

WEST VIRGINIA
REGULATORY OVERSIGHT AGREEMENT
EVALUATION YEAR 1998

West Virginia Division of Environmental Protection

and

Office of Surface Mining

Charleston Field Office

October 1997

Table of Contents

Background	1
Oversight Inspections	1
Oversight Evaluations	1
Customer Service	3
Issue Resolution	4
Other Field Office Initiatives/Technical Assistance	4
Information Exchange	5
Public Outreach	6
Innovative State Actions	7
Citizen Complaints	7
Signatures	7
Appendix A -- Oversight Inspection Agreement	A-1
Appendix B -- Detailed Oversight Work Plans	B-1
Appendix C -- Exchange of Documents	C-1

BACKGROUND

On January 21, 1981, the Secretary of the Department of the Interior approved the West Virginia surface mining program under the provisions of the Surface Mining Control and Reclamation Act (SMCRA). With that approval, the State assumed primary authority for the regulation of surface mining activities within the State. The program is administered by the West Virginia Division of Environmental Protection (WVDEP) through the Office of Mining and Reclamation and five Regional Offices located throughout the State. As provided by SMCRA, following program approval the Office of Surface Mining (OSM) is responsible for oversight of the approved State program in West Virginia. This responsibility is carried out through the Charleston Field Office (CHFO).

To measure the State's success in meeting the environmental protection goals of SMCRA, this Regulatory Oversight Agreement was developed cooperatively by OSM and WVDEP. The Agreement focuses on measuring the on-the-ground success of the approved program and identifying the need for financial, technical, and other program assistance as provided by OSM Directive REG - 8, *Oversight of State Regulatory Programs*, dated September 30, 1997.

The Agreement contains the basic framework for oversight activities during the period of October 1, 1997, to September 30, 1998, Evaluation Year 1998 (EY 1998). The Agreement may be amended at any time based on agreement of both parties. It is understood that completion of the activities identified in this Agreement may be affected by other workload demands and staffing limitations.

OVERSIGHT INSPECTIONS

The selection of sites for oversight inspections will be accomplished in accordance with the *Oversight Inspection Agreement* appended to this document as Appendix A.

OVERSIGHT EVALUATIONS

All oversight evaluations will be planned, implemented, and documented jointly by staff from WVDEP and OSM. State participation will ensure that misinterpretations are kept to a minimum. Evaluations will be conducted throughout the evaluation year, with all draft detailed evaluation reports for topics to be included in the Annual Evaluation Report being provided to WVDEP for final comment no later than September 1, 1998. This will allow the State the opportunity to review the reports and provide comments to OSM prior to preparation of the Annual Evaluation Report.

Each agency will assign at least one staff member to jointly lead the evaluation of each selected review topic. The team leaders will determine the need for other staff as part of the evaluation design process. They will establish the time frame for the evaluation and the schedule for completion of the detailed evaluation report.

Detailed Work Plans will be prepared for each oversight evaluation conducted under this Agreement. As the Work Plans are developed and approved by both agencies, they will be appended to this Agreement in Appendix B.

Work Plans for the following oversight evaluations have been developed or are being considered for EY 1998:

Aerial Inspections - CHFO will conduct a limited number of aerial inspections in the Spring of 1998. These inspections may include evaluation of 1) sites receiving a Phase I or II bond release between October 1, 1996, and December 31, 1997, located in areas with a high potential for AMD discharges, 2) underground mines with the potential for subsidence causing material damage, and 3) mountain-top removal and/or large multiple-seam mining operations.

Alternative Bonding System Adequacy - CHFO and WVDEP will continue with Phase II of the Bonding evaluation initiated in July 1996. Phase II will project the time necessary to eliminate the backlog of outstanding bond forfeiture reclamation sites and determine the effect on the Special Reclamation Fund.

Acid Mine Drainage (AMD) Inventory - OSM will assist the State in the collection of additional data to compliment the AMD inventory begun by the State in 1995. Any discrepancies noted during OSM oversight inspections will be identified for WVDEP. See the Oversight Inspection Agreement contained in Appendix I for additional information.

AMD Prevention - CHFO will evaluate a minimum of ten sites approved for new mining since 1995 which have severe water quality problems requiring treatment to meet effluent limits. The purpose of the review is to identify any procedures which could be revised to provide earlier identification of the problems and prevent them from occurring at other sites in the future. Consideration will be given to both the permitting process and the actual operation in the field.

Civil Penalty Documentation - CHFO will evaluate current documentation procedures for civil penalties to determine if deficiencies identified in previous evaluations have been addressed by WVDEP.

Grants - Grant applications will receive a programmatic review by the CHFO as well as a financial review by OSM's Appalachian Regional Coordinating Center (ARCC). Quarterly drawdown analyses and an evaluation of the reporting of time spent on non-coal program activities will be conducted by the ARCC.

Implementation of Program Revisions Prior to Approval - In the past, West Virginia has routinely implemented program revisions prior to approval by OSM. Within the last year, WVDEP has stated that this practice will not occur in the future due to a Circuit Court decision which prohibits such practice. OSM will conduct an evaluation to determine if this practice has been eliminated.

Mountain-top Mining Design and Construction (Drainage Control System) - Heavy rains in the Spring and Summer of 1997, resulted in numerous complaints that flooding was

caused by large mining operations. OSM will review mining and reclamation plans for mountain-top and large multiple seam mines to determine if increased water volumes are resulting from the diversion of drainage on the minesite. The review will evaluate the balancing of discharges to the various watersheds surrounding each mining operation. An evaluation of the approved post-mining land use will be included on mountain-top mining operations.

Offsite Impacts - OSM will utilize WVDEP inspection data and observations from random sample inspections to evaluate the off-site impacts associated with permitted mine sites. OSM will obtain data from the WVDEP Special Reclamation staff to address off-site impacts on forfeited sites. The collected data will be used to complete Table 4 of the EY 1998 Annual Evaluation Report.

Permit Renewals - CHFO will evaluate current practices to ensure that previously identified issues have been addressed by WVDEP.

Resolution of Prohibited Interests - This review is to determine that all policies and procedures developed during the last two evaluation periods are being implemented and that all previously identified issues have been resolved.

Show Cause - This evaluation will continue under the Work Plan developed for Evaluation Year 1997. It will review the timeliness and effectiveness of the show cause process, including the identification of pattern of violations by WVDEP inspectors and supervisors. The EY 1997 Work Plan will be updated and revised to reflect current information.

Water Replacement and Subsidence Evaluation (EPACT) - Citizen complaint information will be obtained from WVDEP's Environmental Resource Information Network (ERIN) and evaluated to determine if subsidence and water replacement complaints were addressed in accordance with EPACT. A sample of complaints received by WVDEP since August 24, 1992, will be evaluated.

Work Plans for the topics identified above will be completed by November 30, 1997. Teams are encouraged to schedule work plan completion dates dictated by the work effort rather than the end of the annual evaluation year. Other Work Plans may be developed during the evaluation year as circumstances warrant.

CUSTOMER SERVICE

OSM Directive REG-8, dated September 30, 1997, incorporates a Customer Service evaluation as part of OSM's routine oversight activities. To gather information for this evaluation, CHFO has developed a *Supplemental Inspection Data* form which will be utilized on all complete and partial inspections. The form will collect data for sites which have received a Phase I or Phase II bond release or where a citizen complaint has been filed within the three years prior to the inspection date. The form contains information related to the timeliness, accuracy, completeness and appropriateness of State actions. Data related to customer service on bond releases will be recorded in Section III of the supplemental form and citizen complaint data will be recorded in

ISSUE RESOLUTION

Issues identified during oversight activities generally will be resolved using the provisions of OSM Directive REG-23, *Development and Implementation of Action Plans*. However, selected issues may require modified procedures to insure resolution. These procedures will be developed jointly by WVDEP and CHFO on a case by case basis.

OTHER FIELD OFFICE INITIATIVES/TECHNICAL ASSISTANCE

Other oversight/technical assistance initiatives will be addressed by the Field Office during the evaluation year. The following is a brief description of each initiative. Plans to address these initiatives will be coordinated with WVDEP as appropriate. As the evaluation year progresses, other initiatives may be identified and addressed on a case-by-case basis.

- Acid Mine Drainage - CHFO and WVDEP are participating in various efforts to address the issues associated with AMD from mining operations. Both are participating in Regional and National teams established to address AMD from a permitting perspective as well as a bonding and reclamation perspective. A joint review of permitting will also be conducted during this evaluation year in an attempt to identify weaknesses in the permitting process which may allow sites with a high potential for perpetual discharges to receive a permit to operate.
- Acid Mine Drainage Bonding - CHFO and WVDEP agree to fully participate in Regional and National efforts to determine appropriate methods to assure financial responsibility is met for AMD treatment and that future discharges are prevented.
- Blasting Evaluation - CHFO agrees to assist the WVDEP in reviewing blasting provisions to determine if practices could be changed to reduce the nuisance effects of blasting. This effort is being initiated by the WVDEP in response to numerous complaints concerning dust and vibration from larger operations.
- Bond Release Sites with Non-Complying Water Discharges - CHFO and WVDEP agree to act in a prompt fashion, as provided by statute and regulations, to address AMD discharges identified in watershed studies or by any other means.
- Enforcement of Clean Water Act Requirements under SMCRA - Following finalization of the SMCRA/Clean Water Act enforcement policy, CHFO will evaluate the outstanding citizen complaints accompanying the West Virginia Highlands Conservancy/National Wildlife Federation Notice of Intent to Sue submitted in 1995.
- Remining - OSM will assist WVDEP in implementing program changes for the State's remining efforts. A list of initiatives to be implemented will be jointly developed by OSM and WVDEP and may include initiatives as no cost reclamation contracts. From the list of initiatives, WVDEP will identify those initiatives that will be of the greatest benefit in promoting remining in West Virginia and will develop a work schedule with

OSM to carry out each initiative.

WVDEP will identify at least two sites where remining would result in substantial environmental improvements and would be in the best interest of the State. The two sites will be jointly evaluated by WVDEP and OSM to resolve any barriers precluding remining.

- Required Program Amendments - Approximately 21 required amendments and parts or all of six 30 CFR 732 notifications of required program revisions remain outstanding in West Virginia. By January 31, 1998, WVDEP agrees to prepare a schedule and summary of the actions to be proposed to address these program revisions. Upon request, the Appalachian Regional Coordinating Center will conduct informal reviews and provide assistance to WVDEP in developing proposed amendments that will satisfy these requirements. In accordance with OSM policy, CHFO will assist in the formal review of any proposed program amendments that are submitted by the WVDEP.

OSM encourages the State to involve the program amendment staff of the Appalachian Regional Coordinating Center in their efforts to draft revised program provisions at the earliest possible stage. OSM is prepared to provide informal review of any program changes at any stage of development. By involving OSM in the early stages, faster processing of formal program amendments will occur and the need for future changes due to disapproved or conditionally approved provisions could be avoided.

- Valley Fill Mitigation Team - OSM will assist the State in developing and supporting the valley fill stream mitigation program under their Clean Water Act authority. OSM will serve as a member of a team including representatives from WVDEP's Division of Water Resources and Office of Mining and Reclamation, the West Virginia Department of Natural Resources, and the Environmental Protection Agency. Using the requirements of SMCRA, OSM will provide guidance on any constraints placed on such efforts by the performance standards contained in Federal law or regulations.

INFORMATION EXCHANGE

OSM and WVDEP agree that the exchange of information is critical to the oversight process. State information is needed by OSM to complete day-to-day oversight activities, to maintain the nationwide Inspection & Enforcement Tracking System's inspectable units list, and to provide data to satisfy OSM oversight reporting requirements. Charleston Field Office (CHFO) staff have been granted access to WVDEP's Environmental Resource Information Network (ERIN) through OSM's Wide Area Network. This provides all OSM office locations in West Virginia direct access to permitting, bonding, inspection, and enforcement information maintained on the State system. The use of this system has eliminated much of the document exchanges which were necessary in the past. In addition, CHFO has been granted data rights to download information from ERIN on an as needed basis. CHFO's Computer Specialist will access ERIN to extract the required data.

Other information may be required from data systems maintained by WVDEP staff but not incorporated into ERIN. This data and the method for providing it to OSM will be identified in

the Detailed Oversight Work Plans for each individual oversight evaluation. Each work plan will be approved by both agencies prior to implementation.

Both OSM and WVDEP agree that to enable proper evaluations specifically for measuring and reporting end results relating to bond releases, that certain information and assurances will be cooperatively developed in accordance with guidelines provided in REG-8, Section II C.2, Measurements and Reporting of End Results. Furthermore, WVDEP and OSM will agree on an accepted interpretation of Approximate Original Contour to reflect determinations made by the State before granting phase I releases.

Exchange of Documents

While access to ERIN has eliminated the need for many of the documents exchanged in the past, certain documents still must be routinely exchanged. In order to accommodate the needs of both agencies, documents identified in Appendix C, Exchange of Documents, will be exchanged as specified or as they are finalized.

Annual Evaluation Report Tables

WVDEP agrees to provide cumulative annual data for Table 3, State Permitting Activity; Table 5, Annual State Mining and Reclamation Results; Table 6, State Bond Forfeiture Activity; and, Table 7, Staffing. Formats for the Tables are contained in OSM Directive REG-8. The Tables will be completed by WVDEP and forwarded to OSM by October 20, 1998.

Table 1, Coal Production; Table 2, Inspectable Units; Table 4, Off-Site Impacts; and, Table 8, Funds Granted to West Virginia by OSM will be prepared by CHFO. Table 1 will be completed with OSM fee compliance data. Table 2 will be completed with data supplied by the State to update OSM's Inspection & Enforcement Tracking System's inspectable units list, and Table 4 will be completed with data from WVDEP's ERIN and civil penalty data system. A detailed description of the method used to develop the data for Table 4 can be found in the regulatory program Detailed Oversight Work Plan for Off-Site Damage in Appendix B.

PUBLIC OUTREACH

OSM and WVDEP are committed to interacting with citizen, environmental, and industry organizations on a continuing basis. CHFO maintains a mailing list of organizations and individuals who have previously participated in regulatory activities. These groups/individuals will be requested to provide input into oversight activities throughout the evaluation year and will be encouraged to provide suggestions for improvement of future annual evaluation reports. In addition, CHFO staff will be available to meet with individual citizens or organizations at any time during the evaluation year. WVDEP will be invited to participate in these meetings and a record of the meetings will be placed in OSM's public review file. Further, a copy of the Annual Evaluation Report will be provided to each individual and organization when the report is finalized. OSM will participate in WVDEP's Reclamation Tour and Citizen's Surface Mine Tours, when scheduled. OSM encourages groups to request and schedule meetings related to specific issues. Other opportunities for public outreach will be pursued throughout the evaluation year, as appropriate.

INNOVATIVE STATE ACTIONS

Recognition for innovative approaches related to managerial efficiency, problem resolution, environmental protection, and program implementation has been added as a reporting element by the revised OSM oversight guidance. To identify these accomplishments, each Detailed Oversight Work Plan will incorporate provisions to highlight any activities which would qualify as innovative approaches. Additionally, WVDEP will identify and report to CHFO, on an ongoing basis, any activities which in their judgement should be recognized. Activities identified by either OSM or WVDEP will be addressed in the Annual Evaluation Report.

CITIZEN COMPLAINTS

Citizen complaints have been by far the activity creating the largest number of controversies between WVDEP and OSM. The resolution of these controversies have resulted in the expenditure of an inordinate amount of staff time by both agencies. In an attempt to reduce the number of these controversies, WVDEP and CHFO agree to conduct joint inspections of any minesite identified in a citizen complaint to OSM. A ten-day notice (TDN) will be issued after conclusion of a minesite visit if necessary to resolve any disagreements. TDN's will be issued for complaints involving administrative issues such as ownership and control, permit defects, right-of-entry, etc., where a joint investigation is obviously not practical.

SIGNATURES

Signed in agreement by the parties this _____ day of _____, 1997.

**For the West Virginia Division
of Environmental Protection**

For the Office of Surface Mining

John C. Ailes, Chief
Office of Mining and Reclamation

Roger W. Calhoun, Director
Charleston Field Office

APPENDIX A
OVERSIGHT INSPECTION AGREEMENT

WEST VIRGINIA OVERSIGHT INSPECTION AGREEMENT
Evaluation Year 1998

BACKGROUND

During Evaluation Year 1998 (EY 1998), the Charleston Field Office (CHFO) intends to conduct 289 oversight inspections to evaluate and assist the West Virginia Division of Environmental Protection (WVDEP) in the administration, implementation and maintenance of the approved West Virginia regulatory program. All inspections will be conducted in compliance with the guidance provided by Office of Surface Mining (OSM) Directive REG-8 and other applicable OSM guidance.

Being the desire of both OSM and WVDEP to insure full and effective implementation of the approved State program and the purposes of the Surface Mining Control and Reclamation Act (SMCRA), this agreement has been developed to formalize the conduct of these oversight inspections. Each party commits to participation as a cooperative effort intended to identify the strengths and weaknesses in the implementation of the approved program. All activities will be conducted in a spirit of partnership and each agency pledges its assistance and participation in all aspects of the inspections. OSM inspectors will continue to provide state inspectors the opportunity to accompany during oversight inspections consistent with the requirements of Directive INE-20. Prior to conducting an oversight inspection, WVDEP will allow OSM to check out permit files for administrative review purposes. The permit file(s) may be checked out from the Regional Office or the Inspector Files for a period not to exceed three (3) days.

As EY 1998 progresses, OSM will continue to evaluate the effectiveness of this oversight inspection process. If necessary, the process may be modified to target other areas. Thus, the total number of inspections conducted may vary according to this modification or to workload demands and staffing limitations within each area office. The terms of this agreement will not affect OSM's ability to conduct other types of inspections or to evaluate other performance standards when determined necessary by OSM to fulfill its responsibilities under SMCRA.

TYPE AND NUMBER OF INSPECTIONS

The following randomly selected oversight inspections will be conducted during Evaluation Year 1998

- 74 Complete Inspections - Stratified selection criteria
- 200 Partial Inspections - Hydrologic balance and backfilling and grading performance standards
- 15 Bond Release Inspections - Standards as necessary to evaluate the effectiveness of WV's bond release program

A total of 289 oversight inspections will be conducted. All complete and partial inspections will include an AMD evaluation and will include a bond release evaluation if the site received either a Phase I or Phase II release after October 1, 1996. Sites with a bond release, as well as sites where a citizen complaint has been filed within 3 years of the random sample inspection, will also be used to evaluate Customer Service. The attached Supplemental Inspection Data form will be used to collect AMD, Bond Release and Customer Service information.

In addition, CHFO will conduct limited aerial inspections in the Spring of 1998. These inspections may include evaluations of, 1) sites receiving a Phase II or III bond release between October 1, 1996, and December 31, 1997, located in areas with a high potential for AMD discharges, 2) underground mines with the potential for subsidence causing material damage to surface areas and, 3) mountain-top removal and/or large multiple-seam operations. A

specific evaluation work plan will be developed and provided to WVDEP.

INSPECTION SELECTION AND PROCEDURES

Complete Inspections (Inspection Code SCS)

The selection criteria for the 74 randomly selected complete inspections will be the following:

1. Surface, underground, refuse disposal, tippie, or preparation plant permits.
2. Permits that have not received a Phase I or II bond release .
3. Permits that have not received a random sample OSM inspection since October 1, 1996.

Each of these inspections will consist of a review of all performance standard categories and permit requirements that pertain to a particular mine site during the time an inspection is conducted. The inspections will be distributed equally throughout EY 1998, except for the period between January and March when no complete inspections will be conducted. Eliminating complete inspections during this quarter will assure that all "on the ground" conditions can be adequately reviewed during these inspections. The Beckley Area Office will conduct 32 complete inspections, and the CHFO and Morgantown Area Office will conduct 21 complete inspections, each. These inspections will be coded "SCS" for the type of inspection on the Minesite Evaluation and Inspection Report (MEIR).

Partial Inspections - Hydrologic Balance/Backfilling and Grading (Inspection Code SPS)

Partial inspections will be conducted on 200 permits randomly selected from currently permitted sites and will be distributed equally throughout EY 1998. The criteria for the selections are:

1. A permit cannot be selected for both a complete and partial inspection during EY 1998.
2. Haulroad permits are not eligible for selection.
3. Permit has not received an OSM random sample inspection since October 1, 1996.

The Beckley Area Office will conduct 86 partial inspections and the CHFO and Morgantown Area Office will conduct 57, each. These inspections will be coded "SPS" for the type of inspection on the MEIR.

The highest frequency of violations observed by OSM during previous oversight inspections involved the hydrologic balance and backfilling and grading performance standards. For EY 1998, partial inspections will concentrate on these same areas. Specifically, the hydrologic balance categories (B.1. - 11.) and the backfilling and grading categories (D.1. - 7.) on the OSM MEIR will be reviewed during these inspections. For those sites where excess spoil or coal refuse disposal occurs, MEIR categories E.2. and F.1. respectively, will also be reviewed.

Bond Release Inspections (Inspection Code SP1) *

OSM will conduct an evaluation of 15 randomly selected sites requesting a Phase III release to ensure that mine sites are properly reclaimed and capable of supporting the postmining land use. These sites will be reviewed and the OSM inspection report will be provided to the State within 30 days of notification. The Beckley and Morgantown Area Office and the Charleston office will conduct five Phase III inspections each. The sites to be evaluated will be selected at various times throughout the evaluation period.

OSM will also compare all bond release notifications to those sites on the AMD inventory. An inspection will be

conducted on any inventory site requesting a Phase I, II, or III bond release.

All bond release evaluations will be coded "SPI" for the type of inspection on the MEIR. All sections of the attached Supplemental Inspection Data form will be completed for each inspection.

SUPPLEMENTAL INSPECTION DATA

Permittee: _____ Permit No: _____ Inspection Date _____

Inspector Name: _____ Inspector Number: _____

Is AMD present? ___(Y)___(N) (If Yes, or if pH is between 6.0 and 6.5, complete Section I)

Is site on AMD Inventory? ___(Y)___(N)

Do site conditions agree with information on AMD Inventory? ___(Y)___(N) (If No, complete SECTION I below and explain in inspection narrative)

Has the permit received a Bond Release? ___(Y)___(N) (If Yes, complete SECTION's II & III below)

Have any Citizen Complaints been filed at this permit within the last three years? ___(Y)___(N) (If Yes, complete SECTION IV below)

SECTION I WATER DATA

NPDES NUMBER _____					
Outlet # (Or Seep location if applicable)	Is Outlet on AMD Inventory? Yes or No	pH	Fe	Mn	Flow(gpm) (Est)

*Use additional sheets if necessary to capture more data.

SECTION II BOND RELEASE

Bond Release Dates: _____ Phase I _____ Phase II _____ Phase III _____

BOND RELEASE DATA			
Phase	Category	Yes	No*
I	AOC restored?		

BOND RELEASE DATA			
	Topsoil/approved alternate replaced?		
II	Surface stable?		
	Vegetation established?		
III	Post-mining land use achieved?		
	Permanent vegetation successful?		
	Ground water recharge-quality and quantity restored?		
	Surface water quality and quantity restored?		
	* Explain any Category marked No.		

SUPPLEMENTAL INSPECTION DATA - Page 2

SECTION III BOND RELEASE (CUSTOMER SERVICE DATA)

PHASE I & II RELEASES		
	YES	NO
Does the application for Bond Release contain copies of letters to adjoining property owners, local governmental bodies, planning agencies, sewage and water treatment authorities, and water companies notifying them of the intention to seek release from the bond?		
Does the application contain a certification of publication of the advertisement for Bond Release?		
Does the advertisement indicate the name of the permittee, the type of bond filed, the address of the nearest regional office of the WVDEP where written comments or requests for public hearings & informal conferences on the specific bond release may be submitted?		
Does the advertisement list the closing date for receipt of comments or requests?		
Was a Public Hearing conducted?		
If a Public Hearing or Informal Conference was held, was the protestor(s) notified within thirty (30) days of a decision to release or not to release all or part of the bond?		
Was the surface owner, agent, or lessee given thirty (30) days notice prior to the inspection and informed of the right to participate in the Bond Release inspection?		

PHASE I & II RELEASES

If no Public Hearing or Informal Conference was held, was the permittee, the surety or other persons with an interest in bond collateral, notified within sixty (60) days from filing the bond release application of a decision to release or not to release all or part of the bond?

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SECTION IV CITIZEN COMPLAINTS (CUSTOMER SERVICE DATA)

CITIZEN COMPLAINT

Name: _____ Complaint	Type of Citizen	<input type="checkbox"/> Oral	<input type="checkbox"/> Written
Date of Complaint _____		YES	NO
Was Complaint properly documented?			
Was complainant notified of right to remain anonymous?			
Was complainant notified of right to accompany inspector during inspection?			
WVDEP investigate complaint in a timely manner?			
Was investigation report provided within 10 days of the inspection?			
WVDEP's investigation report address all allegations?			
Does the report contain sufficient information to base their decision on?			
Was the citizen notified of their right to appeal?			

APPENDIX B
DETAILED OVERSIGHT WORK PLANS

Individual Detailed Oversight Work Plans will be added as they are developed.

APPENDIX C EXCHANGE OF DOCUMENTS

WVDEP Notifications to OSM

WVDEP will provide the following to CHFO.

- Administrative/Judicial Review Decisions
- Monthly Listing of Bond Release Requests
- Monthly Bond Forfeiture Report
- Monthly Listing of Land Unsuitable for Mining Petitions
- Monthly Listing of Permitting Actions
- Monthly Listing of Soap Applications
- Monthly Listing of Show Cause Actions
- Policy Documents All directives, policy memoranda, handbooks, etc.
- Proposed Legislation/Regulations
- WVDEP's monthly newsletter *in-depth*

OSM Notifications to WVDEP

OSM will provide the following to WVDEP.

- Annual Evaluation Report - The draft West Virginia Annual Evaluation Report will be prepared and forwarded to the State for review and comment by October 31. The State will have 15 days to provide comments to OSM.
- Federal Court Decisions Related to Challenges to Federal Law or Regulations
- Federal Enforcement Actions
- Federal Inspection Reports
- Federal Statutory or Regulatory Revisions
- IBLA Decisions
- Policy Documents All directives, policy memoranda, handbooks, etc.
- Quarterly Oversight Inspection list
- Technical Assistance Reports
- WV Program Amendment Decisions