

**OFFICE OF SURFACE MINING
INDIANAPOLIS FIELD OFFICE**

**ANNUAL EVALUATION REPORT
REGULATORY
AND
ABANDONED
MINE LAND PROGRAMS**

**ILLINOIS DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION
AND
ABANDONED MINE LAND RECLAMATION
PROGRAMS**

EVALUATION YEAR
2001

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Cover Photo is of a tractor spreading mulch at the Sahara Woods AML project in Saline County, Illinois

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 for OSM to oversee the implementation of, and provide Federal funding for State regulatory and abandoned mine land programs approved by OSM as meeting the minimum standards specified by SMCRA. This report contains summary information regarding the Illinois Regulatory and Abandoned Mine Land (AML) Programs and the effectiveness of these programs in meeting the applicable purposes of SMCRA as specified in section 102. This report covers the period of October 1, 2000 to September 30, 2001.

The primary thrust of OSM's oversight policy is a strategy that evaluates the end result of State program implementation. Regulatory program oversight focuses on State success in ensuring that areas off the mine site are protected from impacts during mining, and that areas on the mine site are reclaimed contemporaneously and successfully after mining activities are completed. This policy emphasizes State-specific evaluation plans worked out by consensus between OSM and the State in an annual performance agreement. The policy also encourages public participation as part of the oversight strategy. Besides the primary focus on evaluating end results, 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 an ongoing process. To further the purpose of continuous oversight, this report will present OSM and Illinois progress in conducting evaluations and completing oversight activities, as well as accomplishments during this 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 Field Office (IFO), 575 North Pennsylvania Street, Indianapolis, Indiana 46204. The Field Office may also be reached at 317-226-6700, or via E-mail at ifomail@osmre.gov. The IFO will mail copies of specific reports, when requested.

The following list of acronyms are used in this report:

AMD----- Acid Mine Drainage
 AML----- Abandoned Mine Land
 AMLRD---- Illinois AML Reclamation Division
 AOC-----Approximate Original Contour
 EPR-----Enhancement and Performance Review
 EY -----Evaluation Year
 IFO-----Indianapolis Field Office

LRD----- Land Reclamation Division
 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**

Illinois is one of the largest coal producing states in the nation. It has the largest known bituminous coal reserve of any state. About two-thirds of the state's area (36,806 out of 56,400 square miles) is underlain by coal bearing Pennsylvanian Era rock. Strata of the Pennsylvanian system underlie all or parts of 86 of the 102 counties of the state. An estimated 181 billion tons of coal resources are still in the ground. Using present mining methods, more than 30 billion tons are classified as recoverable.

Surface, underground and auger mining methods are used in Illinois to extract the mineral, with a small amount produced from carbon recovery operations. The amount of coal mined in Illinois during 2000 was 33 million tons. This represents a decrease of 7 million tons from 1999.

Most of Illinois' coal is consumed by electric utilities. About two-thirds of Illinois coal is sold to out-of-state electric utilities. Most electric utilities, however, burn a combination of local and out-of-state coal since Illinois coal is relatively high in sulfur content, which makes it difficult to meet national Clean Air Act standards. Coal from some western states is low in sulfur, and may be blended with high sulfur Illinois coal which helps in meeting air pollution requirements, but hurts Illinois' coal economy. Phase II of the Clean Air Act amendments which went into effect January 1, 2000, may complicate the matter even further.

On the other hand, the Clean Air Act amendments may, in part, account for a more optimistic outlook for the Illinois coal industry which surfaced during 2001. After years of slow decline in coal production, generally attributed to the 1990 Clean Air Act, such experts as the Illinois Department of Commerce and Community Affairs, and Southern Illinois University's Coal Research Center are predicting a turnaround. Indeed, the State issued six new permits for mines in the past two years, and additional mines are seeking to expand. Stricter regulations could require anti-pollution devices to be used on essentially all plants burning coal, not just the burning of high-sulfur coal like that produced in Illinois. It is considered likely that this would make Illinois coal more competitive. Power companies can mix inexpensive Illinois coal with costlier, but cleaner Western coal and still meet pollution limits.

Recoverable coal reserves in Illinois account for nearly one-eighth of the total U.S. coal reserves, and one-quarter of the nation's bituminous coal reserves. As of September 30, 2001, there were 23 active coal mines in Illinois. Of these, seven are surface mines, twelve are underground mines, and four are carbon recovery operations. While no active surface mining is currently occurring on Federal lands in Illinois, active long-wall underground mining is on Federal land, which is part of an underground mine, most of which is not on Federal land.



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

IFO Oversight Outreach and Public Participation Activities

During Evaluation Year (EY) 2001 the IFO continued the use of the OSM tracking system started last year, which helped facilitate the public participation process. This plan provided a systematic means of tracking all citizen interactions to ensure timely follow up, both with the citizen and within OSM itself. The IFO also continued to use the citizen guide on a 5 ½ by 8 ½ inch card outlining information about how to report current or past coal mining problems.

The IFO Internet website was available and active during EY 2001. This website, <http://www.mcrcc.osmre.gov/Indianapolis/Indianap.htm>, contains the current year Performance Agreement and Workplans, the most recent Annual Report, describes the functions of the IFO and its relationship with the Office of Mines and Minerals (OMM), and explains how to report a problem to either the IFO or the Land Reclamation Division (LRD). Also available on the website are various activities that the IFO was involved in that the general public may have an interest in.

Illinois Department of Natural Resources, Office of Mines and Minerals Public Participation Activities

The OMM continued public outreach at State and County Fairs during EY 2001 to make citizens aware of its processes, abandoned mine land (AML) programs, and citizens' rights regarding surface coal mining and reclamation activities. The public has historically not had much information about past or modern mining and reclamation techniques, or about the coal mined in Illinois and its uses. This affects public attitude towards mining, AML activities and the role of regulatory agencies. The OMM

participates in a variety of programs to provide information. These other activities include Earth Day programs, Conservation Fairs, Eco-Meets, Coal Awareness Day, teacher education workshops, and classroom presentations. OMM's education materials most favorably 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 OMM's education programs are oriented toward school age children, although several thousand people of all ages visit OMM's exhibits at the two annual State Fairs. This year the OMM's educational program was increasingly active.

In addition, the OMM's Website continues to receive hundreds (historically about 1000) of visits per month. Although the OMM is no longer monitoring website visits, the website continued to serve as a valuable means of public participation for the agency during this reporting period.

During EY 2001, the OMM/LRD interacted with a group of citizens concerning an application for a permit to mine an area near a river and a nature preserve that is home to four endangered species.

IV. **Major Accomplishments/Issues/Innovations in the Illinois Program**

The Illinois OMM maintained both its Regulatory and AML Programs in a manner that assures that they meet minimum national standards and effectively protect against adverse effects from coal mining operations.

Illinois successfully maintains a cooperative agreement with OSM to administrate the State program on any federally owned land.

Illinois submitted one formal program amendment proposal to OSM in EY 2001. This amendment, revised the State Act in the areas of Lands Eligible for Remining, abolished the Interagency Committee, amended the Lands Unsuitable Petition process, and deleted rulemaking provisions inconsistent with the Illinois Administrative Procedures Act. At the close of the evaluation year, this amendment was awaiting publication in the *Federal Register*.

Illinois continues to administer its program in a way that effectively protects citizens and the environment from adverse environmental impacts resulting from surface coal mining activities.

The Prairie Rivers Network Conservation Group objected to a permit for the Black Beauty Coal Company to mine coal in Vermilion County near the Little Vermilion River,

and the Carl Flierman Nature Preserve that is home to endangered species. Some area residents also objected because of dust, pollution, and noise. The Vermilion Grove Mine is an underground mine with a surface operation covering 448 acres near the communities of Vermilion Grove and Olivet in east central Illinois.

The OMM held an administrative review on its decision to grant the permit. The State issued the permit, which was challenged and subsequently an administrative hearing was held in EY 2001. The Hearing Officer ruled in favor of the State.

Under the Open Lands Trust Act passed in 1999, the Illinois Department of Natural Resources purchased significant acreage of surface mined land from Arch of Illinois to expand Pyramid State Park. The main goal of this Act is the protection and preservation of open lands, natural areas, wetlands, prairies, forests, watershed, resource-rich areas, greenways and fish and wildlife habitats. The purchase of the Arch property, the largest to date, is especially important considering that Illinois ranks 48th in the country in public land per capita. Plans for the property include multiple uses in keeping with the purposes of the Act.

The Illinois Program has consistently been one that has encouraged operators to mine and reclaim responsibly. The positive interaction between the regulators and the industry is evident by the number of OSM Awards that Illinois has received over the years.



Since the inception of the OSM awards, the accomplishments of the following Illinois operators have been recognized:

<i>Year of Award</i>	<i>Company</i>	<i>Mine</i>
1987	Arch of Illinois	Captain
1992	Arch of Illinois	Denmark
1993	Peabody Coal Company	River King # 3
2001	Black Beauty Coal Company*	Mines in Illinois and Indiana

* OSM Directors Award

During the EY 2001 evaluation period, an Illinois operator received the OSM Director's Excellence in Surface Mining Reclamation Award. This history of awards is certainly an indicator of a positive working relationship between the industry and the State Regulatory Authority and reflects the type of outstanding reclamation that operators in Illinois are capable of achieving.

During this evaluation period, bond releases in Illinois have greatly increased compared to past years. This trend is expected to continue as the shift from surface mines to underground mines continues, thus decreasing the annual amount of acreage affected, and as more reclaimed acreage satisfies the five-year extended liability period

The Illinois Abandoned Mine Land Reclamation Division (AMLRD) Program maintained its usual responsiveness to public concerns. The AML staff routinely responds to numerous public inquires concerning AML problems, and continues a successful program of public education.

An overall assessment of the Illinois AML Program in EY 2001 indicates that the AMLRD was effective in reclaiming mined areas left without adequate reclamation. Substantial progress was made toward the goal of mitigating the adverse effects of past coal mining posing public health and safety problems and lower priority environmental problems also. The AML Emergency Program was effective in meeting public safety needs during EY 2001.

The Illinois AML Program continued to make progress during EY 2001 toward reaching Clean Streams Initiative goals. Clean Streams activities in Illinois are focused primarily on the remediation of acid mine drainage within the Saline River watershed.

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, findings from performance standard and public participation evaluations relating to the following are reported nationally by OSM:

1. The number and extent of observed off-site impacts,
2. The number of acres mined and reclaimed which meet bond release requirements for the various phases of reclamation, and
3. The effectiveness of the State's customer service.

Individual topic reports that provide specific detailed information concerning each of these oversight areas are available in the Indianapolis Office.

A. Off-Site Impacts

A primary focus of SMCRA is the protection of the public, property, and the environment from adverse effects of active coal mining operations. The goal, therefore, is that there be no impacts, or no greater than minimal impacts outside the permit area. To accomplish this goal, State programs strive to continually decrease the occurrence of off-site impacts.

The IFO and LRD conducted a joint evaluation in EY 2001 to determine the effectiveness of the State program in protecting the public and the environment from off-site impacts caused by surface mining and reclamation operations. Conclusions were based on data from IFO complete oversight inspections along with data reported by the State. The LRD inspected a total of 93 inspectable units in EY 2001 and found five off-site impacts on five inspectable units. The off-site impacts were hydrologic in nature, which affected water resources to a minor degree. Eighty-eight of the 93 inspectable units (94.6%) were absent any off-site impacts. The five off-site impacts observed by the LRD during this evaluation year indicate a trend of decreasing occurrences. The LRD observed six off-site impacts in EY 2000, and nine in EY 1999.

In EY 2001, IFO observed two off-site impacts on two mine sites in the course of making complete inspections on 31 inspectable units. The IFO found 93.5% of the inspectable units it inspected were absent any off-site impacts. The two off-site impacts noted were a hydrologic impact affecting water resources to a minor degree. IFO data verified the State reported information of a very high percent of impact-free of inspectable units.

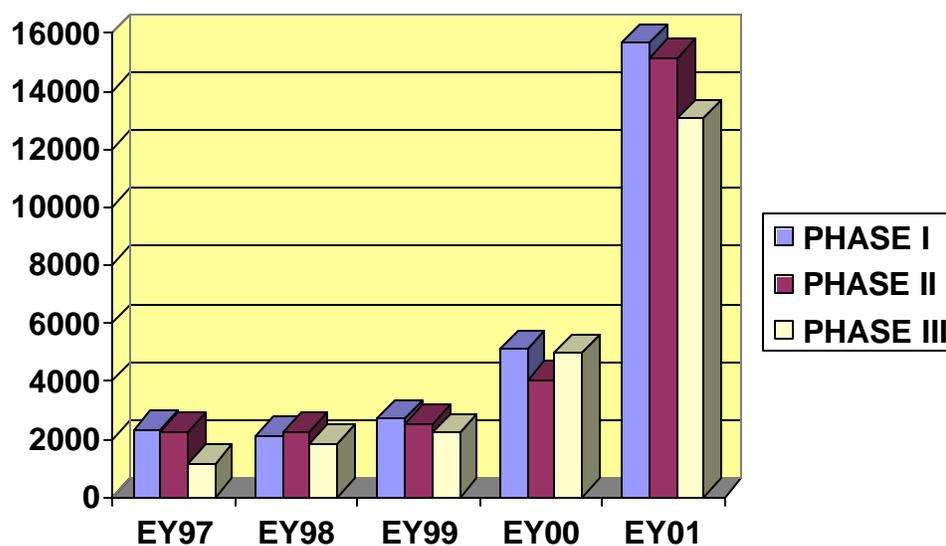
The IFO did not issue any Ten-Day Notice in EY 2001 relating to off-site impacts. All violations observed by the IFO, which had an off-site impact, were previously addressed by the State.

The IFO concludes from its evaluation that Illinois administered its program during EY 2001 in a way that effectively protected the public and the environment from adverse off-site impacts caused by surface coal mining operations.

B. Bond Release (Reclamation Success)

Thousands of acres of land affected by surface coal mining operations were successfully reclaimed during the evaluation year as noted in Appendix A, Table 5. These data, summarizing the number of acres on which successful reclamation was achieved and bond was released in EY 2001, provide a baseline for a comparison with bonded acres existing at the beginning of the review period and the number of new acres bonded during the review period. A significant portion of the acres released this EY were associated with the Arch – Captain complex land acquisition by the State. Even if these acres were discounted from the total acres released this year, more acres were released during the 2001 EY than any of the previous five years. This information may be taken as one indicator for evaluating the overall success in which reclamation is staying current with mining.

PREVIOUS 5 YEAR BOND RELEASES



The IFO/State 2001 Performance Agreement included a Land Restoration Performance Measurement. It specified that the IFO would field review OMM bond releases to determine if acres of bond released demonstrate acres of successful reclamation, as hypothesized in OSM Directive REG-8.

Specifically, the following elements were evaluated for successful reclamation:

Land Form/Approximate Original Contour and Soil Replacement

The criterion for determining whether reclaimed lands are reconstructed appropriately is whether it has been returned to its approximate original contour (AOC), including soil replacement. For the purposes of this evaluation, Phase I bond releases were used as the indicator that the AOC had been achieved, and soils had been replaced. For the evaluation period, the approximate premining contour and soil replacement were achieved for 15,662 acres.

Surface Stability and Establishment of Vegetation

For the purposes of this evaluation, surface stability and the establishment of vegetation were measured by the acres of Phase II bond released. For the evaluation period, Illinois was successful in achieving surface stability and in establishing vegetation on 15,128 acres.

Establishment of Post Mining Land Use and Productivity Restoration

Post mining land use attainment and the establishment of a successful and appropriate vegetative cover, including restoration of productivity (where appropriate), were measured by the number of acres that received Phase III bond release. For the evaluation period, 13,050 acres had Phase III bond released and therefore, are considered to have attained the approved post mining land use, and have appropriate successful vegetative cover, including restoration of productivity. This can be compared to 4,976 acres released for the previous evaluation year.

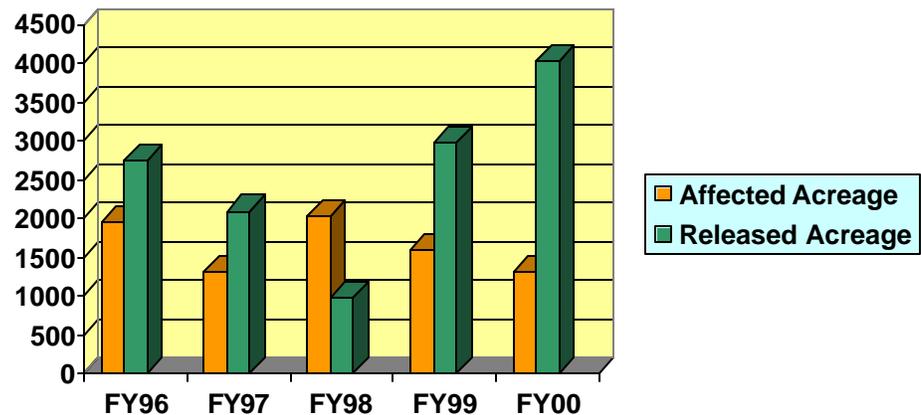
Hydrologic Reclamation

OSM Directive REG-8 makes the assumption that successful restoration of surface and groundwater quality and quantity would be measured by the accounting of acres of Phase III bond release achieved. While this likely is a valid measure in Illinois, the State and OSM are working to improve the acquisition, management and interpretation of hydrologic data. Illinois released 13,050 acres for Phase III during the evaluation period.

Contemporaneous Reclamation

The IFO gained a general idea of how successfully reclamation is staying current with mining by comparing the number of acres affected to the number of acres on which phase III bond had been released by the LRD during each year of the last five State fiscal years. Nearly twice as many acres were released as were affected during that period, which is a good indication that reclamation is contemporaneous. Findings that no violations of the requirement for contemporaneous reclamation existed during IFO complete mine site evaluations in Illinois during EY 2001 is another good indication that reclamation is staying current with mining. Note: Acreage released on the chart on page 8 are not the same for the below chart due to the difference in time periods, that is FY vs. EY.

Illinois Contemporaneous Reclamation (IL FY)



C. Customer Service

OSM's REG-8 requires an evaluation of the effectiveness of customer service provided by the State. The IFO chose to evaluate the effectiveness of customer service provided by the OMM in responding to citizen inquiries about the location of underground mines.

Based on the results of its evaluation review, the IFO concluded that the LRD is effectively providing this service. Also, based upon this review, the IFO offers a suggestion which may enhance effectiveness: that LRD's Internet website prominently feature its own customer service rather than pointing to the State Geological Survey.

VI. OSM Assistance

The primary mode of OSM assistance to Illinois is through grant funding. The amount of grant funding awarded to Illinois for the operation of the regulatory program in EY 2001 was \$2.68 million (Appendix A, Table 9). OSM provided 50% of the total funding necessary for regulatory program operation. OSM provided 100% funding for the Abandoned Mine Land Program in Illinois, which totaled \$8.86 million in EY 2001.

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

- OSM technical training courses were offered throughout the year which address technical aspects of mining and reclamation. These courses were provided for State participants and OSM employees, as well as industry and others on a space available basis.
- OSM provides the Technical Information Processing System including local workstations and software for State use. The OSM also provides training and support. Illinois uses the system for a variety of tasks related to permit application processing and other technical or engineering evaluations. The technical staff continues to work with the State to develop and implement an electronic permitting program.
- Informal discussions occurred between OSM and State management and staff that are the product of a good working relationship. Informal assistance is provided regarding field or program implementation issues on a continuous basis.

VII. General Oversight Topic Reviews

In addition to the off-site impact, reclamation success/bond release, and customer service reviews, IFO is conducting 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.

- ? **Groundwater Monitoring:** In EY 2000, a joint LRD/IFO team completed a review of LRD procedures to determine if they provided timely collection, reporting, and review of groundwater monitoring information necessary for informed decision making. The team reviewed State rules, regulations and guidance pertaining to groundwater monitoring; the different groundwater monitoring plans contained in the mine permits; and current LRD procedures and staff responsibilities pertaining to the collection, reporting review and database entry of groundwater monitoring information.

This joint effort resulted in specific recommendations for improving Illinois' groundwater monitoring program to be implemented in July 2001. These recommendations were published in IFO's 2000 Annual Report. The IFO's EY 2001 oversight consisted of evaluating the State's implementation of team recommendations.

In EY 2001 the LRD provided the IFO with a letter describing which of the team recommendations it would implement, followed by a letter describing the actions taken to implement the recommendations. During EY 2001, the LRD initiated actions to implement many of the team's recommendations including increasing the frequency at which groundwater data is reviewed and interpreted by the LRD; forwarding groundwater monitoring data from field files to the LRD hydrologist; and developing a tracking sheet for use by inspectors to ensure ground water monitoring is conducted as required. Use of the tracking sheet is dependent upon completion of entry of each permit's groundwater monitoring requirements into the LRD groundwater database and is projected to be completed by the end of 2001. The IFO will follow-up in EY 2002 to determine if the database entry is completed and use of the tracking sheets is initiated. In addition, training was provided to LRD staff pertaining to the collection, reporting, and review of groundwater monitoring information.

Although not yet completed, implementation of the team recommendations along with other recent improvements the LRD is making such as identifying the location of groundwater wells in the GIS and providing permittees the ability to submit ground water monitoring data electronically, will improve the LRD hydrology program.

- ? **Long-term Pollutational Discharge Survey:** During EY 2001 the IFO assisted the LRD by surveying the Illinois coal field to determine if there were any permanent program permits that had a potential for post-reclamation acid mine drainage (AMD) discharge and, if left untreated, would prevent bond release. Of the 345 permanent program permits issued in the State of Illinois, only four sites have been

identified as AMD sites. At three of the four sites the operator is actively treating the discharged water prior to it entering a receiving stream. At the fourth site, the bond was forfeited and the site was reclaimed by the State.

Review of Impoundment Break-Through Potential into Underground Mine

Works: As a result of the October 11, 2000, impoundment failure in Martin County, Kentucky, OSM evaluated the break-through potential for impounded water, coal slurry, or other coal processing by-products to drain in an uncontrolled manner into underground mines. The IFO found that there are three impoundments in Illinois that posed a high potential for break-through into inactive underground mines. All three of these impoundments are being monitored by MSHA. Fourteen impoundments were identified as having a moderate potential for breakthrough into underground workings. All 14 impoundments have more than 100 feet of vertical distance between the mine workings and the floor of the impoundment. Twenty-nine impoundments were identified as having a low potential. Further, it was determined that if any of the potential impoundments were to break-through, the material from the impoundments would probably be retained in the underground workings of the mine with no means of exiting the mine workings.

- ? **Complete Inspections:** During EY 2001, the IFO conducted mine site evaluations on a sample of 31 active mining operations to gain an overview of the on-the-ground impacts of these operations. In so far as possible, these inspections were conducted jointly with State inspectors.

During these complete inspections, only six on-the-ground violations were found. The IFO concluded that the small number of on-the-ground impacts identified during the evaluation year indicate that the LRD is successfully ensuring that coal mining is being conducted in a manner that causes few adverse on-the-ground impacts.

- ? **Abandoned Mine Land Reclamation:** In EY 2001 the IFO conducted an evaluation of the Illinois Department of Natural Resources, Abandoned Mine Land Reclamation Division's administration of its approved AML Program. Program functions to be evaluated were mutually agreed to in the EY 2001 Performance Agreement with the AMLRD. Enhancement and Performance Reviews (EPR) were conducted in accordance with OSM Directive AML-22: Evaluation of State and Tribal Abandoned Mine Land Programs, and the negotiated agreement.

The purpose of IFO oversight was to assure proper implementation of the

approved AML Program, to determine if improvements or enhancements may be realized, and to provide assistance and support.

Evaluation and assistance in EY 2001 was in the following general program areas:

- Program responsiveness to the public
- Maintenance of, and adherence to, the approved AML Plan
- Effectiveness of “on the ground” reclamation
- Maintaining system of accountability and responsibility for AML funds

The results of IFO’s EY 2001 AML oversight evaluations are summarized below.

State AML Staff Training: At the State’s request, the EY 2001 AML Performance Agreement included OSM training for all the State AML Program staff. The purpose of this training was to increase the participants’ knowledge and understanding of State AML Program requirements under SMCRA and its implementing regulations. The training was a first-time course for several State employees, and a refresher for others. The Illinois AMLRD manager suggested a one-day course for his entire staff. OSM developed course material, selected qualified instructors, and conducted the training.

Training was completed in April 2001. A total of 31 State employees participated, and 100 percent of the 24 course evaluations returned rated the course as satisfactory or better.

Finding Financial Support for Underground Mine Mapping Project: The Illinois AMLRD undertook an underground mine mapping initiative in EY 2000, using state-of-the-art technology, to help the public make informed decisions relating to actions in at-risk areas. There was need, however, for additional funding to support the effort, so the AMLRD asked the IFO to help locate potential funding sources. The Illinois AMLRD will pursue State funding, and the IFO will pursue additional Federal funding, and provide technical assistance as needed. The IFO’s efforts during EY 2001 did not yield any viable Federal funding sources for the State’s mapping initiative. The State did not request technical assistance from the IFO in EY 2001.

Establish/Enhance Formal State Post-Construction Evaluation Process:

The object of this cooperative effort was to establish a formal self-evaluation process. The EY 2001 review indicated that one more existing program component should be examined prior to making suitable recommendations concerning a formal internal evaluation process. That component is the AMLRD's program information system. A review of that system is included in the EY 2002 Performance Agreement.

Illinois Clean Streams Initiative: The Clean Streams Initiative in the EY 2001 Performance Agreement was a continuation of the EY 1998-2000 agreement for the AMLRD and IFO to partner in reaching the goal of restoring the water quality of the Saline River, South Fork Watershed. The Illinois Clean Streams Program continued to progress toward meeting its goal during EY 2001.

Work at the Will Scarlet Project in the Saline River basin, managed by the AMLRD, continues to yield improvements in on-site water quality. Design and engineering work for the Palzo project were completed in EY 2001, with construction slated to start in early EY 2002. Other potential Clean Streams Initiative and Watershed Agreement projects are being considered by the AMLRD.

The Shawnee Resource Conservation and Development Area, continues to move toward partnering in the program, and was provided all available information about applying for federal financial assistance and OSM's Summer Internship program during the first half of EY 2001



AML Pre-Construction Project Inspections: In EY 2001, the IFO conducted a routine, cyclical oversight review of the State's activities relating to project identification and planning. This oversight activity was a review of the project planning documentation and formal project site visits.

The following was evaluated in relation to compliance with the State's approved

Reclamation Plan and OSM requirements:

- (1) Project goals and scope of work,
- (2) Validation of National AML Inventory Problem Area description,
- (3) Accuracy of environmental documentation,
- (4) Priority designation, and
- (5) Project feasibility and practicality.

The findings of this evaluation were that project identification and planning: (1) were overall successfully accomplished; (2) met project goals; (3) information in the National AML Inventory is valid including priority determinations; (4) project environmental documentation information is accurate; and (5) projects are feasible and practical to accomplish. These findings led to the conclusion that the AMLRD is in compliance with its approved Reclamation Plan and OSM's AML Directives and guidelines.

AML Unplanned Maintenance on Post-Construction Projects: The EY 2001 Illinois AML Performance Agreement included a review of unplanned project maintenance as a measure of AML Program success in achieving the goal of self-sustaining reclamation. This oversight review was started in EY 2000, and continued into EY 2001. This evaluation relates to the established principle that reclamation should be permanent, and that it should be achieved in a timely, cost-effective manner.

A State-Federal team was assigned to review and evaluate post-reclamation remediation data, and, if possible, recommend ways to enhance program performance by reducing the need for project maintenance. The team was composed of two individuals from the Illinois AMLRD and one from the IFO.

Conclusions drawn from this evaluation are as follows:

1. Frequency of unscheduled project maintenance occurring in the Illinois AML Program does not indicate a deficiency in *current* program operations.
2. Maintenance work required on some of the older gob pile projects probably could have been avoided had more cover material been in place. The review revealed that current AMLRD management was aware of this, and had already made corrective changes in reclamation methodology.
3. Acid seeps and erosion/sedimentation accounted for a large majority of maintenance problems. It cannot be unequivocally stated, however, that

the acid seeps could have been prevented even by using best-known technology. Acid seeps remain a stubborn problem in the Interior and Appalachian coal areas given the current state-of-the-art.

4. The Buffalo Rock Project in northern Illinois remains a maintenance issue. This project, completed several years ago, is a maintenance burden on the Illinois AML Program for institutional rather than technological reasons.

Recommendations offered for consideration are that the Illinois AML Program:

1. Continue the effort it has already initiated to resolve the problem of chronic acid seeps, and
2. Make every effort to divest itself of further responsibility for the Buffalo Rock Reclamation Project.

Federal Minority Business Participation Compliance: At the State's request, the EY 2001 Performance Agreement between the IFO and the AMLRD included the subject evaluation. The objective was to evaluate State program compliance with standard AML grant conditions pertaining to Minority Business Enterprise Utilization.

The IFO was unable to complete this oversight activity during the evaluation period because the AMLRD, itself relying on another State agency for required data, was not able to provide the necessary information for this review. Therefore, this EY 2001 oversight element will have to be carried over into EY 2002. The results of this multi-year oversight evaluation will be reported in EY 2002.

APPENDIX A:

The tables in this appendix present data pertinent to mining operations and State and Federal regulatory 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, 2000 to September 30, 2001. 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.

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APPENDIX B:

This Appendix contains Illinois Office of Mines and Minerals' comments on the draft annual evaluation report received by the IFO on December 10, 2001, and December 13, 2001. A photocopy of the State's comment letters follows this page.

Presented below is the Field Office Director's disposition of the State's comments.

Disposition of Comments:

Comments from the States December 10, 2001 letter:

Comment 1. Clarification regarding the differences in acreage figures is now included in the report.

Comment 2. Correction to the figures in Tables 2 and 5 were made.