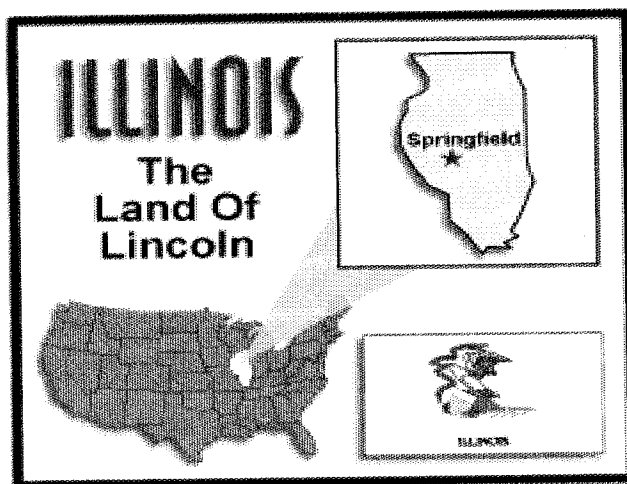


Illinois

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

and

Abandoned Mine Land

Programs

of

ILLINOIS

for

Evaluation Year 1997

(October 1, 1996 to September 30, 1997)

December 1997

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

TABLE OF CONTENTS

I.	Introduction	1
II.	Overview of Coal Mining Industry	2
III.	Overview of Public Participation in the Program	2
IV.	Major Accomplishments/Issues/Innovations	3
V.	Success in Achieving the Purposes of SMCRA	5
	A. Off-site impacts	6
	B. Bond Releases	6
VI.	OSM Assistance	7
VII.	General Oversight Topic Reviews	8
	Appendix A: Tabular Summary of Core Data to Characterize the Program	11
	Appendix B: State Comments on the Report	12

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

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 approved by OSM as meeting the minimum standards specified by SMCRA. This report contains summary information regarding the Illinois program and the effectiveness of the Illinois 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.

The primary focus of OSM's oversight 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. This policy emphasizes a consensus 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 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 and Illinois progress in conducting evaluations and completing oversight activities, and on their accomplishments at the end of 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 Indianapolis OSM Office. The IFO will also mail copies of specific reports, when requested.

The following list of acronyms are used in this report:

AML-----Abandoned Mine Land
AVS-----Applicant Violator System
CFR-----Code of Federal Regulations
EY ----- Evaluation Year
IFO-----Indianapolis Field Office

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

OMM-----Illinois Department of Natural Resources, Office of Mines and Minerals

OSM-----U. S. Department of the Interior, Office of Surface Mining Reclamation and Enforcement

SMCRA-----Surface Mining Control and Reclamation Act of 1977

II. Overview of the Illinois Coal Mining Industry

Recoverable bituminous coal reserves in Illinois are estimated to be about 30 billion tons. Sixty-four percent of the State's area is underlain by coal bearing Pennsylvanian Era rock. Surface, underground and auger mining methods are used in Illinois to extract the mineral. All surface mines in the State are classified as area mines, while continuous and longwall methods are employed at underground mines. A small amount of coal is also produced from carbon recovery operations. The amount of coal mined in Illinois during 1996 was 49.3 million tons. This is an increase of 3.0 million tons from 1995.

There are currently 27 active coal mines in Illinois. Of these, 5 are surface mines, 16 are underground mines, and 6 are carbon recovery operations. While there is no active surface mining occurring on Federal lands in Illinois, there is currently 1 active longwall underground mine, and 4 inactive underground mines located on Federal lands.

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

One of the primary programmatic areas of public concern in Illinois over the past several years has been the ability of operators to mine and reclaim prime farmland soils. In October 1996 a multi-agency team began to gather and analyze available information relating to prime farmland for the purpose of determining what recommendations, if any, should be made to both the IFO and OMM as to how either could better conduct activities relating to prime farmland reclamation. In this same vein, a citizen representative of the Citizens Organization Project, an organized Illinois group which focuses primarily on prime farmland issues, participated along with Mid-Continent Region, IFO and OMM staff, as well as others in developing a Regional Prime Farmland Forum scheduled to be held in March 1998.

In another arena, representatives of the OMM, OSM's Mid-Continent Regional Coordinating Center, the IFO, the State of Indiana, Southern Illinois University and the coal and power industries conducted a Coal Combustion Waste Forum in October 1996.

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

This Forum was designed to exchange ideas concerning all aspects of the use and disposal of coal combustion by-products. Participants from the coal industry, academia, the power generation industry, government, and environmental groups exchanged information concerning this issue.

The Illinois OMM continued public outreach at State and County Fairs to make citizens aware of its processes and citizens' rights regarding surface coal mining and reclamation activities. The general public has a lack of factual information about modern mining and reclamation techniques, and minerals that are mined and their uses, which affects public attitude towards mining and the role of regulatory agencies. The Land Reclamation Division, therefore, participated in a variety of programs to provide this information. These include Earth Day programs, Conservation Fairs, Eco-Meets, Coal Awareness Day, the State Fairs, teacher education workshops, and classroom presentations. Education programs which have been best received were the "Mining, Minerals, and Reclamation Jeopardy" game and a Teacher Education packet. The packet provides a comprehensive list of audio visual and printed resources available for teachers. Most of the programs are oriented toward school age children, although several thousand people of all ages visited the exhibits at the two annual State Fairs. In addition, the Office of Mines and Minerals' Web site received approximately 1000 visits per month during EY 1997.

IV. Major Accomplishments/issues/innovations in the Illinois Program

The Illinois OMM has maintained its program in a way that assures that the approved program remains effective in providing protection from the adverse effects of surface coal mining operations. The following specific programmatic actions were taken during the evaluation year:

The State was notified on June 17, 1997 of changes needed in the approved regulatory program resulting from the promulgation of several new or amended OSM rules. These changes related to definitions, termination of jurisdiction, requests for hearings, permitting requirements, the Small Operator Assistance Program, bond release requirements, performance standards, and inspection and enforcement. Illinois made a timely response by submitting an amendment schedule for making appropriate modifications to its approved program.

Illinois also responded to two other OSM 732 letters concerning subsidence repairs and water replacement, and ownership and control with informal amendment submittals.

Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals

No formal program amendments were submitted to OSM by Illinois during the 1997 evaluation year because none were necessary. The OMM has no outstanding program amendments. This is to its credit, and is regarded as an accomplishment in itself.

The OMM, AML Reclamation Division, finalized an amendment to its approved AML regulations to be as effective as revised 30 CFR Part 884 by requiring that Applicant Violator System (AVS) checks be performed for Abandoned Mine Land contractors. The amendment will prohibit awarding a contract to any contractor listed on the AVS, until the violations are corrected. The Illinois AML staff worked with OSM during this review period on an informal amendment prior to finalization. A formal AML amendment submittal is expected in EY 1998.

Illinois is administering its program in a way that effectively protects citizens and the environment from adverse environmental impacts resulting from surface coal mining activities. This is evidenced by the insignificant number and minor effects of observed off-site impacts.

Of the 68,725 acres disturbed under the permanent program since 1983, only 3,785.8 acres have had full bond release through FY 96. The IFO and the OMM agree that tabulating raw data relating to disturbed acreage and bond release status does not provide an absolute measurement of contemporaneous reclamation. Further evaluation in this program area will be conducted during the upcoming evaluation year.

Thousands of acres of land were successfully reclaimed this year. Based on bond release evaluations, 2,342 acres achieved surface stability and were returned to the approximate premining contour; surface stability was achieved and vegetation established on 2,280 acres; the approved post mining land use was achieved, appropriate successful vegetation established and productivity restored for 1,168 acres; and surface and groundwater quantity and quality restored for 1,168 acres.

The Abandoned Mine Land (AML) Division's responsiveness to public concerns is satisfactory. A variety of measures were taken to inform the public of program benefits, through the two State Fair exhibits and through educational presentations. The AML staff also routinely responds to numerous public inquires concerning AML problems and the program.

The AML Emergency Program was responsive and effective in meeting public safety

Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals

needs in EY 1997.

An overall assessment of the Illinois AMLR Program indicates substantial progress toward the goal of mitigating the adverse effects of past coal mining. Table AML-I in Appendix A shows the extent to which high priority abandoned mine problems in Illinois have been reduced since the program began. The status of high priority reclamation may be seen by comparing completed reclamation as of September 30, 1997 with that which remains on the State's inventory to be done (right hand column of the table). Completed high priority reclamation represents an expenditure of \$32.6 million, as compared to an estimated \$35.2 million required to reclaim all high priority problems remaining on the inventory.

Table AML-II in Appendix A provides additional perspective as to Illinois' progress in pursuing abandoned mine land reclamation. This table depicts high priority reclamation accomplished during the evaluation period (October 1, 1996 to September 30, 1997), to give some idea of the current rate of progress. Priority 1 and 2 reclamation conducted during the evaluation period was accomplished at an estimated cost of \$1.9 million.

The State also made substantial progress in reclaiming priority 3 environmental problems. These accomplishments, however, are not reported because appropriate data was not readily available.

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 standard evaluations are being collected for a national perspective in terms of: (A) the number and extent of observed off-site impacts, and (B) the number of acres that have been mined and reclaimed and which meet the bond release requirements for the various phases of reclamation. Individual topic reports are available in the Indianapolis Office which provide additional details on how the following evaluations and measurements were conducted.

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

A. Off-Site Impacts

Illinois is administering its program in a way that effectively protects the public and the environment from adverse off-site impacts resulting from surface coal mining operations. The number of off-site impacts observed by the state during the evaluation period were few, and a substantial reduction from the number reported in 1996. Those noted were determined to affect the environment only to a minor degree. The majority of off-site impacts noted were of a hydrologic nature and were found to affect land and water resources to only a minor degree (see Table 4).

While the number of off-site impacts were small, further reduction should be sought. Since the majority of off-site impacts were hydrologic in nature, as was the case in EY 1996, increased inspection efforts to ensure that drainage and sediment control is maintained as required would be in order.

B. Bond Release

Thousands of acres of land affected by surface coal mining operations were successfully reclaimed during the evaluation year as noted in Table 5 of this report.

Following the guidelines of the Office of Surface Mining's REG-8, the IFO and OMM developed a performance agreement that included a section on Land Restoration Performance Measurement. That section specified that the IFO would field review OMM bond releases for the purpose of determining if acres of bond releases demonstrated acres of successful reclamation as hypothesized in REG-8.

The IFO review verified that OMM bond releases are a valid measure of successful reclamation. During the evaluation period, Illinois operators restored 2,342 acres of mined land to approximate original contour with soil replacement as indicated by Phase I bond releases; stabilized the surface and established vegetation on 2,280 acres as indicated by Phase II bond releases; and established the post mining land use with restoration of productivity and hydrologic balance on 1,168 acres as indicated by Phase III releases.

Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals

The IFO review included on-the-ground inspections of nine bond releases on seven mines covered by nine permits, a subset of all acres released by the OMM. These inspections examined 1,251.6 acres of Phase I release (54 percent of total acres released), 1,090.5 acres of Phase II release (48 percent of total acres released) and 565.1 acres of Phase III release (49 percent of total acres released). The determination that the hydrologic balance was restored was based on a review for any observable problems during routine inspections and a review of the States process for making ground water findings by reviewing five hydrology files.

The OMM provided data on 10 abandoned mine sites, which are subject to bond forfeiture proceedings, but for which reclamation had not met appropriate standards. These data indicated no off-site impacts.

2. OSM Assistance

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

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

- Technical training courses 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. During the oversight year, Illinois sent 18 participants to training courses. Thirteen different training course offerings were attended.
- OSM provides the Technical Information Processing System including a local work station and software for state use. User training and support is also provided. Illinois can use 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.

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

Informal assistance is provided regarding field or implementation issues on a continuous basis.

VII. General Oversight Topic Reviews

In addition to the off-site impact and bond release 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 By-Product and Waste Handling**

This oversight study consisted of a review of permits approving the use of coal combustion by-products and coal combustion waste disposal. Although this topic has not been a major-issue in Illinois, it has been in Indiana. Since this topic was the subject of oversight in Indiana, which has similar waste disposal concerns, the same work was conducted in Illinois.

➤ **Bond Adequacy Study**

The EY 1997 Performance Agreement included an issue dating back to 1993 concerning adequacy of bonding for carbon recovery operations. A study was conducted resulting in the finding that OMM has demonstrated that it requires sufficient bond to reclaim worst case scenarios at three carbon recovery operations cited by the OSM in a 1994 bond study. The State also initiated safe guards to protect its computer bond calculation program, and bond specialists consider worst case scenarios when calculating bonds on carbon recovery permits.

➤ **Abandoned Mine Lands**

The IFO conducted an evaluation of the Illinois Department of Natural Resources,

Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals

Abandoned Mine Land Reclamation Division's administration of the approved AML Program. This review was conducted following OSM Directive AML-22 and the negotiated performance agreement. The purpose of the evaluation was to assure proper implementation of the approved AML program and to determine if improvements could be made. The review was limited to the following four areas:

- Responsiveness to public concerns,
- Maintenance of, and adherence to, the approved AML Plan,
- Effectiveness of "on the ground" reclamation, and,
- The responsiveness and effectiveness of the AML Emergency program.

The results of IFO's evaluation indicated that the Illinois OMM, AML Reclamation Division properly implemented its approved program this review period.

Regarding responsiveness to public concerns, the AML Division followed its plan requirements. The program is responsive to the public in the ways noted in Section IV of this report. The Performance Agreement included two activities to enhance and augment public participation: a public meeting for general input on program direction, and a public meeting in connection with a large project. During this review period time and budget did not allow for the general input meeting, and the large project did not materialize sufficiently for a public meeting. Public participation in the AML Program is not a current issue, nor is it regarded as deficient or controversial. The proposed activities were intended for augmentation purposes.

With respect to maintenance and adherence to the AML Plan, three functional areas were reviewed. These were maintenance of the State Plan, implementation of the national AML Information system, and National Environmental Policy Act (NEPA) compliance and project eligibility documentation. State performance in these three areas was in compliance with all laws and policies. Eligibility documentation and NEPA consultation issues identified in the 1996 Evaluation Year were resolved.

The 1997 Performance Agreement included three initiatives relating to on-the-ground reclamation. The first of these was the formation of a State-Federal work team to devise ways to measure and enhance reclamation success. Because of AML Division loss of key staff and other circumstances beyond the Division's control, the Division was simply too hard pressed this evaluation year to participate. Establishment of this team will be attempted in the future. The second was to initiate a re-mining program. This effort was put on indefinite hold until necessary changes in State law can occur. The third effort pertained to OSM assistance in accomplishing a

Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals

complex project involving SMCRA Title 4 and Title 5 reclamation by a single contractor. OSM assistance became a moot point during the review period when the OMM determined that the proposed approach was not feasible.

As noted in Section IV, review of the AML emergency program indicated the it was responsive and effective during the review period. A 1996 issued concerning NEPA consultation was resolved.

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

APPENDIX A:

These tables present data pertinent to mining operations and State and Federal regulatory and abandoned mine land activities within Illinois. They also summarize funding provided by OSM, and information about Illinois staffing. Unless otherwise specified, the reporting period for the data contained in all tables is October 1, 1996 to September 30, 1997. Additional data used by OSM in its evaluation of Illinois' performance is available for review in the evaluation files maintained by the Indianapolis Field Office.

TABLE 1

COAL PRODUCTION (Millions of short tons)			
Period	Surface mines	Underground mines	Total
Coal production ^A for entire State:			
1995	7	39.3	46.3
1996	8	41.3	49.3
1997 ^B	3.4	17.6	21

^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 6 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
			IP	PP								
STATE and PRIVATE LANDS REGULATORY AUTHORITY: ILLINOIS												
Surface mines	0	31	54	81	8	2	62	114	38	131.4	665.4	796.8
Underground mines	0	64	1	18	0	0	1	85	40	0.02	174.27	174.29
Other facilities	0	10	2	8	0	1	2	19	24	0.67	12.09	12.76
Subtotals	0	105	57	107	8	3	65	218	102	132.09	851.76	983.85
FEDERAL LANDS REGULATORY AUTHORITY: ILLINOIS												
Surface mines	0	0	0	0	0	0	0	0	0	0	0	0
Underground mines	0	1	0	4	0	0	0	5	5	0	0.22	0.22
Other facilities	0	0	0	0	0	0	0	0	0	0	0	0
Subtotals	0	1	0	4	0	0	0	5	5	0	0.22	0.22
ALL LANDS^B												
Surface mines	0	31	54	81	8	2	62	114	38	131.4	665.4	796.8
Underground mines	0	65	1	22	0	0	1	90	45	0.02	174.49	174.51
Other facilities	0	10	2	8	0	1	2	19	24	0.67	12.09	12.76
Totals	0	106	57	111	8	3	65	223	107	132.09	851.98	984.07
Average number of permits per inspectable unit (excluding exploration sites) <u>3.06</u>												
Average number of acres per inspectable unit (excluding exploration sites) <u>919</u>												
Number of exploration permits on State and private lands: <u>1</u> On Federal lands: <u>0</u> ^C												
Number of exploration notices on State and private lands: <u>29</u> On Federal lands: <u>0</u> ^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	6	0	0	6	3	56	0	1	222	12	4	278
Renewals	12	3	708.3	4	4	243.3	0	0	0	16	7	951.6
Incidental boundary revisions	7	6	119.7	5	4	20.28	0	0	0	12	10	140
Revisions (exclusive of incidental boundary revisions)	3	5		6	4		0	0		9	9	
Transfers, sales and assignments of permit rights	1	2		0	2		0	0		1	4	
Small operator assistance ^B	1	0		0	0		0	0		1	0	
Exploration permits	0	1		0	0		0	0		0	1	
Exploration notices ^C	9	9		15	15		5	5		29	29	
Totals	39	26	828	36	32	319.58	5	6	222	80	64	1,370

OPTIONAL - Number of midterm permit reviews completed that are not reported as revisions 51 _____

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

^B The one application received was withdrawn by the operator prior to issuance.

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

TABLE 4

RESOURCES AFFECTED		OFF-SITE IMPACTS											
		People			Land			Water			Structures		
DEGREE OF IMPACT		minor	moderate	major	minor	moderate	major	minor	moderate	major	minor	moderate	major
TYPE OF	Blasting												
IMPACT AND	Land stability												
TOTAL	Hydrology				2								
NUMBER OF	Enroachment				1								
EACH TYPE	Other												
	Total	4	0	0	3	0	0	2	0	0	0	0	0
Total number of permits or mine sites with observed off-site impacts:													
		Permits _____			or Mine Sites <u>4</u>								
Total number of permits or mine sites evaluated:													
		Permits _____			or Mine Sites <u>108</u>								
Total number of observations made to evaluate mine sites or permits for off-site impacts <u>423</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 	2,342
Phase II	<ul style="list-style-type: none"> ● Surface stability ● Establishment of vegetation 	2,280
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 	1,168
	Total number of disturbed acres at end of last review period (September 30, 1996) ¹	67,598
	Total number of acres disturbed during this evaluation year	1,075
	Number of acres disturbed during this evaluation year that are considered re-mining	52
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	3	\$448,723	147.2
Bonds forfeited during EY 1996	0	\$0	0
Forfeited bonds collected as January 1, 1996 ^A	1	\$205,723	91.6
Forfeited bonds collected during EY 1996	0	\$0	0
Forfeiture sites reclaimed during EY 1996	0	\$0 ^B	0
Forfeiture sites repermited during EY 1996	0		0
Forfeiture sites unreclaimed as of September 30, 1996	3		147.2
Excess reclamation costs recovered from permittee	0	\$0	0
Excess forfeiture proceeds returned to permittee	0	\$0	0
^A Includes data only for those forfeiture sites not fully reclaimed as of this date. ^B Cost of reclamation, excluding general administrative expenses.			

TABLE 8

STATE REGULATORY PROGRAM STAFFING (Full-time equivalents at end of evaluation year)	
Function	EY 1996
Regulatory program	49.95
Permit review	13
Inspection	11
Other (administrative, fiscal, personnel, etc.)	25.95

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	50
Totals	\$2	

**Annual Evaluation Report
Illinois Department of Natural Resources
Office of Mines and Minerals**

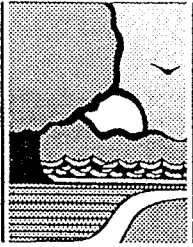
APPENDIX B:

This Appendix contains comments received from the Illinois Department of Natural Resources, Office of Mines and Minerals on December 8, 1997. It also contains a description of the Field Office Director's disposition of each of the comments received.

Disposition of Comments:

Illinois does not consider the number of acres receiving bond release as an accurate indication of acres being reclaimed, or as the contemporaneousness of the reclamation. Illinois believes that the quality of reclamation can be evaluated by reviewing bond releases, but not timeliness of reclamation. This comment, therefore, is understood as an objection to the use of such a measure in OSM's evaluation process.

Although the IFO acknowledges there may be merit in Illinois' comment, this standard was established by the joint State/OSM team which developed the 1997 oversight criteria in Directive REG-8. The IFO is obliged to adhere to REG-8 and may not negotiate this matter.



ILLINOIS
DEPARTMENT OF
NATURAL RESOURCES
Office of Mines and Minerals

524 South Second Street, Springfield, IL 62701-1787

1997 DEC -8 P 2:44
Jim Edgar, Governor ● Brent Manning, Director

INDIANAPOLIS
FIELD OFFICE

December 3, 1997

Mr. Andrew R. Gilmore, Director
Office of Surface Mining
Reclamation and Enforcement
575 Pennsylvania Street, Room 301
Indianapolis, Indiana 46204

Re: Draft Illinois 1997 Evaluation Report

Dear Mr. Gilmore:


The Department has reviewed the 1997 Evaluation Report, and appreciates the positive and complimentary comments included. Since OSM has gone to the Regional Coordinating Center concept, and the Department has been dealing directly with the Indianapolis Field Office, relations between our organizations have greatly improved. In our opinion, this improvement has contributed to more efficient allocation of the resources of both organizations.

As indicated in Part V of the report, OSM's oversight has been focused on results, primarily off-site impacts and bond release. Concerning off-site impacts, we are taking measures to reduce their number from the current low level. However, we feel the low number of off-site impacts observed speaks for itself as to the effectiveness of our program.

Though we have not devised a more accurate standard, we do not consider the number of acres receiving bond release as an accurate reflection of acres being reclaimed, or of the contemporaneousness of the reclamation. So many factors outside the Department's control are involved in a permittee's decision to request or not request bond release that we question the fairness of using bond release as a program evaluation tool. In our view, the quality of reclamation can be evaluated by reviewing bond releases but, not the timeliness of reclamation.

Thank you for this opportunity to comment on the 1997 Evaluation Report.

Sincerely,


Donald J. Pflederer, Supervisor
Land Reclamation Division

cc: D. Spindler
C. Holloway
E. Cottrell

W:\WP\OSM97AER.WPD

- ● -

Effective July 1, 1995, the Illinois Department of Natural Resources was created through the consolidation of the Illinois Department of Conservation, Department of Mines and Minerals, Abandoned Mined Lands Reclamation Council, the Department of Transportation's Division of Water Resources, and the Illinois State Museum and Scientific Surveys from the Illinois Department of Energy and Natural Resources.

[printed on recycled and recyclable paper]