituminous coal and contains a moisture content from 5-15 percent; a heating value of about 10,500 to 12,000 BTU per pound; ash content of about 5-20 percent, and sulphur content of about 0.5 to 6 percent. Most of Indiana's coal is consumed by electric utilities which burn a combination of local and out-of-state coal. The primary reason for use of out-of-state coal is air pollution emission requirements. The 1990 amendments to the Clean Air Act make use of Indiana's mid-high sulphur content coal particularly complicated. Air pollution control requirements remain a primary determinant in the use of Indiana coals.

III. Overview of the Public Participation Opportunities in the Oversight Process and the State Program

Organizational Contacts

The coal industry in Indiana is largely represented by the Indiana Coal Council. The primary environmental representation is by a consortium of environmental groups known as the Hoosier Environmental Council. The Indianapolis Field Office (IFO) has had several formal and informal contacts with these organizations or members throughout the evaluation year.

Indiana Society for Mining and Reclamation: The Indianapolis Field Office Director sits on the board of this organization. The board is composed of representatives of the State Regulatory Authority, the Indiana Geologic Survey, the Indiana Department of Commerce, citizens, coal industry representatives, power industry representatives, and academia. The purpose of this group is to serve as a focal point for the exchange of information among all interested parties about the coal industry in Indiana. The primary activity sponsored by the group is a Technology Transfer session held in the coal region in December each year. The topics selected for presentation are broad and of interest to all groups.

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Indiana Efforts

With regard to the State Program, the Indiana Department of Natural Resources, Division of Reclamation (DOR) continues to successfully implement the required public participation provisions of all aspects of their regulatory and AML programs. In addition to addressing the required provisions of public participation, Indiana has taken a proactive position regarding outreach and the dissemination of information to all stakeholders. Under its "Operation Excellence" Program, Indiana established a goal "To create a greater public awareness of and appreciation for Division programs through the use of various written, audio, and visual media." To achieve this goal, the following State efforts were undertaken:

- A half day seminar on the history of coal mining and proper mining and restoration methods was presented to 65 sophomore students at a high school in the coal region of the State. This was the first year of a combined teaching application in an environmental educational block developed by the teachers. The DOR believes that the event was a success and that this probably will become a permanent part of the schools curriculum.
- The DOR has formed a "Stakeholder Outreach Team" which has a goal of providing better public meetings for the Division's stakeholders. The group is attempting to develop the best way to conduct public meetings.
- DOR staff met with city and county officials in the coal region to discuss coal mining and reclamation issues. The meetings were informational and directed at opening up communications. The DOR will continue to conduct these meetings throughout the coal area.
- The DOR has begun a campaign of reaching out to media representatives in the coal area. A DOR Representative visited with six major newspaper offices in the coal region to introduce the DOR, its programs and to establish points of contact.
- The DOR published its "Citizen's guide to Blasting" in a limited quantity. The initial release was followed by a user survey. Minor modifications were made as a result of comments received from this initial distribution, and a reprint of the document ordered. One coal operator has requested 250 of these guides at the company's expense to be distributed to the stakeholders.
- The Indiana Department of Natural Resources maintains a "Division of

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Reclamation Online Publication Order Form" page on the World Wide Web. On this page, the DOR indicates the availability of and provides an electronic order form for the following publications:

Citizens Guide to Indiana's Abandoned Mine Land Program
Citizen's guide to Coal Mining and Reclamation in Indiana
Division of Reclamation Annual Report
Division of Reclamation Strategic Plan
Citizen's Guide to Blasting
Division of Reclamation Vision Pamphlet
Lets Learn about Mining and Reclamation programs geared toward Grades 2 and 3 or Grades 4-6.

- The DOR has developed a program called "Reclamationist of the Day." Under this program, various policy level personnel, including State Legislators and Natural Resources Commission members, interact with the DOR Staff for a day. This program has helped to open communication between the division and the various policy making levels.

IV. Major Accomplishments/Issues/Innovations in the Indiana Program

- Indiana has made significant progress in resolving the outstanding 30 CFR 732 issues identified in EY 96. The DOR has applied significant time and resources toward resolving all outstanding issues. It is expected that all concerns will be resolved over the next review year.
- Indiana has completed a major step toward improvements in the efficiency of the permitting process through electronic submission of information. To facilitate this concept, a multi-year effort was undertaken to revise and improve the permit application form for permits. The new application form is designed in a modular format and is provided to applicants on disks. The ultimate goal of this process is to implement a system of electronic permitting. The success of the revised formatting has led to the extension of the modular concept to other permitting activities. These modules will be developed during the next review period.
- Technical Staff of the DOR have worked with the Indiana Geological Survey in gathering information and developing a Geologic Information System (GIS) to maintain permitting information. The GIS Database is designed to work with

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existing DOR databases to allow a full complement of textual and map information to be made available through the computer. The system is tentatively scheduled to be operational by the beginning of 1998. Data input will continue for several years.

- The State has successfully brought to conclusion actions resulting from the liquidation of a bonding company which had issued a number of coal mining reclamation bonds. The DOR collected in excess of 2.3 million dollars as a final settlement on approximately 70 reclamation bonds. These funds will be used in the reclamation of the affected sites. The settlement closes 11 years of work in collections activity on the bonds and will allow the reclamation planning, design and construction work to begin. A combination of these funds and AML federal funds will be used to reclaim these sites. The design and construction process has begun on approximately thirty sites. Many of the remaining sites will need no further reclamation work. It is anticipated that all of these sites will be in the construction phase by early 1999.
- The Indiana Abandoned Mine Lands program successfully reclaimed significant amounts of previously unreclaimed lands including 109 acres of clogged stream lands, 93,425 feet of dangerous highwalls, six dangerous impoundments, 499 acres of dangerous piles and embankments and 268 vertical openings.

V. Success in Achieving the Purposes of SMCRA as Determined by Measuring and Reporting End Results

To further the concept of reporting end results, the findings from performance standard and public participation evaluations are being collected for a national perspective in terms of the number and extent of observed off-site impacts, the number of acres that have been mined and reclaimed and 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 Indianapolis Office which provide additional details on how the following evaluations and measurements were conducted.

A. Off-Site Impacts:

Guided by OSM Directive REG-8 designed to focus oversight upon the on-the-ground result success of the State programs, the DOR, and IFO, conducted a joint evaluation during the 1997 evaluation year (EY). The purpose of the evaluation

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was to determine the effectiveness of the State program in protecting the environment and public from off-site impacts resulting from surface mining and reclamation operations.

The numbers of off-site impacts observed by the DOR during this evaluation were few. The majority of the off-site impacts observed by the DOR were of a hydrologic nature and most affected to a minor degree land and water resources. These findings are similar to those of EY 1996. Because of the low number of incidences of off-site impacts and the minor degree of impact they had, the IFO finds that the DOR is continuing to effectively protect the public and environment from off-site impacts resulting from surface mining and reclamation operations.

While the numbers of reported off-site impacts were small, an effort should be made to reduce the numbers. One method might be to inform DOR and IFO inspectors that the majority of off-site impacts were again found to be hydrologic in nature so they can increase inspection efforts in that area to ensure drainage and sediment control is maintained as required.

Because the ratio of numbers of off-site impacts observed during the total number of off-site impact inspections was much higher for the IFO than for the DOR, it is also recommended that for EY 1998 that ratio be monitored and if found to be much higher for one organization than that of the other, a determination of the cause for the disparity be sought.

B. Reclamation Success:

Thousands of acres of land affected by surface coal mining are successfully reclaimed each year as noted in Table 5 of this report.

The IFO conducted a program of bond release oversight inspections to verify the basic assumption of this way of reporting reclamation success. The assumption, as outlined by OSM Directive, REG-8, is that acres reported for a particular phase of bond release are equivalent to acres reclaimed to meet the release standards for that phase in the field. The IFO was able to verify that release standards are indeed met in the field before phase bond release is approved in Indiana. Therefore the acres reported for bond release translate to acres of successfully completed reclamation.

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Specifically, the following elements were evaluated for successful reclamation:

→ **Land Form/Approximate Original Contour and Soil Replacement**

The criteria for determining whether reclaimed lands have been reconstructed appropriately is whether it has been returned to its approximate premining contour (AOC), including soil replacement. For the purposes of this evaluation, Phase I bond releases were an indicator that the AOC had been achieved, and soils had been replaced. For the evaluation period, the approximate premining contour and soil replacement was achieved for 7734 acres.

Based upon the IFO analysis of data supplied by the DOR, between 1983 through September 1997, approximately 53,002 acres of mined land have been restored to the approximate premining contour including soil replacement.

→ **Surface Stability and Establishment of Vegetation**

For the purposes of this evaluation, surface stability and the establishment of vegetation were measured by the acres of Phase II bond released. For the evaluation period, Indiana was successful in achieving surface stability and in establishing vegetation on 4814 acres.

Based on the IFO analysis of data supplied by the DOR, between 1983 and September 1997, approximately 37,674 acres of mined land have had surface stability achieved and vegetation properly established.

→ **Establishment of Post Mining Land Use and Productivity Restoration**

Post mining land use attainment and the establishment of a successful and appropriate vegetative cover, including restoration of productivity (where appropriate), were measured by the number of acres that received Phase III bond release. For the evaluation period, 3725 acres had Phase III bond released and therefore, are considered to have attained the approved post mining land use, and have appropriate successful vegetative cover, including restoration of productivity.

Based upon the IFO analysis of data supplied by the DOR, between 1983 and September 1997, 15,366 acres have been fully reclaimed and the post

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mining land use and appropriate vegetative cover achieved, including restoration of productivity where appropriate.

→ **Hydrologic reclamation**

The successful restoration of surface and groundwater quality and quantity would be measured by the accounting of acres of Phase III bond release achieved. This is the assumption of the OSM, Directive REG-8. While this likely is a valid measure in Indiana, the State and OSM are working to improve the acquisition, management and interpretation of hydrologic data. Indiana released 3725 acres for Phase III during the evaluation period and a total of 15,366 acres since 1983.

→ **Contemporaneous Reclamation**

The OSM Directive, REG-8 defines contemporaneous reclamation to be measured by the difference in time between when lands are disturbed and when they achieve phase bond release. There has been considerable discussion about whether this is a valid measure of contemporaneous reclamation. This discussion has taken place both within OSM and with the various State Regulatory Authorities. The results discussed below represent a provisional first effort at assessing contemporaneous reclamation. Discussions will resume with Indiana and with other States to further refine measurement methods for the upcoming oversight efforts. The IFO and DOR are considering the formation of a joint team to discuss this issue.

Indiana does not have records available as to affected acreage by year, but has reported bonded acres which is a rough approximation. Also, Indiana has reported acres of bond released each year, though the figures do not correspond to the year in which they were affected. The reported data appear in the table and figure following.

A trend noted in the data is that the rate of bonding new acreage has exceeded the rate of removing reclaimed acres from the system through Phase III bond release each year between 1983 through 1995 and 1997. As a result of this, the cumulative acreage with remaining reclamation liability has increased each evaluation year except 1996.

A review of this topic was originally scheduled for this evaluation year but

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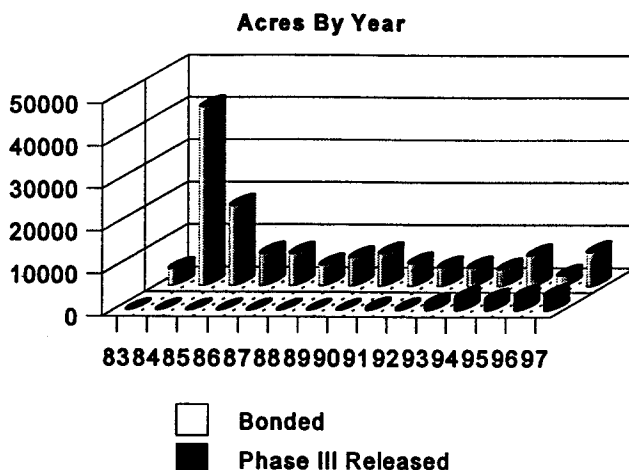
was postponed until Evaluation Year 1998. A Joint DOR/IFO team will be convened within the first quarter of the review year with the following charge:

- Determine whether the increasing number of acres with remaining liability is one which will continue or whether they can be expected to decline over time.
- Determine if any relationship exists between Phase III release and specific land uses which suggest that difficulty may exist within a land use category.
- Determine whether specific legitimate business reasons exist which would explain the increasing acreage under bond.
- Determine whether there is an actual delay in land reclamation or whether the delay is in the operators application for bond release.
-

Fiscal Year	Acres Bonded	Phase I Release Acres	Phase II Release Acres	Phase III Release Acres
83	3,831	-	-	-
84	42,022	178	-	-
85	18,698	461	-	-
86	7,481	3,069	-	-
87	7,463	5,147	3,708	-
88	4,815	4,789	3,365	-
89	6,544	5,151	5,769	-
90	7,501	2,966	2,549	-
91	5,219	3,250	2,006	459
92	4,335	4,908	2,898	298
93	4,292	2,481	1,915	1,619
94	3,833	3,148	4,095	3,112
95	7,150	5,172	2,778	2,636
96	2,451	4,548	3,777	3,517
97	7981	7734	4814	3725
TOTAL	133616	53002	37674	15366

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Bonded Vs Total Release



VI. OSM Assistance

The primary mode of OSM assistance to Indiana is through grant funding. Table 9 indicates the amount of grant funding to Indiana for operation of the regulatory program. OSM provides 50% of the funding necessary for the regulatory program and 100% of funding necessary for the Abandoned Mine Land program in Indiana.

Additionally, assistance is provided in several other ways which include:

- Technical training courses are offered by OSM throughout the year which address technical aspects of mining and reclamation. These courses are provided for OSM and State participants as well as industry and others on a space available basis.
- OSM provides the Technical Information Processing System including a local work station and software for State use. User training and support is also provided. Indiana uses the system for a variety of tasks related to permit application processing and other technical or engineering evaluations.
- Informal discussions occur between OSM and State management and staff that are the product of a good working relationship. Informal assistance is provided regarding field or implementation issues on a continuous basis.

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- The Director of the IFO sits on the Board of the Indiana Society for Mining and Reclamation. This is a diverse group which includes membership from OSM, the DOR, Citizens, Industry, Academia and Power Industries. The groups focus is to identify topics of interest to all parties and to sponsor a Technology Transfer session each year. These Technology Transfer Sessions are well advertised and attended by participants from all factions of the public and private sector.
- The IFO has participated with Indiana on a Prime Farmland Team which is focused on addressing the technical aspects of prime farmland restoration.

VII. General Oversight Topic Reviews

In addition to the offsite impact and land restoration reviews, the IFO conducted oversight activities in the program areas listed below. Copies of oversight documents relating to these topics may be obtained at the IFO office or by requesting specific reports by mail at the following address:

Office of Surface Mining Reclamation and Enforcement
Indianapolis Field Office
575 North Pennsylvania, Room 301
Indianapolis, Indiana 46204

The IFO can also be contacted by E-mail at IFOMAIL@indgw.osmre.gov.

→ **Coal Combustion Byproduct Evaluation**

This issue was raised in general by the environmental community. An evaluation of permits issued which allowed disposal of coal combustion by-products in permitted coal mines was conducted. The results of the evaluation indicate that Indiana is following the requirements of its approved program. The results of this evaluation were Distributed to the State and the Hoosier Environmental Council.

→ **Bond Adequacy Study**

This Evaluation was the culmination of long standing issues relating to bond amounts. The final report indicates agreement that generally, Indiana bond amounts are adequate. The study does however recommend that Indiana consider whether to revisit its ten thousand dollar per acre cap on bonds.

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→ Abandoned Mine Land

The Joint IFO/DOR Abandoned Mine Land Overall Reclamation Success Team completed its review and prepared a final closeout report. The closeout report generally outlined the teams completed activities in the areas of customer satisfaction, water quality and soil stability and found them to be worthwhile.

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APPENDIX A:

These tables present data pertinent to mining operations and State and Federal regulatory activities within Indiana. They also summarize funding provided by OSM and Indiana staffing. Unless otherwise specified, the reporting period for the data contained in all tables is the same as the evaluation year . Additional data used by OSM in its evaluation of Indiana's performance is available for review in the evaluation files maintained by the Indianapolis OSM Office.

TABLE 1

COAL PRODUCTION (Millions of short tons)			
Period	Surface mines	Underground mines	Total
Coal production^A for entire State:			
1995	21.9	3.6	25.5
1996	26.8	4.3	31.1
1997 ^B	14.8	2	16.8

^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.

^B Numbers reported through first six months of 1997.

TABLE 2

INSPECTABLE UNITS (As of September 30, 1997)												
Coal mines and related facilities	Number and status of permits									Permitted acreage ^A (hundreds of acres)		
	Active or temporarily inactive		Inactive		Abandoned		Totals					
	IP	PP	Phase II bond release									
			IP	PP	IP	PP	Insp. Unit ^D	IP	PP	Total		
STATE and PRIVATE LANDS REGULATORY AUTHORITY: INDIANA												
Surface mines	53	174	12	7	72	14	137	195	234	N/A	2,499	2,499
Underground mines	0	12	0	1	0	0	0	13	9	0	46.959	46.959
Other facilities	0	20	0	1	0	2	0	23	10	0	106.25	106.25
Subtotals	53	206	12	9	72	16	137	233	253	0	2,652.2	2,652.2
FEDERAL LANDS REGULATORY AUTHORITY: INDIANA												
Surface mines	-	-	-	-	-	-	0	0	-	-	-	0
Underground mines	-	-	-	-	-	-	0	0	-	-	-	0
Other facilities	-	-	-	-	-	-	0	0	-	-	-	0
Subtotals	0	0	0	0	0	0	0	0	0	0	0	0
ALL LANDS^B												
Surface mines	53	174	12	7	72	14	137	195	234	0	2,499	2,499
Underground mines	0	12	0	1	0	0	0	13	9	0	46.959	46.959
Other facilities	0	20	0	1	0	2	0	25	10	0	106.25	106.25
Totals	53	206	12	9	72	16	137	233	253	0	2,652.2	2,652.2
Average number of permits per inspectable unit (excluding exploration sites) <u>1</u>												
Average number of acres per inspectable unit (excluding exploration sites) <u>1,148</u>												
Number of exploration permits on State and private lands: . <u>0</u> On Federal lands: _____ ^C												
Number of exploration notices on State and private lands: <u>20</u> On Federal lands: _____ ^C												
<p>IP: Initial regulatory program sites. PP: Permanent regulatory program sites.</p> <p>^A When a unit is located on more than one type of land, includes only the acreage located on the indicated type of land.</p> <p>^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.</p> <p>^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.</p> <p>^D Inspectable Units includes multiple permits that have been grouped together as one unit for inspection frequency purposes by some State programs.</p>												

TABLE 3

STATE PERMITTING ACTIVITY

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	11	15	9,540	2	3	1,031	0	1	89.2	13	19	10,660
Renewals	7	4	3,667	2	1	784.93	0	1	6.8	9	6	4,458
Casual boundary revisions	43	42	856.4	2	1	8.1	1	0	0	46	43	864.5
Revisions (exclusive of casual boundary revisions)	581	538		23	27		19	19		625	584	
Transfers, sales and assignments of permit rights	1	3		0	1		0	0		1	4	
Small operator assistance	0	0		0	0		0	0		0	0	
Exploration permits	0	0		0	0		0	0		0	0	
Exploration notices ^B	20	N/A		0	N/A		0	N/A		20	0	
Totals	663	602	14,063	29	33	1,824	20	21	96	714	656	15,982

^AOPTIONAL - Number of midterm permit reviews completed that are not reported as revisions 96

^BIncludes only the number of acres of proposed surface disturbance.

^CState 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		People			Land			Water			Structures		
DEGREE OF IMPACT		minor	moderate	major	minor	moderate	major	minor	moderate	major	minor	moderate	major
TYPE OF IMPACT AND	Blasting				1								
	Land stability				1								
TOTAL	Hydrology				2	1		3	3	1			
NUMBER OF	Enroachment				1								
EACH TYPE	Other												
	Total	10	0	0	5	1	0	3	3	1	0	0	0
Total number of permits or mine sites with observed off-site impacts:													
Permits _____ or Mine Sites <u>9</u>													
Total number of permits or mine sites evaluated:													
Permits _____ or Mine Sites <u>253</u>													
Total number of observations made to evaluate mine sites or permits for off-site impacts <u>1,278</u>													

Report the degree of impact under each resource that was affected by each type of impact. More than one resource may be affected by each type of impact. Therefore, the total number of impacts will likely be less than the total number of resources affected; i.e. the numbers under the resources columns will not necessarily add horizontally to equal the total number for each type of impact. To report the number of mine sites or permits use the same criteria used to determine an inspectable unit in the State. Number of observations is based upon the criteria developed between each State and OSM and may include observations by both the State and OSM.

TABLE 5

ANNUAL STATE MINING AND RECLAMATION RESULTS		
Bond release phase	Applicable performance standard	Acreage released during this evaluation period
Phase I	<ul style="list-style-type: none"> ● Approximate original contour restored ● Topsoil or approved alternative replaced 	7,734
Phase II	<ul style="list-style-type: none"> ● Surface stability ● Establishment of vegetation 	4,814
Phase III	<ul style="list-style-type: none"> ● Post-mining land use/productivity restored ● Successful permanent vegetation ● Groundwater recharge, quality and quantity restored ● Surface water quality and quantity restored 	3,725
	Total number of disturbed acres at end of last review period (September 30, 1997) ¹	113,994
	Total number of acres disturbed during this evaluation year	7,981
	Number of acres disturbed during this evaluation year that are considered re-mining	0

¹ Disturbed acres in this category are those that have not received a Phase III or other final bond release (State maintains jurisdiction).

OPTIONAL TABLES 6

(State opted to omit)

TABLE 7

STATE BOND FORFEITURE ACTIVITY (Permanent Program Permits)			
	Sites	Dollars	Acres
Bonds forfeited as of January 1, 1996 ^A	5	\$524,428	167.5
Bonds forfeited during EY 1996	0	-	-
Forfeited bonds collected as January 1, 1996 ^A	5	\$524,428	167.5
Forfeited bonds collected during EY 1996	0	-	-
Forfeiture sites reclaimed during EY 1996	1	\$966,777 ^B	70.3
Forfeiture sites repermited during EY 1996	0	-	-
Forfeiture sites unreclaimed as of September 30, 1996	4	-	97.2
Excess reclamation costs recovered from permittee		\$0	
Excess forfeiture proceeds returned to permittee		\$0	
^A Includes data only for those forfeiture sites not fully reclaimed as of this date. ^B Cost of reclamation, excluding general administrative expenses. ^C Total includes \$333,925 collected bond plus \$632,852 of State funds.			

TABLE 8

STATE REGULATORY PROGRAM STAFFING (Full-time equivalents at end of evaluation year)	
Function	EY 1996
Regulatory program	60.20
Permit review	14
Inspection	31
Other (administrative, fiscal, personnel, etc.)	15

TABLE 9

REGULATORY FUNDS GRANTED TO STATE BY OSM (Millions of dollars)		
Type of grant	Federal funds awarded	Federal funding as a percentage of total program costs
Administration and enforcement	\$2	50
Small operator assistance	\$0	0
Totals	\$2	

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APPENDIX B

Indiana Department of Natural Resources, Division of Reclamation Comments concerning the Evaluation Report along with the Indianapolis Field Office Disposition of the comments.

Indiana was sent a copy of the Draft Annual Evaluation Report on November 19, 1997. The DOR responded with minor comments concerning the information displayed in the chart at Page 9 and in Table V. The IFO has accepted the new numbers provided by the DOOR and the report has been changed accordingly.



INDIANA DEPARTMENT OF N...

LARRY D. MACKLIN, DIRECTOR

R.R. 2, Box 129
Jasonville, IN 47438
November 25, 1997

Mr. Andrew Gilmore, Director
Office of Surface Mining
Reclamation & Enforcement
Minton-Capehart Federal Building
575 N Pennsylvania Street
Indianapolis, IN 46204-1521

RE: Draft 1996-97 Annual Report

Dear Mr. Gilmore:

We are very pleased to advise you that we have only one area of comment on the Report for EY97 provided with your letter of November 19, 1997.

There appears to be a discrepancy in the number of acres reported in the table at the bottom of Page 9 and the acres listed on Table 5. The bond table shows correct cumulative totals of bonded acres and phase releases. Table 5, line 4 incorrectly reports the total number of disturbed acres as of 9/31/96 as being 13,139.575. Using the numbers from the bond table:

Gross Bonded	133,616
<u>97 Bonded</u>	<u>7,981</u>
96 Gross Bonded	125,635

Gross Phase III	15,366
<u>97 Phase III</u>	<u>3,725</u>
96 Gross III	11,641

96 Gross Bonded	125,635
<u>96 Gross III</u>	<u>11,641</u>
96 Disturbed	113,994

Table 5, line 4 should show approximately 113,994 acres under jurisdiction as of Sept. 30, 1996. Using these figures would put our 9/30/97 total acres at 118,250. The gross "disturbed" acres have not been reported in previous annual evaluations, but this should give us an accurate base for future reviews.

If you have any questions please call me.

Thank you for the opportunity to review and comment on the report.

Sincerely,

Timothy W. Taylor
Assistant Director
Division of Reclamation

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TWT/jg

cc: Ja File
M. Sponsler
P. Ehret

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