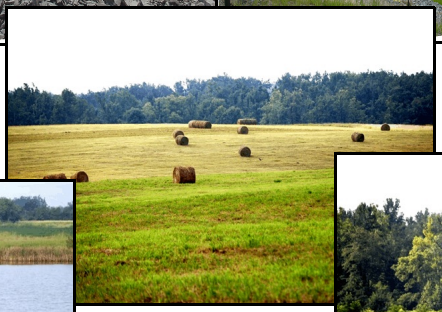
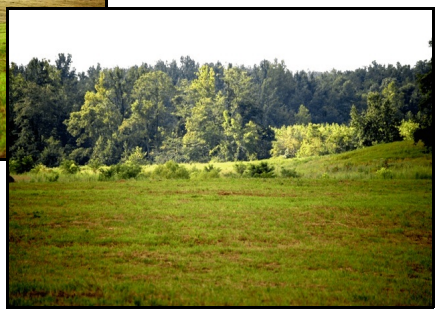
INTERSTATE MINING COMPACT COMMISSION

2011 ANNUAL REPORT





Chairman's Message

As Chairman of the Interstate Mining Compact Commission (IMCC) for 2011, it is my pleasure to submit to you the Commission's Annual Report. As you will note in the Executive Director's report, IMCC was engaged on many fronts representing the interests of its member states before Congress and the executive agencies in Washington, D.C. IMCC testified before various congressional committees on issues ranging from abandoned mine land reclamation, to stream protection standards, to federal funding for state regulatory programs. Among the key issues that IMCC prosecuted before the federal agencies were financial responsibility requirements for hardrock mining sites, oversight of state regulatory programs, mine placement of coal combustion residues, and mine emergency response.

IMCC continued to coordinate its efforts on issues of mutual concern with other state government organizations such as the National Association of Abandoned Mine Land Programs, the Association of State and Territorial Solid Waste Administrators, and the Western Governors' Association. IMCC also interacted with industry and environmental organizations to provide state perspectives on many of the issues mentioned above. Through these coordination and facilitation efforts, IMCC ensures that the states have a strong and concerted voice in the ongoing debate concerning national mineral policy and energy security.

The year 2011 will be remembered as one of the busiest and most productive for IMCC and its member states as we continued to work with both a new Administration and a new Congress. Through the commitment and active participation of each member state, IMCC remains well positioned to advocate for our interests in Washington, DC and to provide much needed support among the member states.

It has been my privilege to serve as your Chairman during 2011. I encourage all of the states to continue their active support of the Compact as we strive to advance the protection of our natural resources while maintaining an efficient and productive mining industry.

Martin O'Malley
Governor of Maryland
Chairman
Interstate Mining Compact Commission

2011 Annual Report of the Interstate Mining Compact Commission

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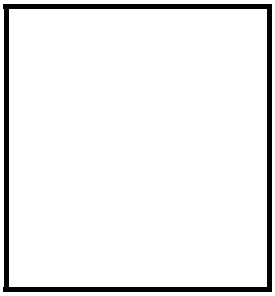
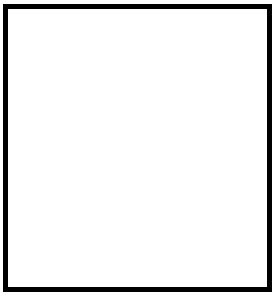
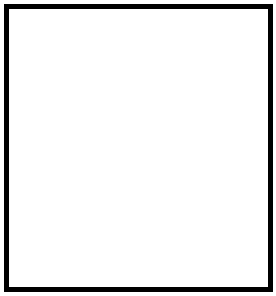
2011 Officers



Governor Martin O'Malley
Maryland — Chairman



Governor Mitchell E. Daniels
Indiana – Vice Chairman



Governor Rick Perry
Texas — Treasurer

History and Purpose of the Compact

The Southern Governors' Conference Meeting in San Antonio, Texas in 1964 recognized and came to grips with the problems of surface mining. Governor Edward R. Breathitt of Kentucky and Governor Bellmon of Oklahoma sponsored a resolution which in part read: "Whereas the Council of State Governments sponsored an interstate conference, in which surface mining problems of the states were reviewed, and whereas such conference underlined the desirability of action by industry to utilize techniques designed to minimize waste of our natural resources and the desirability of action by the states to assure adherence to sound standards and procedures by the mining industry: Now, therefore, be it resolved by the Southern Governors' Conference that the Council of State Governments be requested to assist representatives of the states in which surface mining takes place in exploring the possible role of interstate action, through Compact and otherwise, in this field."

The Interstate Mining Compact Commission (IMCC) was thus conceived and Kentucky became its first member followed by Pennsylvania and North Carolina. With the entry of Oklahoma in 1971, the Compact was declared to be in existence and operational. In February 1972, permanent headquarters were established in Lexington, Kentucky and an executive director was retained. Since that time, twenty additional states — West Virginia, South Carolina, Maryland, Tennessee, Indiana, Illinois, Texas, Alabama, Virginia, Ohio, Louisiana, Arkansas, New Mexico, Missouri, New York, North Dakota, Utah, Wyoming, Alaska and Colorado — have become members. New Mexico withdrew from the Compact in 1991 as a full member but rejoined as an associate member in 2000. New York joined the Compact as its first associate member state in 1994. Since then the following states have also joined as associate members: North Dakota (2000), Utah (2004), Wyoming (2005), Alaska (2006), and Colorado (2007). New York and North Dakota are now full members.

The Mining Compact is designed to be advisory, not regulatory in nature, and its defined purposes are to:

- Advance the protection and restoration of the land, water, and other resources, affected by mining;
- Assist in the reduction or elimination or counteracting of pollution or deterioration of land, water, and air attributable to mining;
- Encourage (with due recognition of relevant regional, physical, and other differences) programs in each of the party states which will achieve comparable results in protecting, conserving, and improving the usefulness of natural resources, to the end that the most desirable conduct of mining and related operations may be universally facilitated;
- Assist the party states in their efforts to facilitate the use of land and other resources affected by mining, so that such may be consistent with sound land use, public health, and public safety, and to this end study and recommend, wherever desirable, techniques for the improvement, restoration, or protection of such land and other resources; and
- Assist in achieving and maintaining an efficient and productive mining industry and increasing economic and other benefits attributable to mining.

Report of the Executive Director

As a new Administration took over the reins in Washington, DC in 2011 and the House of Representatives shifted to Republican control, the Interstate Mining Compact (IMCC) was faced with a host of new challenges and opportunities. The new year also saw the election of eleven new governors of IMCC member states. Consequently, the beginning of the year saw IMCC actively engaged in briefing the new governors and monitoring leadership changes in key congressional committees in the House. And while it took several months for the 112th Congress to gear up for its first session, once legislative activity began, the pace was unrelenting, particularly in the House. Oversight hearings on Administration actions and proposals, particularly in the mining arena, were the order of the day. And while there was little substantive legislation actually passed, IMCC was requested to review several legislative proposals that would potentially impact state mine regulatory programs. IMCC was also active in monitoring and commenting on federal agency actions concerning funding, oversight and several important regulatory issues, as noted below.

The member states of the IMCC also invested considerable time during the year planning for the future of the organization by reevaluating our strategic plan. A task group consisting of several member states worked with the Executive Director in developing new goals, strategies and measures that would guide our future work. Conference calls of the task group were held on November 30 and December 13 and a revised strategic plan was expected to be presented to the full membership at the 2012 annual meeting.

Our initial work early in the year revolved around the budget and appropriations process, beginning with the release of the Administration's proposed budget for Fiscal Year 2012 on February 15, 2011. The Office of Surface Mining (OSM) hosted a conference call that day to brief the states on the details of the budget, in which IMCC participated. Two days later, IMCC facilitated a conference call of the states to further discuss the budget and its implications for the states. IMCC also worked closely with the National Association of Abandoned Mine Land Programs (NAAMLP) to develop positions, resolutions and testimony concerning the FY 2012 budget. IMCC met with congressional staff to discuss OSM's proposed budget on several occasions, including January 28, March 10 and March 22 with the House Energy and Mineral Resources Subcommittee and on March 22 with the Senate Interior Appropriations Subcommittee. IMCC also monitored hearings on the Department of Interior's proposed FY 2012 budget by the Senate Energy and Natural Resources Committee on March 2 and by the House Interior Appropriations Subcommittee on March 8. IMCC attended a hearing by the latter Subcommittee on March 10 at which OSM Director Joe Pizarchik testified. As part of the hearing process, IMCC provided questions to the congressional committee staff for the Interior Department witnesses in advance of the hearings.

IMCC, together with the NAAMLP, testified at a hearing by the House Energy and Mineral Resources Subcommittee on April 7 regarding OSM's budget proposal. Butch Lambert of Virginia testified for IMCC and Loretta Pineda of Colorado testified for NAAMLP. I testified on behalf of IMCC at a hearing by the House Interior Appropriations Subcommittee on April 14. IMCC also sponsored and facilitated a briefing for congressional staff on OSM's budget on the afternoon of April 7 at which several state representatives from both IMCC and NAAMLP participated.

Near the end of September, the President unveiled his Deficit Reduction Plan, which contained several legislative proposals related to abandoned mine lands (AML) programs for both coal and hardrock. IMCC worked with NAAMLP to formulate positions on the proposals and to communicate those positions to the Joint Special Committee on Deficit Reduction (e.g. the "Supercommittee") via letter of October 24, 2011.

Also on the appropriations/budget front, IMCC submitted statements to the Labor, Health and Human Services, Education and Related Agencies Subcommittees of the House and Senate Appropriations Committees on March 5 concerning the FY 2012 budget request for the Mine Safety and Health Administration (MSHA) within the U.S. Department of Labor.

IMCC was involved with several other legislative activities throughout the year, often jointly with NAAMLP. The House Energy and Mineral Resources Subcommittee held an oversight hearing July 14, 2011 on "Abandoned Mine Lands: Innovative Solutions for Restoring the Environment, Improving Safety and Creating Jobs" at which Loretta Pineda of Colorado testified on behalf of IMCC and NAAMLP. The hearing served as the precursor to the development of legislation that will address several amendments to SMCRA concerning the use of unappropriated state share balances for noncoal work and for the acid mine drainage set-aside program, limited liability protections, and establishing a hardrock AML program. The legislation is also expected to address Good Samaritan protections for those who perform hardrock AML work. IMCC's testimony addressed each of these matters.

In a related action in the Senate, IMCC submitted a statement at a legislative hearing on S. 897 on May 18, 2011. The bill would amend the Surface Mining Control and Reclamation Act of 1977 (SMCRA) to allow the use of unappropriated state share balances for noncoal work and for acid mine drainage set-asides. The bill passed the Senate in July. A conference call of both IMCC and NAAMLP member states and tribes was sponsored and facilitated by IMCC on July 27 to discuss potential legislation to address limited liability protections for states and tribes who are certified under Title IV of SMCRA. That legislation (S. 1455) was eventually introduced by Senator Tester (D-MT) in early August. IMCC also met with the staff of Senator Mark Udall (D-CO) on July 14 to discuss Good Samaritan legislation. In January, IMCC met with the staff from the House Transportation and Infrastructure Committee and the Senate Environment and Public Works Committee to discuss the potential for Good Samaritan legislation in the 112th Congress.

Congressional interest was also sparked with respect to several pending rulemakings by the Administration on such topics as coal combustion residuals, financial responsibility for hardrock mines, stream protection and related water quality requirements for coal mines. This was played out in a series of congressional oversight hearings and in riders on appropriations bills to restrict funding for these efforts. IMCC testified at an oversight field hearing on OSM's proposed stream protection rule held by the House Energy and Mineral Resources Subcommittee on September 26 in Charleston, West Virginia. IMCC helped to coordinate the testimony of three state witnesses from West Virginia, Virginia and Wyoming. Conference calls were held on September 16 and 21 to plan for the hearing. IMCC submitted a statement for the record on October 5.

The Interior Department announced in October of 2011 the potential consolidation of OSM within the Bureau of Land Management (BLM) in an effort to realize cost savings and administrative efficiencies. A congressional oversight hearing on the proposed consolidation was held on November17 by the Senate Energy and Natural Resources Committee, at which Butch Lambert of Virginia testified on behalf of IMCC. A conference call of the member states was held on November 8 to brief the states on the proposed consolidation and to seek input for testimony. A conference call was held on November 14 with the two state witnesses (Mr. Lambert and John Corra of Wyoming) to coordinate testimony.

On the regulatory front, IMCC continued its working relationship with several federal agencies with whom we have traditionally done business over the years. In January of 2011, IMCC submitted extensive comments to the Office of Surface Mining regarding draft directives on Ten-Day Notices (INE-35), annual oversight reports (REG-8) and corrective actions (REG-23). IMCC also participated in a conference call with OSM

officials on March 8 to discuss oversight data needs and the development of an annual permit map. IMCC facilitated several conference calls with member states who are serving as cooperating agencies in the development of OSM's environmental impact statement (EIS) to accompany a proposed rule on stream protection. Conference calls were held on January 24 and February 3 to coordinate comments on the draft EIS. IMCC helped to coordinate and participated in three regional OSM/State meetings: the Appalachian regional meeting on June 1 and 2 in Cincinnati; the Mid-Continent regional meeting on June 21 and 22 in St. Louis; and the Western regional meeting on August 9 and 10 in Denver. At each meeting, several key regulatory, technical and policy issues were discussed.

IMCC is also a member of several OSM/State steering committees. I am a member of the National Technology Transfer Team (NTTT) which met via conference call on January 4, March 1, May 3, June 28, August 16, October 5 and December 8. IMCC is represented on the Acid Drainage Technology Initiative (ADTI) by Nick Schaer of West Virginia. I serve on a steering committee planning for the next Indiana Bat interactive forum. Conference calls were held on June 7, July 13, September 14 and November 22. I also serve as a member of the state/federal task group that is overseeing the development and implementation of the Indiana Bat Guidance document. A conference call was held on December 2 to discuss a survey, to be distributed by IMCC, about how the guidelines are being used in the field.

IMCC helped to coordinate and facilitate a meeting of state and federal agency personnel to discuss development of a geospatial database for surface coal mine permits, including a pilot project for testing the database effort. A conference call was held on March 23 to discuss progress on the effort. IMCC also coordinated and facilitated a conference call between OSM and the states on August 3 regarding a potential proposed rule on the placement of coal combustion residues in mines. IMCC followed up with a memorandum to OSM on August 30 regarding suggested approaches for the potential rule. IMCC had previously submitted a letter to OSM on June 30 regarding the states' concerns on the potential rule.

IMCC received $15,000 pursuant to a contract with OSM for the development of future benchmarking workshops. Plans called for IMCC to sponsor a workshop on mine mapping in early 2012. A steering committee consisting of state and federal agency personnel met on several occasions during the year to develop the program for the workshop, including conference calls on July 28, August 4, August 17, September 14, November 10 and December 7. IMCC also received an additional $20,000 for its COALEX contract with OSM, pursuant to which IMCC completed work on an updated version of the Surface Mining Control and Reclamation Act reflecting all amendments and appropriations activity as of January, 2010. Future funding for this contract remains uncertain.

IMCC continued its work with the Mine Safety and Health Administration (MSHA) throughout the year. A meeting with Assistant Secretary Joe Main and several members of his leadership team was held on February 1 at MSHA headquarters in Arlington, Virginia. A states-only meeting was held on January 31 to prepare for the meeting with MSHA. Several follow-on actions/discussions were agreed upon in the areas of certification of miners, mine emergency response, and state-federal communications. A conference call to discuss next steps was held between IMCC staff and Assistant Secretary Main on February 17. A follow-up meeting with MSHA staff was held on March 8 to discuss enhanced state-federal discussions on MSHA rulemakings and policy development. It was agreed at that time to complete work on the development of a Memorandum of Understanding (MOU) between MSHA and IMCC regarding our working relationship, drafting of which occurred over the next several weeks. A meeting between state and MSHA officials was held on May 11 in Triadelphia, West Virginia regarding mine emergency response. During that meeting, IMCC's Executive Director and MSHA Assistant

Secretary Main signed the MOU. IMCC's Mine Safety and Health Committee met via conference call on April 27 to approve the MOU and to prepare for the May 11th meeting with MSHA. IMCC testified at a public hearing on June 15 conducted by MSHA on a proposed rule regarding examination of work areas at underground coal mines. Written comments were submitted to MSHA on July 29.

IMCC has been actively involved in the development by the U.S. Environmental Protection Agency (EPA) of a proposed rule under Section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) regarding financial responsibility (bonding) requirements for the hardrock mining sector. A conference call of interested and affected states was held with EPA officials on April 13 to discuss the status of the rulemaking. In preparation for the meeting, a conference call of state attorneys general was facilitated by IMCC on April 11 regarding several presentations that would be made during the April 13 conference call regarding existing state financial responsibility programs and issues surrounding federal preemption of state programs. Additional conference calls were also held on January 13, January 24 and February 2 with attorneys general to discuss the development of letters to EPA concerning the preemption issue. EPA also sponsored a webinar to discuss the rulemaking on June 15, at which IMCC participated. Following the webinar, IMCC sent a memo to EPA on June 23 jointly with the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) articulating our concerns with the rule development process and the proposed rule. IMCC is also monitoring the development of a series of reports being prepared by EPA that assess the nature and status of state financial responsibility requirements. IMCC has been in regular contact with EPA and the states regarding these draft reports.

During the year, IMCC was approached by several parties to provide a perspective from the states on a variety of issues. On March 26, I had the opportunity of providing the state government perspective regarding Clean Water Act and SMCRA permitting concerns as a presenter at a tele-briefing sponsored by Law Seminars International on the topic "EPA's Veto of the Spruce Mine Permit". I also had the opportunity of visiting with a delegation of Chinese mining officials on April 18 in Fairfax, Virginia to present an overview of U.S. mining regulations. On June 29, I met via conference call with officials from the General Accountability Office to discuss uranium mining regulations in the U.S., with a focus on abandoned mine land reclamation.

IMCC continued its working relationship with other state government organizations on matters of mutual concern. IMCC coordinates with the Western Interstate Energy Board (WIEB) and the Western Governors' Association (WGA) on budget issues, abandoned mine lands, Good Samaritan protections and EPA's 108(b) rulemaking on financial responsibility requirements. IMCC has also worked with ASTSWMO, as noted above, and with the Environmental Council of the States (ECOS) on both water and waste issues. We are actively involved with the National Association of Abandoned Mine Land Programs (NAAMLP), often jointly developing testimony, statements, comments and input to OSM and others on AML-related issues. IMCC attended the Mid-Winter meeting of the NAAMLP from February 21 -23 in Orange Beach, Alabama and the Annual Conference from October 9 - 12 in Lake Tahoe, California. At the latter meeting, I presented a paper at the plenary session regarding "Key Legislative and Regulatory Challenges Facing Today's AML Program Manager". I also provided several updates and briefings at both meetings regarding OSM's budget, pending AML legislation, OSM and EPA proposed rules, and federal oversight of state programs. IMCC also coordinated several conference calls with the NAAMLP membership during the year and worked with the leadership of the organization regarding testimony on OSM's budget and pending legislation.

During the year, IMCC conducted several surveys of the states in an effort to serve as a clearinghouse for information and data requests. A survey was conducted for the state of Illinois regarding reporting of water quality excursions under applicable water quality laws related to surface water discharges. A survey was conducted for the Commonwealth of Virginia regarding the status of state work plans under OSM's annual oversight review. A survey was conducted for the state of Louisiana concerning EPA's cross-state air pollution rule and the potential impact on coal mining operations. IMCC conducted a survey of the states as part of our benchmarking workshop on mine mapping to receive input from potential participants. IMCC conducted three surveys on behalf of the Office of Surface Mining: one on cost recovery for permitting actions under SMCRA; another on state regulatory requirements regarding mine placement of coal combustion residues; and another on the implementation and use of the Indiana Bat Guidelines.

IMCC implemented several internal operational adjustments during the year, including moving our membership directory to the IMCC website where it can be regularly updated, switching our health benefits plan to participate in the Commonwealth of Virginia's system, and making several website enhancements. IMCC's audit was conducted on August 3 and the auditor's report was provided to the member states via e-memo of August 17.

On the membership front, IMCC staff worked with several current full member states to provide information that would help explain and justify their annual dues assessment and their continued membership in IMCC, especially given the fiscal crises being faced by many states. IMCC staff also spent a considerable amount of time during the year working with associate member states to pursue legislation bringing them as full members into the organization. With the assistance of IMCC's legal advisor (Richard Morrison of Pennsylvania), IMCC staff also researched approaches used by various states to enter other compacts, including the Interstate Oil and Gas Compact Commission (IOGCC). Compact legislation for each of the IMCC member states and for several IOGCC member states was gathered and analyzed for potential legislative approaches that would effectuate full membership without the extensive requirements currently required under the traditional approach used by IMCC member states in the past. IMCC staff also researched the law attending interstate compacts to determine appropriate methods for bringing states into compacts. IMCC participated in a webinar sponsored by the Council of State Governments on interstate compacts. A legal memorandum regarding compact enabling legislation was sent to all of the associate member states on September 1 addressing these issues. IMCC is working with several associate members to draft appropriate legislation to bring them into the compact as full members. IMCC met with officials from the state of Nevada to discuss potential membership on October 10 and also communicated with officials from Mississippi, Kansas, Montana and Arizona regarding membership. Finally, IMCC met with staff from New York via conference call on November 14 to discuss the state's outstanding dues assessments.

In today's regulatory, legislative and fiscal climate, state governments who serve as primary regulators of mining operations within their borders face a bevy of challenges on multiple fronts. As IMCC recently reiterated in our revised strategic plan, our mission is to serve as an advocate for the member states in Washington, DC and to serve the states through information exchange, effective communication, benchmarking initiatives, liaison with the federal government and educational outreach as we assist the states in fulfilling their dual responsibilities of assuring development of their abundant and strategically important natural resources while protecting and improving the environment. In the end, our goal is to insure that the states have a strong, concerted voice as we deliver on those responsibilities.

Adjusting to new Administrations and new leadership in Congress, as we saw in 2011, requires heightened vigilance and renewed vigor, especially where long-standing issues remain

unresolved and new challenges present themselves. Through the active participation of our member states, IMCC was able to engage on a number of critical fronts throughout the year, be it congressional oversight or legislative hearings, federal rulemakings , or opportunities to provide data or information to governmental organizations such as the Government Accountability Office. IMCC is regularly sought out for our experience and expertise on mining regulatory issues and we are highly respected for the quality of information and the well-coordinated positions that we provide. This speaks directly to the integrity and perseverance of the agency personnel within our member states who regularly work with the IMCC staff to accomplish these objectives.

As Beth and I begin our 25th year with IMCC, we count it a special privilege to work with so many dedicated state government folks. Your support for us and for the work of IMCC is greatly appreciated. We look forward to the many exciting opportunities that await us in the future.

2011 Standing Committees

Environmental Affairs Committee

Coal Section

James Stephens, Arkansas, Chairman — *Thomas Callaghan,* Pennsylvania, Vice Chairman

Noncoal Section

Kent Coleman, South Carolina, Chairman — *James Simons*, North Carolina, Vice Chairman

Abandoned Mine Lands Committee

James Deutsch, North Dakota, Chairman — *Mike Kastl*, Oklahoma, Vice Chairman

Mine Safety and Health

Johnny Greene, Kentucky, Chairman — *Butch Lambert,* Virginia, Vice Chairman

Finance and Administrative Committee

John Caudle, Texas, Chairman — *Joe Angleton,* Illinois, Vice Chairman

Resolutions Committee

C. Edmon Larrimore, Maryland, Chairman — *Bruce Stevens,* Indiana, Vice Chairman

Awards Committee

Dale Bergquist, Louisiana, Chairman — *Lanny Erdos,* Ohio, Vice Chairman

(Members of the 2011 Awards Committee: Louisiana, Ohio, Virginia, Colorado and Illinois)

Legal Advisor

Richard Morrison, Pennsylvania

Minerals Education Work Group

Dean Spindler, Illinois, Chairman

Activities of the Standing Committees

Finance and Administrative Committee

The committee met on three occasions during 2011. The committee met via conference call on March 24 to prepare recommendations for staff compensation and benefits. On April 6 the committee met in Wheeling, West Virginia in conjunction with the Compact's Annual Meeting. The committee reviewed the Compact's current financial condition; reviewed and approved the proposed Fiscal Year 2012 budget; reviewed the 2011 Executive Director's evaluations; and were presented with an update by current associate member states regarding their membership status.

On October 19, the committee met in Point Clear, Alabama. The committee reviewed the Compact's current financial condition, reviewed and approved the Compact's Fiscal Year 2011 Audit, and discussed membership initiatives.

Resolutions Committee

The committee met jointly with the Finance and Administrative Committee twice in 2011. On April 6 in Wheeling, West Virginia, the committee recommended approval of five resolutions of appreciation. (See *Resolutions* section of this Annual Report.)

On October 19 in Point Clear, Alabama, the committee recommended adoption of two resolutions of appreciation. (See *Resolutions* section of this Annual Report.)

Environmental Affairs Committee — Coal Section

The Coal Section of the Environmental Affairs Committee met on April 5, 2011 in Wheeling, West Virginia in conjunction with the Compact's Annual Meeting. Among the topics discussed were: the Office of Surface Mining's (OSM) Fiscal Year (FY) 2011 appropriation and FY 2012 budget request; congressional oversight hearings on OSM's proposed FY 2012 budget; discussion of the OSM Oversight Improvement Actions Initiative; OSM rulemakings on mine placement of coal combustion residues and stream protection; water quality requirements for coal mining permits; Indiana Bat Protection and Enhancement Guidelines; and state program amendments related to OSM's final rules on ownership and control.

On October 18, 2011, the committee met in conjunction with the IMCC Mid-Year Meeting in Point Clear, Alabama. Among the topics discussed were: OSM's FY 2012 appropriations; OSM rulemakings on mine placement of coal combustion residues, stream protection, and cost recovery; Clean Water Act issues relating to the Surface Mining Control and Reclamation Act (SMCRA); federal oversight issues under SMCRA; the OSM Geomine Pilot Project; OSM's E-Permitting initiative in the West; and a 2012 IMCC benchmarking workshop on mine mapping.

Environmental Affairs Committee — Noncoal Section

The Noncoal Section of the Environmental Affairs Committee met twice in 2011. On April 5 in Wheeling, West Virginia, the committee met in conjunction with the Compact's Annual Meeting. The committee met again on October 18 in Point Clear, Alabama in conjunction with the Mid-Year Meeting. Topics discussed at the April 5 meeting included: the Environmental Protection Agency (EPA) and the Office of Surface Mining (OSM) rulemakings regarding coal combustion residues; EPA rulemaking on financial assurance requirements under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); mining law reform; and Good Samaritan legislation.

Topics of discussion at the committee meeting held on October 18 included: the Environmental Protection Agency's (EPA) rulemaking on financial assurance requirements under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); hardrock abandoned mine lands (AML) legislation; and Good Samaritan legislation. The committee also engaged in a roundtable discussion regarding impacts to state regulatory programs (coal and noncoal) related to requirements and interpretations by EPA and the Army Corps of Engineers related to the Clean Water Act.

Abandoned Mine Lands Committee

The Abandoned Mine Lands (AML) Committee met jointly with the Coal Section of the Environmental Affairs Committee on two occasions — April 5 in Wheeling, West Virginia and October 18 in Point Clear, Alabama. At the April 5 meeting, the committee discussed the following topics: pending legislation in the 112th Congress concerning the Abandoned Mine Lands (AML) program under the Surface Mining Control and Reclamation Act (SMCRA); Office of Surface Mining (OSM) legislative proposals to amend Title IV of the Surface Mining Control and Reclamation Act (SMCRA); and the status of funding for the AML emergency program in OSM's FY 2012 budget proposal.

At the October 18 meeting, topics discussed included: legislative activity regarding amendments to SMCRA; legislative activity regarding elimination of AML payments to certified states and tribes and the AML grant process; and expenditure of AML grant money – construction v. planning.

Mine Safety & Health Committee

The Mine Safety & Health Committee met jointly with the Noncoal Section of the Environmental Affairs Committee on two occasions in 2011 – on April 5 in Wheeling, West Virginia in conjunction with the Compact's Annual Meeting, on October 18 in Point Clear, Alabama in conjunction with IMCC's Mid-Year Meeting. On April 27 the committee met via conference call to prepare for a meeting with Mine Safety and Health Administration (MSHA) officials on May 11 in Triadelphia, West Virginia regarding mine emergency response. Topics of discussion at the April 5 meeting included: status of mine safety and health legislation; a Memorandum of Understanding (MOU) between IMCC and the Mine Safety and Health Administration (MSHA); recent meetings with MSHA officials; an upcoming meeting between MSHA and IMCC to discuss mine emergency response issues; and certification/decertification issues, including development of a tracking system.

Topics discussed at the October 18 meeting included: an upcoming meeting between IMCC and MSHA; impoundment safety issues; and a 2012 IMCC benchmarking workshop on mine mapping.

Awards Committee

The Awards Committee met via conference call on March 11, 2011 to select winners of the 2011 Kenes C. Bowling National Mine Reclamation Awards. The Education Work Group met via conference call on March 10, 2011 to select winners of the 2011 IMCC National Minerals Education Awards.

The reclamation award recipients, and photos of the winning sites, are listed elsewhere in this Annual Report. The awards were presented at the Annual Awards Banquet on April 5, which was held in conjunction with IMCC's Annual Meeting in Wheeling, West Virginia.

The National Mineral Education Awards were also presented at the April 5 Awards Banquet. The education award recipients are also listed elsewhere in this Annual Report.

Committees and Committee Chairmen and Vice Chairmen for 2012

Environmental Affairs Committee

Coal Section

Thomas Callaghan, Pennsylvania, Chairman

Thomas Clarke, West Virginia, Vice Chairman

Noncoal Section

Tracy Davis, North Carolina, Chairman

Matthew Podniesinski, New York, Vice Chairman

Abandoned Mine Lands Committee

Mike Kastl, Oklahoma, Chairman

Tim Eagle, Tennessee, Vice Chairman

Mine Safety and Health

Butch Lambert, Virginia, Chairman

Craig Corder, Ohio, Vice Chairman

Finance and Administrative Committee

Scott Fowler, Illinois, Chairman

Tom Surtees, Alabama, Vice Chairman

Resolutions Committee

Bruce Stevens, Indiana, Chairman

John Caudle, Texas, Vice Chairman

Awards Committee

Lanny Erdos, Ohio, Chairman

Kevin Mohammadi, Missouri, Vice Chairman

(Members of the 2012 Awards Committee: Ohio, Missouri, Pennsylvania, North Carolina and Wyoming)

Legal Advisor

Sharon Pigeon, Virginia

Minerals Education Work Group

Stacy Barnett, Oklahoma, Chairman

Yearly Commission Meetings

2011 Annual Meeting — Wheeling, West Virginia

The 2011 Annual Meeting was held at The Oglebay Lodge in Wheeling, West Virginia from April 3 - 6, 2011. The following member states were in attendance: Alabama, Alaska, Arkansas, Colorado, Illinois, Indiana, Kentucky, Louisiana, Maryland, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Utah, Virginia, and West Virginia. Attendees included approximately 37 persons consisting of IMCC members, other state representatives, federal officials, and industry representatives. The meeting was highlighted by a general session, committee meetings, the annual commission business meeting, social receptions, and the annual awards banquet.

The meeting began with welcome remarks by Randy Huffman, Cabinet Secretary of the West Virginia Department of Environmental Protection who opened the General Session on April 4. Speakers and topics covered during the session included: Congressman David McKinley of the 1st District of West Virginia: "Recent Legislative Developments Concerning the Regulation of Coal Mining in Appalachia"; Kathy Benedetto, Republican Legislative Staff for the Subcommittee on Energy and Mineral Resources, House Committee on Natural Resources: "Overview of Key Mining Issues Before the 112th Congress"; Thomas L. Clarke, Director of the Division of Mining and Reclamation in the West Virginia Department of Environmental Protection: "Recent Developments re. Issuance of NPDES Permits for Bond Forfeiture Sites"; and Paul Ziemkievicz, Director of the West Virginia Water Research Institute at West Virginia University: "Beyond AMD: Managing Water Quality Issues Associated with Conductivity, TDS and Selenium".

An IMCC executive session was held immediately following the General Session.

IMCC's Standing Committee meetings commenced in the late morning of April 4 (see *Activities of the Standing Committees*). In the evening attendees enjoyed a dinner buffet after which they engaged in a social time while enjoying the televised national collegiate basketball tournament finals game.

The Standing Committee meetings resumed on the morning of April 5 and continued throughout the afternoon. At a banquet that evening, the IMCC presented its 2011 National Reclamation and Minerals Education Awards. (see *Awards* section later in this report for details.)

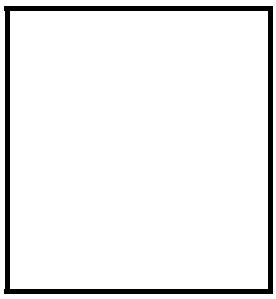
The Commission's annual business meeting was held on April 6. The meeting was chaired by Ed Larrimore on behalf of the Compact's Chairman, Governor Martin O'Malley of Maryland. Subjects of action and discussion included: the Executive Director's Report (see *Report of the Executive Director*); standing committee reports (see *Activities of the Standing Committees*); federal budget impacts and federalism policy implications for state government organizations like IMCC; and future IMCC meetings. In addition, five resolutions were adopted at the meeting and are contained in the *Resolutions* section of this Annual Report.

2011 Mid-Year Meeting – Point Clear, Alabama

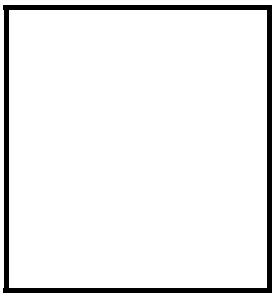
The Mid-Year Executive Commission Meeting of the IMCC was held in Point Clear, Alabama at the Marriott Grand Hotel, October 18 - 19, 2011. Eighteen of the 24 member states were in attendance. Committee meetings were held on October 18. A luncheon and a social reception were also held on October 18. Dr. George Crozier, Executive Director (Retired) of the Dauphin Island Sea Lab, was the luncheon speaker. He provided an

interesting talk about the after-effects of the April 2010 Deepwater Horizon (BP) blowout and oil spill in the Gulf of Mexico and the Mobile Bay. Committee meetings resumed the morning of October 19. They were followed by the commission's business meeting which concluded the meeting. The business meeting was chaired by Bruce Stevens on behalf of the Compact's Vice Chairman, Governor Mitchell Daniels of Indiana. Among the topics addressed at the meeting were: an Executive Director's Report (see *Report of the Executive Director*); reports from standing committees of the Compact (see *Activities of Standing Committees*); election of officers for 2012; appointment of committee chairs for 2012; IMCC's strategic plan; and future IMCC meetings. In addition, three resolutions were adopted at the meeting and are contained in the *Resolutions* section of this Annual Report.

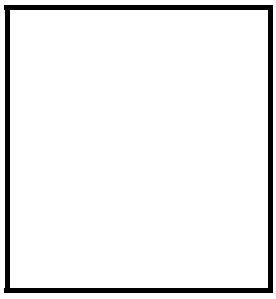
Officers Elected for 2012



Chairman:
Governor Mitchell E. Daniels
Indiana



Vice Chairman:
Governor Rick Perry
Texas



Treasurer:
Governor Pat Quinn
Illinois

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Lewis Halstead and his staff arranged an informative and interesting annual meeting for the Interstate Mining Compact Commission in Wheeling, West Virginia from April 3 - 6, 2011; and

WHEREAS, our hosts warmly welcomed and generously extended their Mountaineer hospitality to all attendees;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Lewis Halstead and all of the other state officials who assisted IMCC staff to assure a successful meeting.

Issued this 6th day of April, 2011

ATTEST:

_____

Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, the Interstate Mining Compact Commission's (IMCC) Annual Meeting in Wheeling, West Virginia from April 3 - 6, 2011 was honored by the presence of Thomas L. Clarke, Director of the Division of Mining & Reclamation within the West Virginia Department of Environmental Protection; and

WHEREAS, Mr. Clarke served as the Master of Ceremonies at the Annual Awards Banquet on April 5, 2011;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Tom Clarke for his participation in making this year's meeting an outstanding success and for his support of IMCC.

Issued this 6th day of April 2011

ATTEST:

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Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Annual Meeting in Wheeling, West Virginia from April 3 - 6, 2011 was honored by the presence of The Honorable Randy Huffman, Secretary of the West Virginia Department of Environmental Protection and Governor Tomblin's official representative to the Compact; and

WHEREAS, Secretary Huffman presented the Welcoming Address during the Opening Session on April 4, 2011;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Secretary Randy Huffman for his participation in making this year's meeting an outstanding success and for his support of IMCC.

Issued this 6th day of April, 2011

ATTEST:

_____

Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, throughout the years the Interstate Mining Compact Commission has been privileged to hear many excellent speakers at its meetings; and

WHEREAS, it is through these speakers that the Commission is able to keep abreast of new developments, new policies, and new technology in the fields of mining and environmental protection; and

WHEREAS, the speakers who addressed the Commission's Annual Meeting on April 4, 2011 in Wheeling, West Virginia are men and women of outstanding ability in their respective fields, and the benefit of their advice and experience are a valuable contribution to the Commission; and

WHEREAS, the Commission is most appreciative of the time and effort the speakers have expended in the preparation and presentation of their remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission (IMCC) expresses its sincere gratitude to

Kathy Benedetto

Thomas L. Clarke

Paul Ziemkiewicz

Issued this 6th day of April, 2011

ATTEST:

_____

Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission was honored by the presence of The Honorable Joe Pizarchik, Director of the Office of Surface Mining, at its annual meeting in Wheeling, West Virginia from April 3 - 6, 2011; and

WHEREAS, Director Pizarchik and members of his staff attended and actively participated in the IMCC Environmental Affairs Committee meeting on April 4 and 5, 2011;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Director Pizarchik and his staff for their participation in making this year's meeting a success and for their continued involvement with IMCC on issues of mutual interest and concern.

Issued this 6th day of April, 2011

ATTEST:

_____

Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Michael Skates and the staff of the Alabama Department of Industrial Relations arranged an informative and interesting Mid-Year meeting for the Interstate Mining Compact Commission in Point Clear, Alabama from October 18 - 19, 2011; and

WHEREAS, our hosts warmly welcomed and generously extended their southern hospitality to all attendees;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Michael Skates and all of the other state officials who assisted IMCC staff to assure a successful meeting.

Issued this 19th day of October, 2011

ATTEST:

_____

Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, throughout the years, the Interstate Mining Compact Commission has been privileged to hear many excellent speakers at its meetings; and

WHEREAS, it is through these speakers that the Commission is able to keep abreast of new developments, new policies, and new technology in the fields of mining and environmental protection; and

WHEREAS, the Commission is most appreciative of the time and effort Dr. George Crozier expended in the preparation and presentation of his remarks at the business luncheon on October 18, 2011 in conjunction with IMCC's Mid-Year meeting in Point Clear, Alabama;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its sincere gratitude to

Dr. George Crozier

Issued this 19th day of October, 2011

ATTEST:

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Executive Director

Financial Reports

Interstate Mining Compact Commission
Statement of Financial Position for the Year Ended June 30, 2011

ASSETS

Cash	$ 13,765.00
Investments	400,000.00
Accounts receivable	99,023.00
Prepaid expenses and deposits	6,538.00
Property and equipment, net	1,534.00
Total assets	520,860.00

LIABILITIES AND NET ASSETS

Liabilities:	
Accrued vacation	38,643.00
Deferred rent	5,316.00
Total liabilities	43,959.00
Net assets:	
Unrestricted	476,901.00
Total net assets	476,901.00
Total liabilities and net assets	520,860.00

Financial Reports

Interstate Mining Compact Commission
Statement of Activities
For the Year Ended June 30, 2011

Unrestricted revenue and support	
Assessments	$493,104
Conferences and meetings	15,905
Interest income	5,636
Other income	75
Total revenue and support	514,720
Expenses	
Administrative and general	503,118
Total expenses	503,118
Change in net assets	11,602
Net assets, beginning of year	465,299
Net assets, end of year	$476,901

Financial Reports

Interstate Mining Compact Commission
Schedule of Comparison of Expenses and Budget
For the Year Ended June 30, 2011

Description	Government Grants	Admin. & General	Budget	Variance Over (Under)
Salaries	–	$296,598	$297,000	$ (402)
Employee benefits	–	94,711	105,000	(10,289)
Rent	–	39,671	34,400	5,271
Conference and meetings	–	21,677	22,000	(323)
Travel	–	17,998	20,000	(2,002)
Publications	–	3,991	10,000	(6,009)
Telephone	–	7,679	11,000	(3,321)
Auditing	–	5,800	6,000	(200)
Postage	–	1,540	3,000	(1,460)
Equipment expenses	–	1,719	1,500	219
Office supplies	–	2,426	3,500	(1,074)
Other expenses	–	2,761	2,600	161
Insurance	–	2,186	4,500	(2,314)
Printing	–	1,265	1,500	(235)
Registration fees/ subscriptions	–	939	2,000	(1,061)
Utilities	–	1,411	1,500	(89)
Depreciation	–	746	–	746
Total expenses	–	$ 503,118	$ 525,500	$(22,382)

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED
JANUARY 1 - DECEMBER 31, 2011 FOR COAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	#Acres Disturbed	# Acres Reclaimed
Alabama Surface Mining Commission	6	1,495	N/A	2,281
Alaska Dept. of Natural Resources	12	12,397	2,155	93
Arkansas Dept. of Environmental Quality, Surface Mining and Reclamation Division	7	689	536	15.93
Colorado Division of Reclamation, Mining & Safety, Coal Program	0	163,762	20,129	75 [1]
Illinois Dept. of Natural Resources, Office of Mines & Minerals, Land Reclamation Division	5	2,960	1,604	296
Indiana Dept. of Natural Resources, Division of Reclamation	8	28,684.8 [2]	3,494.10 [3]	3,473.64
Kentucky Dept. for Natural Resources, Division of Mine Reclamation and Enforcement	653	105,278.83	246,699.41 [4]	8,960.41
Maryland Bureau of Mines [5]	12	627	2,776	107
Missouri Department of Natural Resources, Land Reclamation Program	0	0	122.4	261.8
New Mexico Energy, Minerals & Natural Res. Dept., Coal Mine Reclamation Program [6]	0	0	598	0
North Dakota Public Service Commission	0	17,600 (via major revision)	2,530	1,210 [7]
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	40	19,381.2	57, 562.78 [8]	1,829.8 [9]
Oklahoma Dept. of Mines	2 - permits 63 - permits on IUL 20 - revisions	23,348	10,507	1,546.10
Pennsylvania Dept. of Environmental Protection	78	9,896	8,441	4,456
Texas Railroad Commission	4 - new, renewals and revisions	13,445.3 [10]	6,820.6 [11]	5,179.3 [12]
Utah Division of Oil, Gas and Mining	0 - new 2011; 30 - total active permits	2,877.86 - new in 2011; 135,788.67 - total of all permitted acres [13]	.37 - new in 2011; 3,404.87 - total of all disturbed acres	5.95 (2011 phase III bond release)
Virginia Dept. of Mines, Minerals & Energy, Division of Mined Land Reclamation	21 (5 - new; 16 - transfers)	78,751.79	54,898.55; 66,734.09 (acres bonded)	1,557.60; 30,523.49 (total reclaimed)
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	62	8,483 (2011); 300,186 (total)	N/A	6,127 (2011 released Phase III)
Wyoming Dept. of Environmental Quality, Land Quality Division	1	443,780 (total); 963 in 2011	150,611 (total)	67,823 (total)

See footnotes on following page...

[1] Acres reclaimed are those areas that were approved for final bond release.
[2] Surface acres 2,406.2 + underground shadow acres 26,278.6 = 28,684.8 acres.
[3] Acres mined 2,493.2 + acres disturbed 1,000.90 = 3,494.10.
[4] Includes acres disturbed on operations permitted in previous years.
[5] Number of acres permitted is the number of acres for which bond was posted during the reporting period. Number of acres disturbed is the number of actual disturbed acres that have not been approved for phase 3 release as of 12/31/2011. Number of acres reclaimed is the number of acres for which phase 3 release was approved during the reporting period.
[6] The numbers shown are for permitting and mining/reclamation activity taking place during the calendar year 2011. These numbers do not represent cumulative acreage. Reclaimed lands means that full bond release has been approved.
[7] Acres reclaimed reflects the reclaimed acreage that was seeded in 2011 as reported on annual maps submitted by the mining companies.
[8] Total bonded acres as of 12/31/2011.
[9] Phase III acres released 1/1/2011 - 12/31/2011.
[10] Total permit acreage as of 12/31/2011 (309,939.79 acres) minus total permit acreage as of 1/1/2011 (296,494.49 acres) = 13,445.3 acres.
[11] 3,240.8 acres mined and 3,579.8 acres non-mined disturbed = 6,820.6 acres.
[12] Phase III bond release approval (may not have been removed from permitted acreage).
[13] In 2011 Utah allowed operators to adjust their permit areas. Some mines changed their permit area to just the area covered under bond (previously included the adjacent area) effectively reducing the permit acre totals, though Utah did not change the area the mine is responsible for.

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED
JANUARY 1 - DECEMBER 31, 2011 FOR NONCOAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	#Acres Disturbed	# Acres Reclaimed
Alabama Department of Industrial Relations, Mining and Reclamation Division [1]	27 (new); 350 (renewals)	10,835	20,800	21 mines, 459 acres
Alaska Dept. of Natural Resources, Mining Section	289	376	290	125
Arkansas Dept. of Environmental Quality	258	22,194.122	13,505.841	63.5
Colorado Division of Reclamation, Mining and Safety, Minerals Program	31	180,857	108,519	949 [2]
Illinois Dept. of Natural Resources, Office of Mines & Minerals, Land Reclamation Division	9	240	478	829
Indiana Dept. of Natural Resources, Division of Reclamation	6	501	10 (estimate)	0
Kentucky Dept. for Natural Resources, Division of Mine Reclamation and Enforcement	60	18,242.87	21,832.30 [3]	14.75
Maryland Minerals, Oil & Gas Division [4]	84	252.72	14,305.20	7,105.18
Missouri Department of Natural Resources, Land Reclamation Program	365	32,061	32,061	1,327
New Mexico Energy, Minerals and Natural Resources Dept., Mining Act Reclamation Prog.[5]	44	94	336	626
New York State Dept. of Environmental Conservation, Div. of Mineral Resources	26 (new in 2011); 2040 (total active)	145,963 (total) [6]	59,519 (total) [6]	1,299 (2011); 33,628 (total) [6]
North Carolina Dept. of Environment & Natural Resources, Division of Land Resources	866	54,321	1,201	1,202
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	23	1,245.1	1,942.21 [7]	717.2 [8]
Oklahoma Dept. of Mines	[9]	133,396	54,521	1,106
Pennsylvania Dept. of Environmental Protection	86	1,461	1,813	269
South Carolina Dept. of Health and Environmental Control	33	893.3	347.5	336.6
Tennessee Department of Environment and Conservation	11	4,948 (under bond)	3,761 (reported by operator)	213 (full bond release)
Utah Division of Oil, Gas and Mining, Minerals Regulatory Program	654 (total); 34 (new)	65,940 (total); 215 (new)	65,940 (total); 215 (new)	791
Virginia Division of Mineral Mining	27	5,497.73	2,569.50	900.23
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	4	208 (new); 11,462 (total)		0
Wyoming Dept. of Environmental Quality, Land Quality Division [10]	88 (includes small operations)	589,890 (total); 5,024 (new)	N/A	N/A

See footnotes on following page...

[1] The acreage disturbed does not include chert, limestone, marble or dolomite. Approximately 6,000 acres are disturbed at those mines.
[2] Acres reclaimed are for those areas that were approved for final bond release.
[3] Includes acres disturbed on operations permitted in previous years.
[4] Number of acres permitted is the number of acres for which bond was posted during the reporting period. Number of acres disturbed is the number of actual disturbed acres that have not been approved for phase 3 release as of 12/31/2011. Number of acres reclaimed is the number of acres for which phase 3 release was approved during the reporting period.
[5] The majority of permits issued represent exploration (15) or general permits (24). General permits include recreational miners. Does not include sand and gravel operations. Acres reclaimed means regrading a nd seeding has occurred, not necessarily bond release. The numbers shown are for permitting and mining/reclamation activity taking place during calendar year 2010. These numbers do not represent cumulative acreage. Permits issued include regular and minimal impact mines, exploration permits and general permits.
[6] Total statewide acreage figures since New York State Mined Land Reclamation Law enacted in 1975.
[7] Noncoal mineral acres bonded 1/1/2011 - 12/31/2011.
[8] IM-7 acres released 1/1/2011 - 12/31/2011.
[9] Permits issued = 41 revisions = 64 transfers = 15 limited use permits issued - 34 annual reviews of permits = 530 and permits on IUL = 747.
[10] Noncoal minerals includes construction materials such as sand and gravel. The noncoal category also includes small mining operations limited to 10 acres.

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT)
JANUARY 1 - DECEMBER 31, 2011 FOR COAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama	0	3	0	0	97 [1]
Alaska	0	100	0	0	0
Arkansas	0	0	0	100	0
Illinois	0.3	4.2	1.3	5.5	88.7 (cropland)
Indiana	4 (131.3 acres)	18 (630.7 acres)	5 (173.6 acres)	< 1 (0.7 acres)	73 [1] (2,537.34 acres)
Kentucky	27.6	51.6	17.1	1.1	2.6
Maryland	50	4	45	1	0
Missouri	94	2	0	2	2
North Dakota	31	2	1	5	59 (cropland); 2 (other)
Oklahoma	96	2	0	0	2 (water)
Pennsylvania [2]	30	5	50	2	13
Texas	50 (2,574.2 acres)	19 (997.2 acres)	26 (1,364.8 acres)	2 (71.8 acres) (commercial & industrial)	3 (171.3 acres) (water resources)
Utah	0	100	0	0	0
Virginia	7.58 (70.83 acres) (pasture, hayland & grazing)	6.50 (0.70 acres) (includes fish, wildlife & wetlands)	50.82 (475.15 acres)	5.33 (49.79 acres) (industrial/ commercial)	35.58 (332.67 acres)
West Virginia	11	11	66	2	10 [3]
Wyoming	0	0	0	5	95 (rangeland & wildlife habitat)

[1] For coal "Other" land uses: 2,231.2 acres cropland (64%); 241.0 acres water (7%); 53.2 acres roads (2%); 11.3 acres residential (1%); 0.60 acres other (< 1%).
[2] Use of land estimates are based on general observations of post-mining land use.
[3] The 10% is made up of 1% rangeland and the rest are combined (two or more land uses on one permit).

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT)
JANUARY 1 - DECEMBER 31, 2011 FOR NONCOAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama	57	2	38	1	2
Alaska	0	100	0	0	0
Arkansas	27.5	63	0	0	9.5 (ponds)
Illinois	55	0	0	8	37 (cropland)
Indiana	3.2 (15.9 acres)	53.2 (266.55 acres)	< 1 (2.14 acres)	0	[1]
Kentucky	70	1.7	15	3.3	10
Maryland	60	10	5	20	0
Missouri	12	38	0	32	18
New Mexico [2]	10	70	0	10	0
New York	1	70	0	4	25 [3]
North Carolina [4]	N/A	N/A	N/A	N/A	100
Oklahoma	83	0	0	13	2
Pennsylvania [5]	10	5	10	15	60
South Carolina	45.3 (152.3 acres)	0	1 (3.5 acres)	6 (20.1 acres)	47.7 (160.1 acres) [6]
Tennessee	105 acres	0	53 acres	10 acres	45 acres
Utah	0	100 (791 acres)	0	0	0
Virginia	33	54	10	2	1
West Virginia	12.5	25	12.5	25	25 [7]
Wyoming	0	0	0	0	98

[1] Clay/Shale only: 24.44 acres cropland (4.9%), 191.9 acres water (38.3%), 0.07 acre road (< 1%).
[2] The percentages for U se of Land Following Reclamation are for mined lands reclaimed in 2010.
[3] Includes 16% agricultural farmland, 9% wetland/lake.
[4] North Carolina Department of Natural Resources, Division of Land Resources does not collect post mining land use information.
[5] Land use percentages are estimates based on observations.
[6] 160.1 acres reclaimed as lakes or ponds.
[7] "Other" = 10% rangeland and the rest are combined (two or more land uses on one permit)

2011 Kenes C. Bowling Reclamation Award Winners

2011 Winners

The following companies were winners of the Compact's 2011 national reclamation awards and were presented with plaques at the 2011 awards banquet:

Coal Category Winner:

Patriot Coal Company, LP – Patriot Surface Mine (Kentucky)

Noncoal Category Winner:

Frozen Ropes Baseball Company – Frozen Ropes Sports Park (New York)

2011 Honorable Mention Recipient

The following company received recognition as honorable mention in the Compact's reclamation awards program and was presented with a certificate at the 2011 awards banquet:

Coal Category:

Vigo Coal Operating Company, Inc. – Friendship Mine (Illinois)

2011 Minerals Education Award Winners

2011 Winners

The following were winners of the Compact's annual minerals education awards, which were presented during the awards banquet held in conjunction with the 2011 Annual Meeting in Wheeling, West Virginia. The mining educator awareness award is presented to a teacher or school from one of the Compact's member states. The winner receives an engraved plaque and a $500 award to go toward teaching materials. The public outreach award is presented to an industry, environmental, citizen, or other group from one of the Compact's member states, or to a member state government body. The public outreach award winner is presented with an engraved plaque of recognition.

Mining Educator Awareness Category Winner:

No award was presented in this category for 2011

Public Outreach Category Winner:

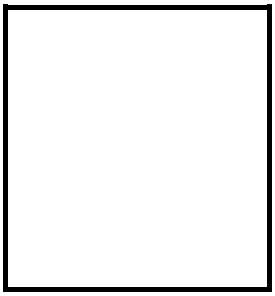
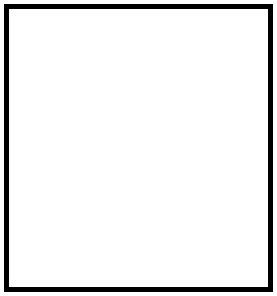
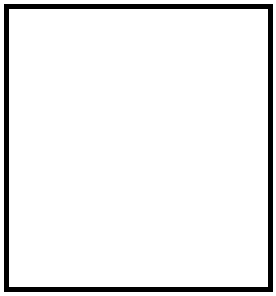
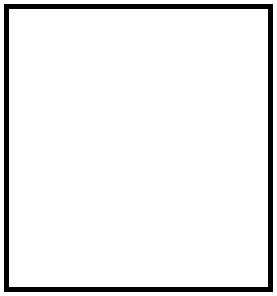
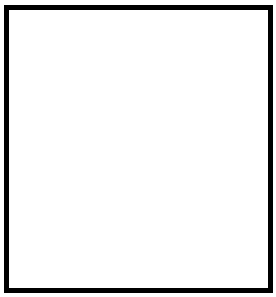
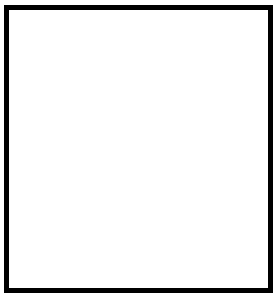
Alaska Resource Education (Alaska)

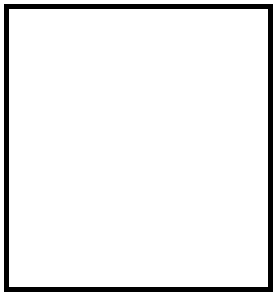
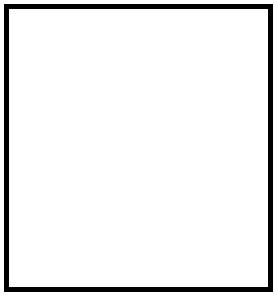
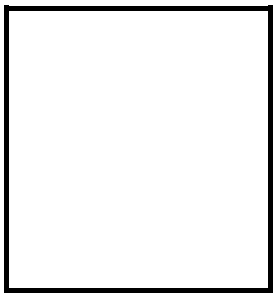
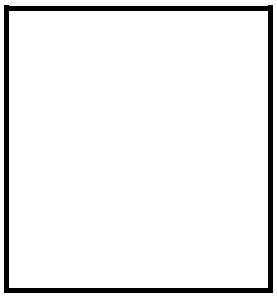
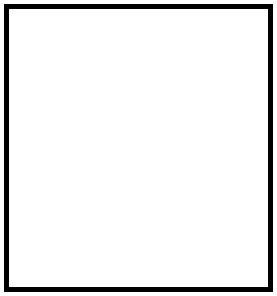
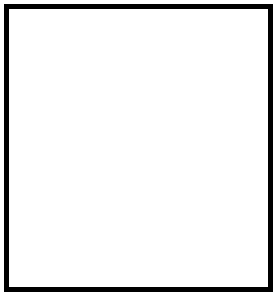
2011 Honorable Mention Recipient

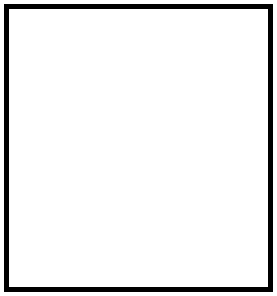
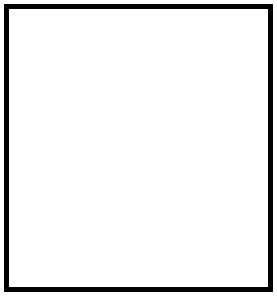
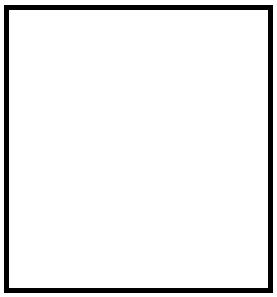
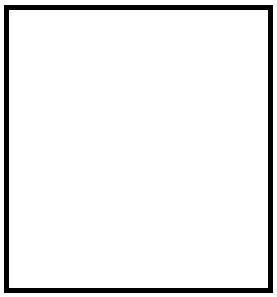
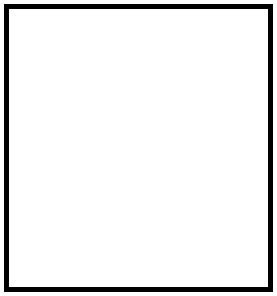
Public Outreach Category Winner:

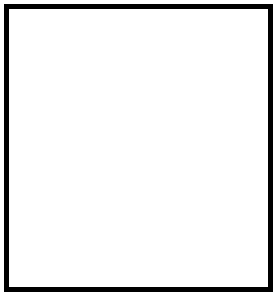
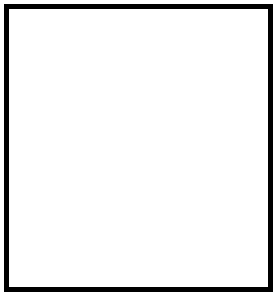
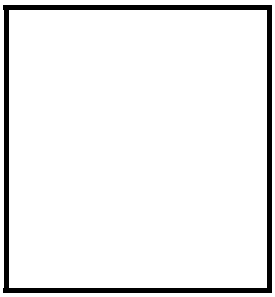
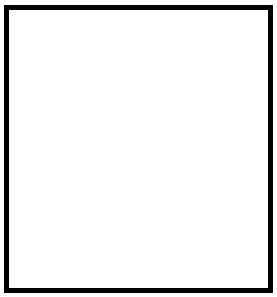
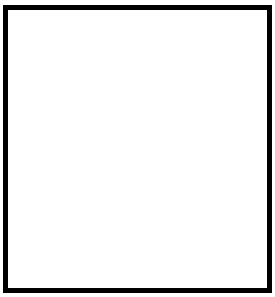
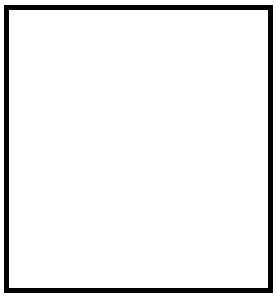
Lignite Energy Council (North Dakota)

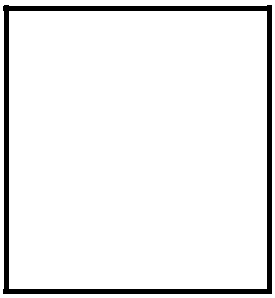
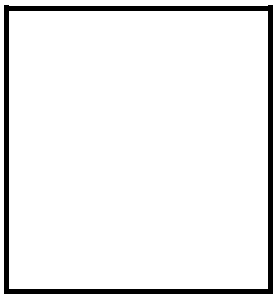
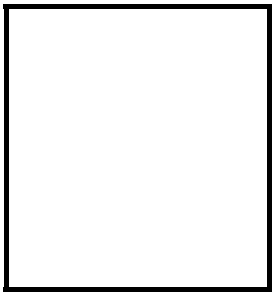
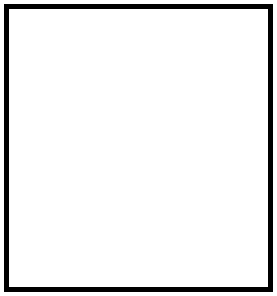
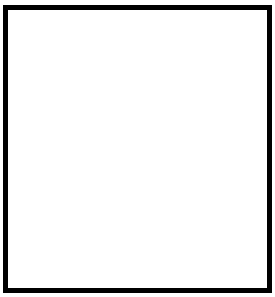
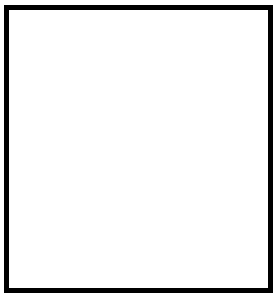
2011 IMCC Membership

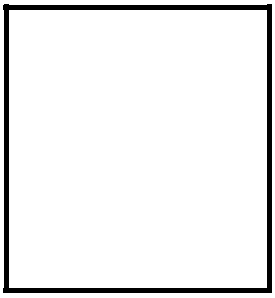
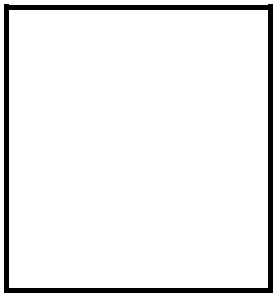
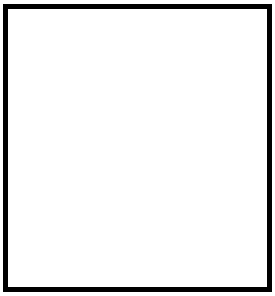
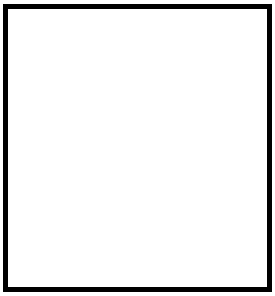
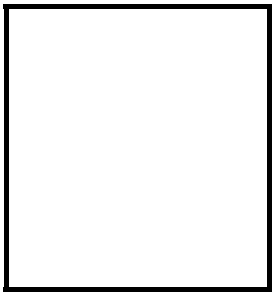
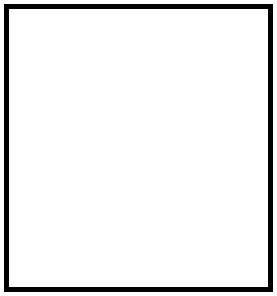
Commissioner		Commissioner's Official Representative
 Governor Robert J. Bentley	**Alabama**	 G. Thomas Surtees Director Department of Industrial Relations
 Governor Mike Beebe	**Arkansas**	 James F. Stephens Chief Surface Mining and Reclamation Division
 Governor Pat Quinn	**Illinois**	 Marc Miller Director Department of Natural Resources

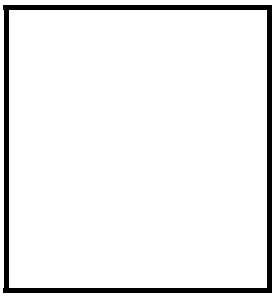
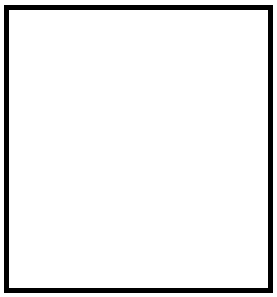
Commissioner		Commissioner's Official Representative
	**Indiana**	
Governor Mitchell E. Daniels, Jr.		Ron McAhron Deputy Director Department of Natural Resources
	**Kentucky**	
Governor Steven L. Beshear		Dr. Leonard K. Peters Secretary Energy & Environment Cabinet
	**Louisiana**	
Governor Bobby Jindal		Dale Bergquist Chief, Surface Mining Section Office of Conservation

Commissioner		Commissioner's Official Representative
 Governor Martin O'Malley	**Maryland**	 C. Edmon Larrimore Administrator Water Management Administration
 Governor Jay Nixon	**Missouri**	 Sara Parker Pauley Director Department of Natural Resources
 Governor Andrew Cuomo	**New York**	**Photo Not Available** Vacant

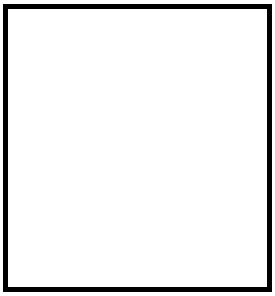
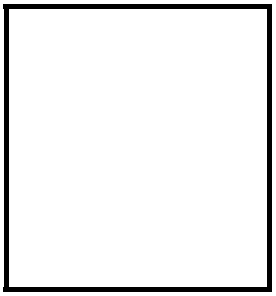
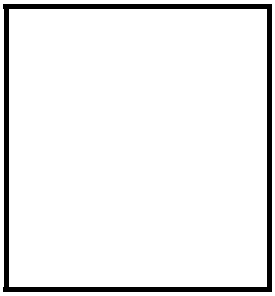
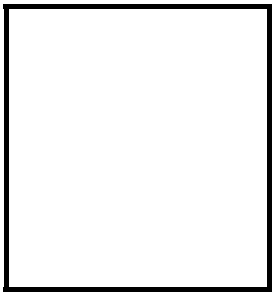
Commissioner		Commissioner's Official Representative
	North Carolina	
 Governor Beverly Eaves Perdue		 James D. Simons State Geologist & Director Department of Environment and Natural Resources
	North Dakota	
 Governor Jack Dalrymple		 James R. Deutsch Director Reclamation Division Public Service Commission
	Ohio	
 Governor John R. Kasich		 Jim Zehringer Director Department of Natural Resources

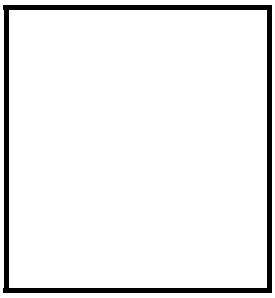
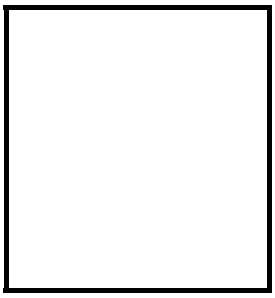
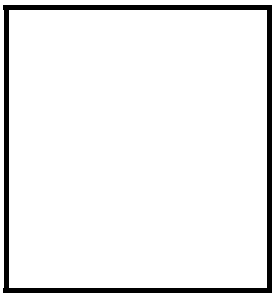
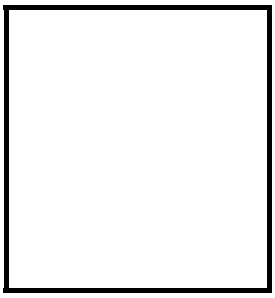
Commissioner		Commissioner's Official Representative
	**Oklahoma**	
Governor Mary Fallin		Robert A. Wegener Secretary of Energy
	**Pennsylvania**	
Governor Tom Corbett		J. Scott Roberts Deputy Secretary Department of Environmental Protection
	**South Carolina**	
Governor Nikki Haley		R. Craig Kennedy South Carolina Mining Council

Commissioner		Commissioner's Official Representative
 Governor Bill Haslam	**Tennessee**	 Robert J. Martineau, Jr. Commissioner Department of Environment and Conservation
 Governor Rick Perry	**Texas**	 Michael L. Williams Commissioner Railroad Commission of Texas
 Governor Robert F. McDonnell	**Virginia**	 Bradley C. (Butch) Lambert Deputy Director Department of Mines, Minerals and Energy

Commissioner		Commissioner's Official Representative
	**West Virginia**	
Governor Earl Ray Tomblin		Randy Huffman Cabinet Secretary Department of Environmental Protection

2011 Associate Member States

Commissioner		Commissioner's Official Representative
 Governor Sean Parnell	**Alaska**	 Ed Fogels Deputy Commissioner Department of Natural Resources
 Governor John Hickenlooper	**Colorado**	**Photo Not Available** Loretta Pineda Director, Div. of Reclamation, Mining & Safety, Dept. of Natural Resources
 Governor Susana Martinez	**New Mexico**	**Photo Not Available** Vacant

Commissioner		Commissioner's Official Representative
	Utah	
 Governor Gary R. Herbert		 John Baza Director Division of Oil, Gas & Mining
	Wyoming	
 Governor Matt Mead		 John Corra Director Department of Environmental Quality

2012 Commissioners and Their Representatives

2012 Commissioners

Indiana
Governor Mitchell E. Daniels, Jr. – Chairman

Texas
Governor Rick Perry – Vice Chairman

Illinois
Governor Pat Quinn – Treasurer

Alabama
Governor Robert J. Bentley

Arkansas
Governor Mike Beebe

Kentucky
Governor Steven L. Beshear

Louisiana
Governor Bobby Jindal

Maryland
Governor Martin O'Malley

Missouri
Governor Jay Nixon

New York
Governor Andrew Cuomo

North Carolina
Governor Beverly Eaves Perdue

North Dakota
Governor Jack Dalrymple

Ohio
Governor John R. Kasich

Oklahoma
Governor Mary Fallin

Pennsylvania
Governor Tom Corbett

South Carolina
Governor Nikki Haley

Tennessee
Governor Bill Haslam

Virginia
Governor Robert F. McDonnell

West Virginia
Governor Earl Ray Tomblin

Associate Member States

Alaska
Governor Sean Parnell

Colorado
Governor John Hickenlooper

Nevada
Governor Brian Sandoval

New Mexico
Governor Susana Martinez

Utah
Governor Gary R. Herbert

Wyoming
Governor Matt Mead

Commissioner's Official Representatives — 2012

Alabama
G. Thomas Surtees
Director
Department of Industrial Relations

Arkansas
James Stephens
Chief
Surface Mining and Reclamation Division
Department of Environmental Quality

Illinois
Marc Miller
Director
Department of Natural Resources

Indiana
Ron McAhron
Deputy Director
Department of Natural Resources

Kentucky
Leonard K. Peters
Secretary
Energy and Environment Cabinet

Louisiana
Vacant

Maryland
C. Edmon Larrimore
Program Manager
Department of the Environment
Mining Program

Missouri
Sara Parker Pauley
Director
Department of Natural Resources

New York
Vacant

North Carolina
James D. Simons
State Geologist and Director
Division of Land Resources
Department of Environment and Natural Resources

North Dakota
James R. Deutsch
Director, Reclamation Division
Public Service Commission

Ohio
David Mustine
Director
Department of Natural Resources

Oklahoma
Robert A. Wegener
Secretary of Energy

Pennsylvania
John F. Stefanko
Deputy Secretary for Active and Abandoned Mine Operations

South Carolina
R. Craig Kennedy
South Carolina Mining Council

Tennessee
Robert J. Martineau, Jr.
Commissioner
Department of Environment and Conservation

Texas
David J. Porter
Commissioner
Railroad Commission of Texas

Virginia
Butch Lambert
Deputy Director
Department of Mines, Minerals and Energy

West Virginia
Randy Huffman
Cabinet Secretary
Department of Environmental Protection

Associate Member States

Alaska
Ed Fogels
Deputy Commissioner
Department of Natural Resources

Colorado
Loretta Pineda
Director
Division of Reclamation, Mining & Safety
Department of Natural Resources

Nevada
Alan R. Coyner
Administrator
Division of Minerals
400 W. King Street, Suite 106
Carson City, NV 89703

New Mexico
Vacant

Utah
John Baza
Associate Director, Mining
Utah Division of Oil, Gas & Mining

Wyoming
John Corra
Director
Department of Environmental Quality

Interstate Mining Compact Commission
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Herndon, VA 20170
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Website: www.imcc.isa.us