

OFFICE OF SURFACE MINING

Annual Evaluation Summary Report

for the

Regulatory and Abandoned Mine Land Programs

Administered by the Department of Health and Environment
Surface Mining Section

of

KANSAS

for

Evaluation Year 1999

October 1, 1998, to September 30, 1999

November 1999

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1999 KANSAS ANNUAL EVALUATION REPORT

I. Introduction

The Surface Mining Control and Reclamation Act of 1977 (SMCRA) created the Office of Surface Mining (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 Kansas Program and the effectiveness of the Kansas Surface Mining Section (KSMS) in meeting the applicable purposes of SMCRA as specified in Section 102. This report covers the period of October 1, 1998, to September 30, 1999.

The primary focus of the OSM oversight policy for the 1999 evaluation year (EY) 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 mine site are protected from impacts during mining, and that areas on the mine site are contemporaneously and successfully reclaimed after mining activities are completed. The new policy emphasizes a shared commitment between OSM and the States to ensure the success of SMCRA through the development and implementation of a performance agreement. Also, the policy this year continues to encourage 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.

To further the idea that oversight is an ongoing process, this annual report is structured to report on OSM's and Kansas' progress in conducting evaluations and completing oversight activities, and on 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 OSM Office in Alton, Illinois.

The following list of acronyms are used in this report:

AML	Abandoned Mine Land
AMLIS	Abandoned Mine Land Inventory System
AOC	Approximate Original Contour
AVS	Applicant/Violator System
EPR	Enhancement and Performance Reviews
EY	Evaluation Year
KSMS	Kansas Surface Mining Section
MCRCC	Mid-Continent Regional Coordinating Center
OSM	Office of Surface Mining
SMCRA	Surface Mining Control and Reclamation Act of 1977
TIPS	Technical Information Processing System

II. Overview of the Kansas Coal Mining Industry

Coal reserves in Kansas are a valued natural resource for the State. These reserves are found in an area covering approximately 18,000 square miles, or 23 percent of the State. The demonstrated reserve coal base is estimated to be 976,700,000 tons, or 0.2 percent of the United States coal reserves. Kansas coal varies from lignite, in north central Kansas, to highly volatile A bituminous, in southeast Kansas. The average number of tons of overburden stripped to each ton of coal is about 13:1. The coal seams in Kansas are usually one to three feet thick. Only the bituminous coal of southeast Kansas is actively mined.

The first record of coal deposits being mined in Kansas was in 1865 as settlers extracted the easily reached coal seams at and near the surface. Beginning in the 1880's, most of the coal produced in southeast Kansas was extracted by deep shaft mining. By 1920, deep shaft mining had given way to a newer, more economical method called strip mining. At the time SMCRA was enacted in 1978, approximately 46,000 acres in 41 counties were affected by coal mining. The resulting hazardous conditions recorded in OSM's Abandoned Mine Land Inventory System (AMLIS) were 173,804 feet of dangerous highwalls; 267.5 acres of dangerous piles and embankments; two hazardous water bodies; 808 vertical openings; 35 hazardous facilities; 39.3 acres of unauthorized industrial and residential dumps on mine lands; and 1,142.3 acres of surface subsidence under towns and roads. Kansas is actively reclaiming these on a priority basis as Abandoned Mine Land (AML) funds become available. No deaths associated with AML hazards were reported during EY1999.

Since the 1917 peak of 7 million tons, coal production in Kansas has steadily declined. In 1981, coal production was 1,361,000 tons. As shown in Table 1, Kansas mines produced approximately 340,000 tons of coal in 1998, slightly up from 1997. Midwestern coal has suffered in recent years because of competition with western coal companies producing low sulfur, less expensive coal, and because of low crude oil and natural gas prices. Federal air quality control legislation, which has tightened air quality emission standards, further reduced the market for the State's high sulfur coal. Coal produced in Kansas is used primarily for power generation.

III. Overview of Public Participation in the Program

Public (citizen) requests for information, assistance, and investigations under Title IV and Title V receive prompt consideration and response. Kansas also coordinates with the appropriate State and Federal agencies in the development and implementation of reclamation projects. Copies of the Citizens Complaint Card are available to the public on request, and copies are on display in the office for visitors to take as needed. This card provides a step-by-step process for citizens that wish to report a problem with coal mining under the Title IV and Title V reclamation programs.

Kansas provides effective public participation opportunities through its community outreach program. In the 1999 evaluation period, the KSMS prepared presentations for a Girl Scout day camp and the Ruitan Club.

KSMS staff participated in several tours of AML reclamation projects, participated on the Gray Bat Forum Team (ongoing), and assisted a graduate student with a Gray Bat research project.

During EY 1999, the State documented 320 citizen visits in its citizen inquiry tracking system. Visitors included the general public, contractors, engineering firms, landowners, and State and Federal agency personnel. The purposes of these visits were to obtain information about AML emergencies, various AML reclamation projects, underground mining, the status of current mining and reclamation, permit applications, bond forfeitures, and miscellaneous other topics. The State also responded to various requests from property owners and others for information about underground mining in the vicinity of structures, residences, proposed construction sites and public utility lines.

IV. Major Accomplishments/Issues/Innovations

One new surface coal mining permit was issued during EY 1999. Mining operations were initiated on this permit area during the review period. Five exploration permit applications were approved in EY 1999 (Table 3).

Kansas conducted Phase I bond releases on 339.8 acres and Phase II and III bond releases on 272.5 acres this evaluation year. A total of 612.3 acres received some form of bond release in EY 1999 (Table 5).

Bond money for three bond forfeiture sites was collected during this evaluation period. A reclamation contract for one of the bond forfeiture sites was awarded during EY 1999. The State anticipates that initial reclamation will be completed during EY 2000. Contracts were awarded on three bond forfeiture sites for scrap, waste oil, and battery removal.

Kansas performed 122 emergency complaint investigations and declared and abated 53 emergencies from October 1, 1998, to August 15, 1999. Emergency complaints are investigated on the day they are reported, and usually within 30 minutes following the complaint. Abatement actions are initiated as soon as safety and weather conditions allow, and are routinely completed within seven days following receipt of an emergency complaint.

KSMS staff provided assistance to various State legislators regarding a proposed bill to regulate non-coal underground mining in Kansas, and the Kansas Department of Transportation on proposed road construction.

Kansas continues to maintain and follow proper internal controls for grant procedures to ensure accountability/responsibility of obligated Federal funds. All grant applications, cost reports, and grant closeout documents have been submitted to OSM in a timely manner.

V. Success in Achieving the Purposes of SMCRA

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

The overall measure of excellence in the AML (Title IV) program is the degree to which States are successful in achieving reclamation goals. One of the primary goals of AML Enhancement and Performance Reviews (EPR) is to improve upon this success. EPRs document each State's ability to achieve desired outcomes. Emphasizing outcomes will allow OSM to justify when the end result is not being achieved and establish a basis for reaching agreement with (and providing assistance to) a State to improve its program.

Individual topic reports that provide additional details on how the following evaluations and measurements were conducted are available in the Alton, Illinois Office.

A. Off-site Impacts

A team of KSMS and OSM staff evaluated the active inspectable units in Kansas for off-site impacts. A sample of 40 State complete inspections and seven joint inspections of active mine permits was used for the evaluation of off-site impacts on 11 active permits in Kansas. Bond forfeiture sites were reviewed separately at the request of the State. There were no off-site impacts identified by the State or Federal inspection reports on active mine permits.

OSM concludes that Kansas effectively ensured that off-site impacts did not occur on active coal mining permits during the 1999 evaluation year. OSM will continue to monitor this element in Kansas during EY 2000.

A sample of ten State and four Federal inspections and supporting information was used for the evaluation of off-site impacts on three bond forfeiture permits. These reports were used to identify seven off-site impacts relating to land stability, hydrology, and encroachment. Off-site impacts identified on the bond forfeiture sites have affected land, water, and structure resources. Half of the off-site impacts were minor, and the other half were moderate. One minor off-site impact was eliminated during the evaluation period. The State has been aware of these problems, and in most cases has been timely and diligent with its reclamation efforts to eliminate the off-site impacts.

In one case, the off-site impacts have existed since 1985. However, in that time period, neither the State nor OSM was required to record or inspect bond forfeiture sites for off-site impacts. It was not until 1997 that OSM clarified its position on identification of off-site impacts on bond forfeiture sites. Since 1997, OSM has been routinely inspecting for

and recording off-site impacts on bond forfeiture sites. These specific off-site impacts were identified in 1998.

After 1998, even though the State has been aware of these off-site impacts and has been expeditious in developing plans to reclaim and resolve these concerns, it has not been identifying off-site impacts on bond forfeiture sites until after they have been addressed by a joint State/Federal inspection.

OSM has concluded that the State is reluctant to identify and report the number and degree of off-site impacts on bond forfeiture sites. OSM will work with the State to ensure that off-site impacts and their magnitude are identified and recorded in the inspection report.

B. Reclamation Success

Kansas reviews, conducts, and approves bond releases in accordance with its approved program. It conducted Phase I bond releases on 339.8 acres and Phase II and III bond releases on 272.5 acres this evaluation year. A total of 612.3 acres received some form of bond release this evaluation year.

Approximate original contour (AOC) has been achieved on 339.8 acres (Phase I bond release) this evaluation year. Documentation of AOC success can be obtained from State and Federal inspection reports prior to Phase I bond release.

The reestablishment of land capability has been demonstrated on 272.5 acres (Phase II bond release). Success was measured by the achievement of surface erosion stability through vegetative cover, terraces, water impoundments, riprap, and other erosion control techniques. This has been documented in State and Federal inspection reports.

Hydrologic balance and successful hydrologic reclamation were accomplished on all areas released from Phase III bond this evaluation year. Success was measured by the achievement of water quality and quantity on 272.5 acres (Phase III bond release). This has been established and documented by State and Federal inspection.

The effectiveness of the State program in achieving contemporaneous reclamation was measured by comparing the bonded acres at the end of the last review period (September 30, 1998) to the number of acres that received Phase I, II, and III bond release this review period. The 1998 evaluation year ended with a total of 5,699.5 bonded acres. Phase I, II, and III bond releases on Kansas permits in EY 1999 totaled 612.3 acres or approximately 10 percent of all mine acres bonded in the State of Kansas. During this same period 22 new acres were bonded. OSM has determined that reclamation is contemporaneous with mining in the State.

Kansas measures successful reclamation and contemporaneous reclamation by using the time and distance requirements established in the approved permit/State regulations. The independent report submitted by the State (Table 6) indicates that reclamation was in compliance with time and distance requirements in the State program.

No remaining activity took place during this evaluation year.

OSM concluded that the data gathered and analyzed for both Table 5 and Table 6 show that Kansas is effectively ensuring successful reclamation on lands affected by surface coal mining operations.

C. Customer Service

Three of five bond releases processed in Kansas from October 1, 1998, to August 1, 1999, were reviewed to evaluate the overall quality of Customer Service and Public Outreach as they pertain to bond release in the State of Kansas. As a result of the review, OSM has determined that Kansas is consistently requiring the permittee or its authorized agent to:

- " Submit an administratively complete application for bond release.
- " Submit affidavits of publication within the required 30 days of the date the application for bond release was filed.
- " Notify all interested parties in writing of the intent to seek bond release.

OSM also determined that the State consistently took the following required actions as a part of its bond release process:

- " An inspection of each release site was conducted within the required 30 days following the application completeness determination.
- " Landowners were notified of the date of all bond release inspections and their right to attend.
- " The permittee, the surety, and all interested parties were notified in writing of the State's decision on each application for bond release.

No public hearings were requested verbally or in writing within the required 30 days of the last date of publication of the public notices and Secretary Orders.

Based on these findings, OSM concludes that Kansas is effectively providing Customer Service and Public Outreach as they pertain to bond release on Title V lands.

A review of AML project files and verification by the State found that Kansas is routinely checking the Applicant/Violator System (AVS) to determine if AML contractors are in the system. These queries are accomplished prior to the contracts being awarded for project reclamation and maintenance in the Title IV program. Kansas is consistently

performing AVS checks on potential AML contractors in a timely and appropriate manner.

Based on these findings, OSM concludes that Kansas is effectively providing Customer Service and Public Outreach as they pertain to Title IV AVS checks on potential AML contractors.

D. Abandoned Mine Land Reclamation

Since program approval on April 14, 1982, Kansas has reclaimed 105,147 feet of dangerous highwall, 27.5 acres of dangerous coal waste piles and embankments, 20.8 industrial/residential waste disposal sites, 22 acres of subsidence, four acres of burning mine refuse, and 574 vertical openings related to underground coal mines. During the evaluation period, Kansas completed reclamation of land and water resources associated with 9,685 feet of dangerous highwall, 4.3 acres of industrial waste, six pits, and 153 vertical openings.

Kansas continues to conduct the AML Emergency Program in an efficient and cost effective manner. Emergency complaints are timely investigated and addressed in accordance with the State Reclamation Plan and emergency directives.

Kansas AML reclamation projects are designed and constructed in accordance with project approval documents. Mitigation requirements for the protection of gray bats (*Myotis grisescens*) are consistently implemented in accordance with State and Federal permit requirements. Projects are monitored and maintained to achieve long term stability, and eventual release from State management. Completed projects have abated all AML hazards in an efficient, cost effective manner.

VI. OSM Assistance

OSM's goal is to provide direct technical assistance to Kansas in all aspects of the Technical Information Processing System (TIPS), electronic permitting initiatives, Geographic Information System, Global Positioning System, and other spatial data technologies. Upon request, OSM provides support for State symposia/conferences, topical seminars, workshops, interactive forums, and specialized on-site training.

In February 1999, OSM provided the State with access to color aerial photography for selected coal mines in Kansas. Color stereoscopic photographs can be obtained by Kansas through a vendor at a greatly reduced cost, or the State has the option to create its own computer generated photogrammetric images. OSM has provided the State with scanned aerial photo negatives which have been placed on CD-ROMs for generating computer photographs.

The State has received a Calcomp Map scanner, a new plotter, and a Dell NT Workstation as part of the first phase of the TIPS UNIX to NT conversion in EY 1999.

Five different Kansas employees attended one or more of the following training sessions presented by OSM s Technical Training Program Branch:

- | | |
|----------------------------------|------------------------------------|
| -Acid Forming Materials | -AMLIS |
| -AML Design (Dangerous Openings) | -SEDCAD+ |
| -ARC/INFO | -Enforcement Tools And Application |
| -Permitting Hydrology | |

Mid-Continent Regional Coordinating Center (MCRCC) is providing technical assistance to the State by developing the reclamation plan design on a bond forfeiture site. Work on this project will continue into the next evaluation year.

VII. General Oversight Topic Reviews

The following oversight topics were reviewed during EY 1999. The detailed Evaluation and Findings Reports are available on request at the MCRCC in Alton, Illinois.

A. AML On-The-Ground Reclamation

Since EY 1996, Kansas completed between two and five AML reclamation projects each year. An evaluation of active and completed projects indicates that Kansas designs and constructs projects which succinctly address the Priority 1 and 2 hazards. Reclaimed sites meet objectives outlined in the environmental analysis documents and project proposals without undue environmental consequences.

B. Customer Service And Public Outreach

Three of five bond releases processed in Kansas from October 1, 1998, to August 1, 1999, were reviewed to evaluate the overall quality of Customer Service and Public Outreach as they pertain to bond release in the State of Kansas. No public hearings were requested verbally or in writing within the required 30 days of the last date of publication of the public notices and Secretary Orders. Based on these findings, OSM concludes that Kansas is effectively providing Customer Service and Public Outreach as they pertain to bond release on Title V lands.

A review of AML project files and verification by the State indicates that Kansas is routinely checking the AVS to see if AML contractors are in the system. These queries are accomplished prior to the contracts being awarded for project reclamation and maintenance in the Title IV program. Based on these findings, OSM concludes that Kansas is effectively providing Customer Service and Public Outreach as they pertain to Title IV AVS checks on potential AML contractors.

C. Off-site Impacts (Active Sites)

A joint KSMS/OSM Team evaluated the active inspectable units for off-site impacts. A representative sample of State and Federal inspections of active mines was used for the evaluation of off-site impacts on all active permits. Bond forfeiture sites were not included in this review. There were no off-site impacts identified by the inspection reports. Based on these findings, OSM concluded that off-site impacts have not occurred on the active permits in the State of Kansas during this review period.

D. Off-site Impacts (Bond Forfeiture)

A sample of ten State and four Federal inspections and supporting information was used for the evaluation of off-site impacts on three bond forfeiture permits. These reports were used to identify seven off-site impacts relating to land stability, hydrology, and encroachment. Off-site impacts identified on the bond forfeiture sites have affected land, water, and structure resources. Half of the off-site impacts were minor, and the other half were moderate. One minor off-site impact was eliminated during the evaluation period.

After 1998, even though the State has been aware of these off-site impacts and has been expeditious in developing plans to reclaim and resolve these concerns, it has not been identifying off-site impacts on bond forfeiture sites until after they have been addressed by a joint State/Federal inspection.

OSM has concluded that the State is reluctant to identify and report the number and degree of off-site impacts on bond forfeiture sites. OSM will work with the State to ensure that off-site impacts and their magnitude are identified and recorded in the inspection report.

E. Successful Reclamation

Kansas reviews, conducts, and approves bond releases in accordance with its approved program. A total of 612.3 acres received some form of bond release this evaluation year.

AOC have been achieved, the reestablishment of land capability has been demonstrated, hydrologic balance and successful hydrologic reclamation have been accomplished, and reclamation is contemporaneous with the rate of mining in the State.

OSM has determined that Kansas is effectively ensuring successful reclamation is being achieved on all lands affected by surface coal mining operations during EY 1999.

F. AML Emergency Reclamation

Kansas performed 122 emergency complaint investigations and declared and abated 53 emergencies from October 1, 1998, to August 15, 1999. Emergency complaints are investigated during the same day and completed within seven days following receipt of an emergency complaint.

OSM concludes that Kansas has consistently responded to AML emergency complaints and abated declared AML emergencies in a timely and cost effective manner in accordance with the State Reclamation Plan.

G. AML Information/Accomplishment Tracking

Problem areas are updated in the national AMLIS when projects are funded and again after project completion. Kansas has successfully maintained its part of AMLIS by entering each new problem area and any new problems or changes within existing problem areas when they are identified.

OSM has concluded that the Kansas program is effective in maintaining AMLIS as required to supply the informational needs of the AML program.

Appendix A: Tabular Summaries of Data Pertaining to Mining, Reclamation, and Program Administration.

These tables present data pertinent to mining operations and State and Federal regulatory activities within Kansas. They also summarize funding provided by OSM and Kansas staffing levels. Unless otherwise specified, the reporting period for the data contained in all tables is October 1, 1998, to September 30, 1999. Additional data used by OSM in its evaluation of Kansas performance is available for review in the evaluation files maintained by the Alton, Illinois, OSM Office.

TABLE 1

COAL PRODUCTION (Millions of short tons)			
Period	Surface mines	Underground mines	Total
Coal production ^A for entire State:			
Annual Period			
1996	0.78	0	0.78
1997	0.33	0	0.33
1998	0.34	0	0.34

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

TABLE 2

INSPECTABLE UNITS												
As of September 30, 1999												
Coal mines and related facilities	Number and status of permits									Permitted acreage^A (hundreds of acres)		
	Active or temporarily inactive		Inactive		Abandoned		Totals		Insp. Unit^D			
	IP	PP	Phase II bond release									
			IP	PP	IP	PP	IP	PP	IP	PP	Total	
STATE and PRIVATE LANDS REGULATORY AUTHORITY: STATE												
Surface mines	0	9	0	0	0	0	0	9	9	0	48.9	48.9
Underground mines	0	0	0	0	0	0	0	0	0	0	0.0	0.0
Other facilities	0	4	0	0	0	0	0	4	4	0	8.8	8.8
Sub totals	0	13	0	0	0	0	0	13	13	0	57.7	57.7
FEDERAL LANDS REGULATORY AUTHORITY: STATE												
Surface mines	0	0	0	0	0	0	0	0	0	0	0	0.0
Underground mines	0	0	0	0	0	0	0	0	0	0	0	0.0
Other facilities	0	0	0	0	0	0	0	0	0	0	0	0.0
Sub totals	0	0	0	0	0	0	0	0	0	0	0	0.0
ALL LANDS^B												
Surface mines	0	9	0	0	0	0	0	9	9	0	48.9	48.9
Underground mines	0	0	0	0	0	0	0	0	0	0	0.0	0.0
Other facilities	0	4	0	0	0	0	0	4	4	0	8.8	8.8
Totals	0	13	0	0	0	0	0	13	13	0	57.7	57.7
Average number of permits per inspectable unit (excluding exploration sites)											1	
Average number of acres per inspectable unit (excluding exploration sites)											444	
Number of exploration permits on State and private lands:								5	On Federal lands:		0	C
Number of exploration notices on State and private lands:								0	On Federal lands:		0	C
<p>IP: Initial regulatory program sites.</p> <p>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
As of September 30, 1999**

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	1	1	22	0	0		0			1	1	22
Renewals	0	0	0	0	0		0	0	0	0	0	0
Transfers, sales and assignments of permit rights	0	0		0	0		0	0		0	0	
Small operator assistance	0	0		0	0		0	0		0	0	
Exploration permits	5	5		0	0		0	0		5	5	
Exploration notices ^B		0			0			0			0	
Revisions (exclusive of incidental boundary revisions)		0			0			0			0	
Incidental boundary revisions		0			0			0			0	0
Totals	6	6	22	0	0	0	0	0	0	6	6	22

OPTIONAL - Number of midterm permit reviews completed that are not reported as revisions 0

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

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

TABLE 4

10/01/1998 to 08/15/1999

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 TOTAL NUMBER OF EACH TYPE	Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0
	Land Stability	0	0	0	0	0	0	0	0	0	0	0	0	0
	Hydrology	0	0	0	0	0	0	0	0	0	0	0	0	0
	Encroachment	0	0	0	0	0	0	0	0	0	0	0	0	0
	Other	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	0	0	0	0	0	0	0	0	0	0	0	0	0

The objective of this table is to report all off-site impacts identified on active sites regardless of the source of the information. More than one resource may be affected by each type of impact. Impacts related to mine subsidence or other areas where impacts are not prohibited are not included in this table. Refer to report narrative for a complete explanation and evaluation of the information provided by this table.

TABLE 4A

10/01/1998 to 09/01/1999

OFF-SITE IMPACTS ON BOND FORFEITURE SITES														
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 TOTAL NUMBER OF EACH TYPE	Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0
	Land Stability	3	0	0	0	1	2	0	0	1	0	0	0	0
	Hydrology	3	0	0	0	1	1	0	2	1	0	0	0	0
	Encroachment	1	0	0	0	0	0	0	0	0	0	1	0	0
	Other	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	7	0	0	0	2	3	0	2	2	0	1	0	0

The objective of this table is to report all off-site impacts identified on bond forfeiture sites regardless of the source of the information. More than one resource may be affected by each type of impact. Impacts related to mine subsidence or other areas where impacts are not prohibited are not included in this table. Refer to report narrative for a complete explanation and evaluation of the information provided by this table.

TABLE 5

ANNUAL STATE MINING AND RECLAMATION RESULTS EY 1999		
Bond release phase	Applicable performance standard	Acreage released during this evaluation period
Phase I	* <input type="checkbox"/> Approximate original contour restored * <input type="checkbox"/> Topsoil or approved alternative replaced	339.8
Phase II	* <input type="checkbox"/> Surface stability * <input type="checkbox"/> Establishment of vegetation	272.5
Phase III	* <input type="checkbox"/> Post-mining land use/productivity restored * <input type="checkbox"/> Successful permanent vegetation * <input type="checkbox"/> Groundwater recharge, quality and quantity restored * <input type="checkbox"/> Surface water quality and quantity restored	272.5
	Bonded Acreage Status^A	Acres
	Total number of bonded acres at end of last review period (September 30, 1998) ^B	6,025.55
	Total number of bonded acres during this evaluation year	22
	Number of acres bonded during this evaluation year that are considered remaining, if available	0
	Number of acres where bond was forfeited during this evaluation year (also report this acreage on Table 7)	2,055.55
<p>^A Bonded acreage is considered to approximate and represent the number of acres disturbed by surface coal mining and reclamation operations.</p> <p>^B Bonded acres in this category are those that have not received a Phase III or other final bond release (State maintains jurisdiction).</p>		

Table 6
EY 1999
CONTEMPORANEOUS RECLAMATION

	180 Day * Backfilling and Grading	4 Spoil ** Ridges	120 Day *** Topsoil Replace- ment	Seeding **** and Planting	Total Incidences
Incidences	0	0	0	0	0

*= The number of times when the active pit was not backfilled and graded within 180 days of coal removal.

**= The number of times there was more than four spoil ridges standing behind the active pit.

***= The number of times there was more than 120 days between backfilling the pit and replacing

****= The number of times a permit area was not seeded during the first favorable planting season.

TABLE 7

**STATE BOND FORFEITURE ACTIVITY
EY 1999
(Permanent Program Permits)**

	Number of Sites	Dollars	Disturbed Acres
Bonds forfeited as of September 30, 1998 ^A	2	1,135,344	780.70
Bonds forfeited during EY 1999 ^C	3	2,132,009	2055.55
Forfeited bonds collected as of September 30, 1998 ^A	2	1,135,344	780.70
Forfeited bonds collected during EY 1999	3	2,132,009	2,055.55
Forfeiture sites reclaimed during EY 1999	0	0 ^B	0
Forfeiture sites repermited during EY 1999	0		0
Forfeiture sites unreclaimed as of September 30, 1999	5		2,836.25
Excess reclamation costs recovered from permittee	0	0	
Excess forfeiture proceeds returned to permittee	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.

^C Kansas does not consider the bond forfeited until the bond is collected.

TABLE 8

KANSAS STAFFING (Full-time equivalents at end of evaluation year)	
Function	EY 1999
Regulatory program	
Per mit view	1.63
In s etio n99
O t h e r a d m i n i s t r a t i v e , f i n a n c i a l , p e r s o n n e l , t e c98
TOTAL	3.60

TABLE 9

FUNDS GRANTED TO KANSAS BY OSM (Millions of dollars) EY 1999		
Type of grant	Federal funds awarded	Federal funding as a percentage of total program costs
Administration and Enforcement	\$0.11	50%
Small Operator Assistance Program	\$0.00	0%
Totals	\$0.11	

Appendix B: State Comments on Report

**OSM S ACTIONS ON THE KANSAS COMMENTS REGARDING
THE 1999 ANNUAL EVALUATION REPORT**

OSM made changes in the Kansas Annual Report that incorporate all the State s comments offered in their November 1, 1999, letter except part of comment ten. The State commented that ...The final evaluation report needs to include the figures for funding the States AML Program. OSM and the State subsequently agreed in a telephone conversation to wait until EY 2000 to address this issue.

During the week of November 8, 1999, several telephone conversations were held with KSMS personnel concerning the numbers in Table 2, Table 5, and Table 7. Some of the numbers in these tables were changed and agreed to by both State and OSM personnel.