INTERSTATE MINING COMPACT COMMISSION

2013 ANNUAL REPORT

About the Cover Photos:
The cover photos are of the Interstate Mining Compact Commission's 2013 National Reclamation Award winning sites. The two photos on the left are of Vigo Coal Operating Company, Inc. – Cypress Creek Mine located in Indiana (winner in the Coal Category). The two photos on the right are of M-I SWACO (A Schlumberger Company) – Greybull Bentonite Mine located in Wyoming (winner in the Noncoal Category). The two center photos are of Continental Coal, Inc. – Cottonwood Creek Mine located in Missouri (winner of the Special Recognition Award for a Small Operator).

Chairman's Message

It is my pleasure to present the 2013 annual report of the Interstate Mining Compact Commission (IMCC). The year was marked once again by fiscal challenges for state regulatory programs amidst prolonged federal budgetary uncertainties. IMCC proactively pursued efforts to shore up funding for state regulatory and assistance grants under the Surface Mining Control and Reclamation Act (SMCRA) and the Mine Safety and Health Act. In the end, we saw funding levels maintained for SMCRA programs but drastic cuts remained for mine safety and health training and assistance grants. This set the stage for renewed efforts by IMCC to inform Congress about the importance of state primacy and adequate funding for critical state programs.

IMCC became involved in a major, new project during 2013: the Extractive Industries Transparency Initiative (EITI). EITI is a voluntary, global effort designed to increase transparency, strengthen the accountability of natural resource revenue reporting and build public trust for the governance of these activities. IMCC was appointed by then-Secretary of the Interior Ken Salazar as a member of the federal advisory committee (known as the Multi-Stakeholder Group) that will oversee the implementation of EITI in the United States.

IMCC continued its sponsorship of benchmarking workshops, which offer the member states an opportunity to share innovative approaches to regulation and policy development. A regional noncoal workshop addressed western mining issues on March 27 and 28 in Salt Lake City with approximately 32 state and federal agency participants. IMCC sponsored a workshop on "The Status of State Reclamation Bonding Programs: Lessons Learned and Current Challenges" on August 21 and 22 in St. Louis with a total of 65 state and federal agency personnel and industry representatives attending. And IMCC continued its working relationship with complementary state government organizations, including the National Association of Abandoned Mine Land Programs and the Western Governors' Association.

IMCC represented the interests of the states in three legal proceedings as amicus curiae: two before the U.S. District Court for the District of North Dakota regarding the use of state policy memoranda and conflict of interest rules under SMCRA and another before the U.S. Court of Appeals for the Ninth Circuit regarding state permitting actions related to hydrologic impact assessments under SMCRA.

IMCC was delighted to welcome Mississippi as our newest associate member state in October. The states of Utah and Alaska also became full members of IMCC through the enactment of legislation formally bringing them into the compact.

IMCC remained in the vanguard of activity on behalf of the member states throughout 2013 as it sought to advance the purposes and goals of the compact as set forth in the strategic plan for the organization. In light of the U.S. Environmental Protection Agency's recent efforts to severely restrict coal use nationwide, I challenge the commission to voice the interests of its member states in a cohesive fashion, and I encourage the states to continue their strong support of the compact and their active engagement in our work.

Sincerely,

Rick Perry
Governor of Texas
Chairman, IMCC

2013 Annual Report of the Interstate Mining Compact Commission

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Table of Contents

Cover Photos . . . . . Front and Inside Cover

2013 Officers 1

History and Purpose of the Compact 2

Report of the Executive Director 3

2013 Standing Committees 10

Activities of the Standing Committees 11

Committees and Committee Chairmen and Vice Chairmen for 2014 14

Yearly Commission Meetings 15

Officers Elected for 2014 17

Resolutions 18

Financial Reports 23

Member State Permitting Data 26

Member State Reclaimed Land Use Data 30

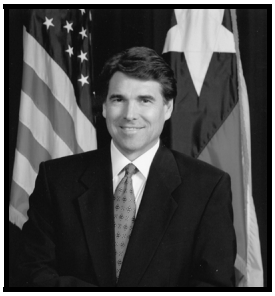
2013 Kenes C. Bowling Reclamation Award Winners 32

2013 Minerals Education Award Winners 33

2013 IMCC Membership 34

2014 Commissioners and Their Representatives 43

2013 Officers



Governor Rick Perry
Texas — Chairman

Governor Pat Quinn
Illinois – Vice Chairman

Governor Robert J. Bentley
Alabama — 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-three 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, Colorado, Nevada, and Mississippi — 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), Colorado (2007), Nevada (2012), and Mississippi (2013). New York, North Dakota, Utah, and Alaska are now a 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

They say the more things change, the more they stay the same. That is certainly how the year 2013 unfolded in many ways, particularly as we continued to do battle on the appropriations front and as we pursued a host of issues for the organization, including the U.S. Extractive Industries Transparency Initiative, sage grouse protections, various water quality issues, and a government efficiencies initiative between the states and the Office of Surface Mining (OSM). The year also saw the addition of a new associate member state (Mississippi) and the move to full membership by Utah and Alaska as both states enacted legislation formally bringing them into the compact. As our membership and work load increased, it became more clear than ever that the time had come to seriously pursue expanding the staff for the first time in 25 years, which began with the hiring of our part-time intern, Ryan Ellis, in June. Efforts were underway at year's end to convert this to a full-time position.

The year began with more than the usual amount of angst and uncertainty about the federal budget process given the budget balancing tactic of sequestration being employed by Congress for the first time in many years. Under a last minute deal between the Congress and the President on New Year's Day, automatic spending cuts were set to take place on March 1 without further action to address the FY 2013 budget. As a result, official Washington was paralyzed on the budget front, which resulted in many policy and regulatory decisions being held in abeyance. The Administration missed the early February deadline for submitting a proposed FY 2014 budget to Congress and did not release the budget until April 10. Across-the-board cuts of 5.1% for both mandatory and discretionary spending did in fact transpire on March 1, which were applied to the full appropriation for FY 2013, which was resolved through a continuing resolution on March 27.

Of particular concern to IMCC in the budget process were two discretionary funding sources for state programs, one under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) for state programs that regulate active coal mining operations, and another under the Mine Safety and Health Act of 1977 (the Mine Act) for state assistance grants (that also address training of miners). IMCC submitted a statement regarding OSM's proposed budget for FY 2014 with the House and Senate Appropriations Committees, as well as the authorizing committees, on April 25. IMCC also met with congressional staff from the House Interior Appropriations Subcommittee and the House Energy and Mineral Resources Subcommittee to discuss the proposed FY 2014 budget on several occasions. By year's end, a continuing resolution was in place for the first part of the 2014 fiscal year, which held state Title V regulatory grants steady at FY 2012 levels. The House Interior Appropriations Subcommittee had also passed out a bill that rejected proposed cuts to Title V grants and restored them to FY 2012 levels. Several e-memos providing updates on grant funding for FY 2013 and the FY 2014 budget were sent to the member states throughout the year. IMCC hosted a conference call between OSM and the member states of IMCC and the National Association of Abandoned Mine Land Programs (NAAMLP) on January 29 to discuss the status of FY 2013 appropriations, and in particular the Title IV and V grant distributions in light of sequestration. IMCC followed up with a memo to OSM containing information from the states regarding the status of funding for their respective grant programs under Titles IV and V. The states also initiated a process with OSM in August to discuss priorities for the agency's budget in future years. The Government Efficiency project was the subject of a conference call sponsored by IMCC on September 17 and plans called for a meeting with OSM officials to kick start the project on October 1 in conjunction with IMCC's Mid-Year meeting in San Antonio. However, due to the government shutdown, this meeting was postponed.

A more critical funding issue developed with regard to state assistance grants under the Mine Act, which are important for the training programs operated by the states to insure the health and safety of our Nation's miners. The Mine Safety and Health Administration (MSHA) decided to apply not only the 5.1% sequestration cut to these grants for FY 2013, but to also further reduce them based on the agency's alleged authority to "reprogram" certain moneys in the agency's budget to "higher priority" areas, in this case enforcement. As a result, the states saw a 65% cut in these state assistance grants, effectively decimating those aspects of state mine safety and health programs that were dependent on this funding, especially for training. IMCC undertook a major initiative on Capitol Hill to reverse these funding cuts and restore them to FY 2012 levels. And while those efforts failed to achieve their intended goal, our discussions with Congress and congressional staff through a series of briefings on June 25 set the stage for a more promising result in FY 2014. MSHA actually zeroed out funding for state assistance grants in its FY 2014 budget and, in response, IMCC submitted letters to the House and Senate Appropriations Committees objecting to this move on April 3 and then followed up with expanded statements for the record regarding MSHA's proposed budget on April 30.

Several conference calls were held with the states to discuss the MSHA grant situation, including those on May 20, 28, June 10, and June 14. A conference call between MSHA officials and the states facilitated by IMCC was held on June 27 to discuss the state grant application process for FY 2013. E-memos and updates on the budget and grant situations were sent to the states on a regular basis. IMCC also participated in an appeal by the Commonwealth of Pennsylvania of its FY 2013 grant amount. IMCC helped to coordinate the participation of several states in support of Pennsylvania and also testified at a public hearing held by MSHA on the appeal in Mt. Pleasant, Pennsylvania on December 18. IMCC also submitted a written statement for the record.

Pursuant to our memorandum of agreement with MSHA, IMCC facilitated a meeting between the member states and MSHA officials on January 23 at MSHA's headquarters in Arlington, Virginia to discuss a variety of issues including dam safety, mine rescue, miner certifications, regulation of coal waste impoundments and state training grants. This meeting was preceded by a states-only meeting on January 22 to prepare for the session with MSHA. IMCC also coordinated the collection of information from the member states regarding certification of miners in anticipation of a rulemaking by MSHA on the matter.

In addition to the federal budget process, IMCC has monitored hearings by the House Energy and Mineral Resources Subcommittee regarding OSM's stream protection rule, which has yet to be proposed. An oversight hearing was held on July 23, which IMCC attended. A legislative hearing concerning H.R. 2824 (which would require states to adopt the 2008 stream buffer zone rule) was held on August 2, at which two state witnesses provided testimony: Tom Clarke of West Virginia and Butch Lambert of Virginia. IMCC assisted with the preparation of the testimony and with witness preparation on August 1. IMCC also met with Subcommittee staff to discuss the proposed bill on June 20. In a related matter, IMCC worked with several cooperating agency states who have been involved with the review of OSM's draft environmental impact statement (EIS) that will accompany the proposed stream protection rule to draft a letter to OSM regarding their continued participation in the EIS review process. That letter was sent to OSM on July 8. A conference call with the affected states to discuss the letter was held on June 26. IMCC also worked with the state of Alaska to prepare testimony that was presented by Ed Fogels, Deputy Commissioner for the Alaska Department of Natural Resources on behalf of Alaska and IMCC before the Subcommittee at a hearing on October 10 entitled: "EPA v. American Mining Jobs: The Obama Administration's Regulatory Assault on the Economy."

IMCC's involvement with the U.S. Extractive Industries Transparency Initiative (EITI) began with some initial conference calls among IMCC and the National Governors Association, the Western Governors' Association (WGA) and the Interstate Oil and Gas Compact Commission (IOGCC) regarding appropriate representation of the states' interests in the effort. EITI is a voluntary, global effort (in which the U.S. is participating) designed to increase transparency, strengthen the accountability of natural resource revenue reporting, and build public trust for the governance of those activities. In the end, the executive directors of both IMCC and IOGCC were nominated to serve on the federal advisory committee that would oversee implementation of EITI in the U.S. by then-Secretary of the Interior Ken Salazar. IMCC attended the first meeting of the Multi-Stakeholder Group (MSG) on February 13 in Washington, DC. Additional face-to-face meetings of the MSG were held on May 1 and 2, June 12 and 13, July 23 and 24, November 5 and 6, and December 11 and 12 in Washington, DC. A Webex conference call of the MSG was held on April 11. IMCC is a member of the Government Sector of the MSG [there is also an Industry Sector and a Civil Society Sector] and conference calls of the sector were held on March 21, April 4 and 9, May 16, June 6, and September 16.

IMCC also served as a member of the EITI Candidacy Application Steering Committee (and its EITI Report Work Group) and the Outreach Steering Committee (and its Opt-in Work Group). Conference calls of these two committees and work groups were held on April 26; May 16, 23 and 30; June 6, 20 and 27; July 3 and 18; August 1, 8, 12 and 27; September 5, 6 and 20; November 1, 7, 14, 18 and 25; and December 3. IMCC also participated in a public meeting on the draft EITI candidacy application in Pittsburgh on November 11. In order to keep the member states apprised of developments regarding EITI and the potential implications for the states, IMCC sent e-memos to the states on February 14 and September 18. IMCC also sent a memo to the member states on July 18 requesting data and information regarding state revenues and the accounting and auditing protocols associated therewith. Throughout this effort, IMCC's primary focus was on drafting the U.S. candidacy application and accompanying work plan in a way that would protect the states' interests and concerns. In the end, the application included provisions that would rely on publicly available data and information for initial EITI reporting and then an "opt-in" process in later stages of the initiative for those states that choose to become more fully involved through revenue reporting and reconciliation.

IMCC held two benchmarking workshops in 2013, continuing its tradition of providing opportunities for the states to enhance their regulatory programs through the sharing of information and innovative approaches. IMCC sponsored a regional workshop that focused on western mining issues on March 27 and 28 in Salt Lake City, Utah with approximately 32 state and federal agency participants. IMCC sponsored a workshop on "the Status of State Reclamation Bonding Programs: Lessons Learned and Current Challenges" on August 21 and 22 in St. Louis. Among the topics addressed were bond forfeitures and bankruptcies, bonding for long-term treatment scenarios, self bonding and third party corporate guarantees, bond calculation methodologies, and bonding instruments. A total of 65 state and federal agency personnel and industry representatives attended. In preparation for these workshops, several conference calls were held with the steering committee and the presenters. IMCC also conducted a survey of the states (consisting of both members and non-members) to gather information and data concerning current bonding approaches and challenges, which were then discussed at a states-only session on August 22. All of the materials from the workshops are available on IMCC's website.

IMCC continues its working relationship with the National Association of Abandoned Mine Land Programs (NAAMLP), including legislative and regulatory affairs work conducted by IMCC pursuant to a contract for services with NAAMLP. IMCC attended and provided a regulatory and legislative issues briefing at the NAAMLP Winter

Meeting on March 11 and 12 in Annapolis, Maryland. IMCC also participated in the NAAMLP Annual Conference from September 22 - 25 in Daniels, West Virginia, at which time another briefing was provided. A conference call among several IMCC and NAAMLP member states was held on June 27 to discuss Good Samaritan legislative strategy. IMCC also held a meeting with representatives of Trout Unlimited on June 28 to discuss legislation options related to Good Samaritan protections. IMCC has also coordinated action with staff of the House Energy and Mineral Resources Subcommittee regarding pending Good Samaritan legislation and potential hearings on the bills. IMCC also coordinated testimony on OSM's FY 2014 proposed budget with NAAMLP and drafted a statement for the Association.

In a related matter, IMCC, together with NAAMLP, has worked with the Legacy Management Office within the U.S. Department of Energy (DOE) to assist with coordinating state and tribal input regarding a report to Congress on abandoned uranium mines, which is required by the Defense Authorization Act of 2013. The Legacy Management Office provided an overview of the report and the need for state/tribal input at the IMCC Western Noncoal Minerals Workshop in Salt Lake City on March 28. IMCC coordinated input from the states and tribes on draft topic reports and held a conference call with interested and affected states and tribes on November 26 to discuss comments. Those comments were submitted to DOE on December 23.

On February 6, OSM released its long-awaited proposed rule on limited liability protections for certified states and tribes doing noncoal reclamation work under SMCRA. IMCC, with the assistance of former Wyoming Abandoned Mine Land (AML) Director Rick Chancellor, developed an analysis of the rule along with draft comments that were circulated to IMCC and NAAMLP states and tribes for review. Final comments were submitted to OSM on March 18, which were then sent to the states and tribes along with a template for individual submission of comments supporting the rule.

IMCC continues its working relationship with the Western Governor's Association (WGA), joining forces on USEITI, as noted above, and also on a rule being developed by the U.S. Environmental Protection Agency (EPA) concerning financial responsibility requirements for the hardrock mining industry under Section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). A conference call was held on August 4 to discuss the status of the rulemaking and a meeting between IMCC, WGA and EPA was held on September 26 in Washington, DC to receive updates on progress regarding the rule and the incorporation of state concerns.

IMCC has worked cooperatively with the Office of Surface Mining (OSM) on a number of joint initiatives including the National Technology Transfer Team (NTTT), which met via conference call on January 17, March 20, May 30, August 27, and December 17. IMCC also met with the state representatives of the National Technical Training Program (NTTP) Steering Committee via conference call on October 22 to discuss class prioritization. IMCC is participating as a member of the OSM steering committee planning the next Indiana Bat Technical Forum, with conference calls held on January 15 and March 13. IMCC also continues to serve as a member of the executive management team overseeing development and implementation of the Range-wide Indiana Bat Guidance Document. The team met via conference call on February 8 to discuss revisions to the document. Given state concerns regarding the interaction between this document and a separate set of guidelines proposed by the U.S. Fish and Wildlife Service (FWS) regarding summer habitat for the bat, a conference call of affected states was held on February 26 to discuss the matter. IMCC submitted comments on the FWS proposal on March 8. Follow up conference calls between OSM, FWS and IMCC were held on March 13 and 19 to discuss the overlap and potential conflicts between the two sets of guidelines.

IMCC also serves on the Geomine Pilot Project Steering Committee, which met via

conference call on January 29, February 7, March 14, June 26, August 14 and 27, and November 25. IMCC also serves on the steering committee that is formulating the next OSM technical forum on mine placement of coal combustion residues, which met via conference call on January 16 and March 5. Many of these forums are on hold given fiscal constraints on OSM's budget.

IMCC attended a meeting between OSM's Appalachian Regional staff and the states on August 27 and 28 in Roanoke, West Virginia. IMCC also attended a meeting via conference call between OSM's Western Regional staff and the states on August 8 in Denver. IMCC also met with OSM Director Pizarchik on August 26 to discuss several pending issues, including funding priorities under OSM's budget.

Several IMCC member states were working with a team of representatives from OSM during the year to discuss the implications of potential new bankruptcies in the coal industry due to the downturn in coal markets, particularly with respect to bond forfeitures. The team is also exploring the use of alternative enforcement options to address the matter. A conference call of the OSM/State team was held on February 12.

IMCC also worked with a handful of affected member states to explore the potential of resolving differences between the states and OSM regarding permit termination requirements under Section 506 (c) of SMCRA. IMCC developed an option paper that discusses several approaches for addressing the issue which was submitted to OSM on May 3.

IMCC participated in a webinar hosted by OSM on May 15 regarding a proposed plan of action concerning impoundment/dam safety pursuant to a report by the Interior Department's Office of Inspector General.

IMCC provided a presentation on state mine safety and health programs to a delegation of Chinese mining officials on July 3.

On the administrative side of our operations, IMCC has undertaken to communicate with the member states on several fronts. IMCC sent nearly 80 informational e-memos to the member states during the year concerning many of the subjects discussed in this report. IMCC published four e-newsletters. The annual report for 2012 was distributed to the member states, prospective member states and other interested parties on August 15 (but made available on our website on July 17). IMCC conducted its annual audit on July 31 and the report of the auditors was distributed to the member states on September 3. IMCC also updated its website with several new enhancements, including presentation materials from IMCC's recent workshops and a message board that can be utilized by the member states as a forum for sharing information and posting questions for response. An updated membership directory, as well as meeting announcements and other information, continues to be available on the website. IMCC updated its Noncoal Mineral Resources Report during 2013, with 22 states having updated the data and information already contained in the report and two new states submitting information for the first time.

IMCC conducted a survey of the member states during the latter part of 2013 based on our strategic plan. Responses to the survey were collated and a report prepared and distributed to the member states. The IMCC Finance and Administrative Committee met on two occasions during the year – once on April 3 to review the Compact's financial condition, discuss the proposed budget for FY 2014, receive a report on staff performance evaluations, develop a recommendation on staff compensation, and review other administrative matters. The committee met again on September 5 to discuss a variety of issues affecting IMCC including the FY 2014 audit and recommendations for certain internal controls, the establishment of an Executive Committee, IMCC staff expansion, and open meeting requirements and other legal requirements related to compact membership. The committee established an Ad Hoc Committee on Staff Expansion to work with the Executive Director to examine the potential for an additional

professional staff member. A conference call of the Ad Hoc Committee was held on September 19.

The IMCC Reclamation Awards Committee met via conference call on March 19 to select the winners of the 2013 IMCC national reclamation awards. The Education Work Group also met via conference call on March 19 to select the winners of the 2013 IMCC Minerals Education Awards.

On the membership front, the Utah legislature passed a bill bringing the state into the compact as a full member, which was signed by Governor Herbert on April 1. Alaska re-introduced its legislation for full membership and IMCC testified via conference call in support of the bills before the Senate State Affairs Committee (on February 12), the Senate Finance Committee (on February 27), and the House Resources Committee (on April 5). The legislation was approved on April 12 and was signed into law by Governor Parnell on April 15. Mississippi joined IMCC as an associate member state on October 3 and was developing legislation to bring the state into the compact as a full member state. IMCC has also discussed membership with the states of Montana, Arizona, and California. IMCC continues to work with the states of New Mexico, Wyoming, and Colorado on proposed legislation to bring them into the compact as full members. IMCC sent a letter to Governor Haley of South Carolina on August 26 requesting her advice on the state's ability to pay dues in FY 2013 and 2014.

On the litigation front, IMCC participated as amicus curiae in two proceedings before the U.S. District Court for the District of North Dakota regarding the use of policy memoranda and conflict of interest requirements under SMCRA. IMCC submitted its brief on the policy memoranda issues on January 15 and a decision was rendered by the court on September 3 rejecting the challenge and upholding the state's use of policy memoranda and OSM's actions regarding review and approval of those documents. The brief on conflict of interest requirements was filed on April 13 and a decision was rendered by the court on October 22 rejecting the challenge by environmental groups. Several conference calls with the attorneys representing North Dakota were held during the year to coordinate our legal positions and arguments. IMCC also filed an amicus brief before the U.S. Court of Appeals for the Ninth Circuit on September 17 in an appeal of a U.S. District Court decision in Montana rejecting a challenge to the state's approval of cumulative hydrologic impact assessments based on sovereign immunity grounds.

Finally, IMCC's offices underwent a major refurbishment during the week of December 16. The office was painted and re-carpeted. As part of the process, IMCC purged and reorganized its files and records and procured an off-site storage facility for these materials.

Each year seems to bring new challenges for IMCC and 2013 was no exception. What became very clear was that the number and complexity of those challenges and issues had increased to the point that an expansion of the staff was needed to address them. After 25 years of operating with a staff of two full time employees, an effort was underway at year's end to provide us with additional bandwidth to adequately meet the needs of the member states. This was not an unexpected development given the addition of several new member states over the past five years and the new areas of interest that they have brought to the table. It is an exciting time for IMCC that bodes well for the future of the organization.

We were very encouraged with the results of the member survey we undertook during the latter part of the year. The states expressed high levels of satisfaction with the current operations of IMCC and the direction in which we are headed. The states also identified several ideas and areas that would enhance our effectiveness as an organization, many of which have already been implemented. What was most encouraging is the commitment of the member states to the mission, goals, and objectives of IMCC as expressed in our

strategic plan and how we, together, are accomplishing those initiatives. As we enter our 45th year of service to the states, I believe the compact is financially sound, organizationally healthy, and poised for the challenges that we will face into the future.

2013 Standing Committees

Environmental Affairs Committee

Coal Section

Thomas Clarke, West Virginia, Chairman — *Jim Deutsch,* North Dakota, Vice Chairman

Noncoal Section

Matthew Podniesinski, New York, Chairman — *Mary Ann Pritchard*, Oklahoma, Vice Chairman

Abandoned Mine Lands Committee

Tim Eagle, Tennessee, Chairman — *Mike Garner*, Maryland, Vice Chairman

Mine Safety and Health

Craig Corder, Ohio, Chairman — *Franklin Reed,* Kentucky, Vice Chairman

Finance and Administrative Committee

Tom Surtees, Alabama, Chairman — *Butch Lambert,* Virginia, Vice Chairman

Resolutions Committee

John Caudle, Texas, Chairman — *Michael Woods,* Illinois, Vice Chairman

Awards Committee

Kevin Mohammadi, Missouri, Chairman — *Jim Stephens,* Arkansas, Vice Chairman

(Members of the 2013 Awards Committee: Missouri, Arkansas, Kentucky, Maryland, Nevada)

Legal Advisor

Mark Secrest, Oklahoma

Minerals Education Work Group

Molly Edsall, Maryland, Chairman

Activities of the Standing Committees

Finance and Administrative Committee

The committee met on three occasions during 2013. The committee met via conference call on April 3 to discuss and tentatively approve the proposed budget for Fiscal Year 2014, and to prepare recommendations for staff compensation and benefits. On April 17 the committee met in Cincinnati, Ohio in conjunction with the Compact's Annual Meeting. The committee reviewed the Compact's current financial condition; reviewed and approved the proposed Fiscal Year 2014 budget; reviewed and approved the performance goals for the Executive Director for Evaluation Year 2014; were updated on membership status and dues assessments; were presented with an update by current associate member states regarding their membership status; and discussed several administrative matters.

On October 3, the committee met in San Antonio, Texas. The committee reviewed the Compact's current financial condition; reviewed and approved the Compact's Fiscal Year 2013 Audit; were presented with an update by current associate member states regarding their membership status and legislative initiatives to pursue full membership; discussed By-Law revisions regarding open meeting requirements; voted to establish an Interstate Mining Compact Commission (IMCC) Executive Committee; and received a report from the Ad Hoc Committee on Staff Expansion.

Resolutions Committee

The committee met jointly with the Finance and Administrative Committee twice in 2013. On April 17 in Cincinnati, Ohio, the committee recommended approval of two resolutions of appreciation. (See *Resolutions* section of this Annual Report.)

On October 3 in conjunction with the IMCC Mid-Year Meeting in San Antonio, Texas, the committee met and recommended adoption of three resolutions, including two resolutions of appreciation, and a resolution welcoming Mississippi as IMCC's newest associate member state. (See *Resolutions* section of this Annual Report.)

Environmental Affairs Committee — Coal Section

The Coal Section of the Environmental Affairs Committee met on April 16, 2013 in Cincinnati, Ohio in conjunction with the Compact's Annual Meeting. Among the topics discussed were: the Office of Surface Mining's (OSM) budget and appropriations issues; Congressional activity and IMCC testimony at hearings; state Title V regulatory grants and sequestration impacts; OSM rulemakings on stream protection, mine placement of coal combustion residues, temporary cessation, impoundments, and underground coal gasification guidelines; federal oversight issues under the Surface Mining Control and Reclamation Act (SMCRA); pending litigation; the Geomine pilot project; Indiana Bat Protection and Enhancement Guidelines; and consolidation of OSM with the Bureau of Land Management (BLM).

On October 2, 2013, the committee met in conjunction with the IMCC Mid-Year Meeting in San Antonio, Texas. Among the topics discussed were: OSM's budget and appropriations issues; OSM rulemakings on stream protection, cost recovery, limited liability, mine placement of coal combustion residues, impoundments, civil penalties, and temporary cessation; federal oversight issues under SMCRA; IMCC participation in state litigation; the Geomine Pilot Project; Indiana Bat Protection and Enhancement Guidelines; and IMCC's Bonding Workshop.

Environmental Affairs Committee — Noncoal Section

The Noncoal Section of the Environmental Affairs Committee met twice in 2013. On April 15 in Cincinnati, Ohio, the committee met in conjunction with the Compact's Annual Meeting. The committee met again on October 2 in San Antonio, Texas in conjunction with the Mid-Year Meeting. Topics discussed at the April 15 meeting included: an update on the Environmental Protection Agency (EPA) rulemaking on financial assurance requirements under Section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); an update on Mining Law Reform legislation and Good Samaritan legislation; administrative actions advancing a hardrock abandoned mine land (AML) program and a legislative proposal to institute a leasing process under the Mineral Leasing Act of 1920; the "National Strategic and Critical Minerals Production Act" (H.R. 761) introduced in Congress; the Department of Energy's (DOE) Office of Legacy Management report to Congress on uranium abandoned mine land cleanups; a report on IMCC-sponsored regional noncoal workshops/symposia; future IMCC workshops; EPA's National Mining Enforcement Initiative; the Extractive Industries Transparency Initiative; and IMCC's Noncoal Mineral Resources Report.

Topics of discussion at the committee meeting held on October 2 included: an EPA rulemaking on financial assurance requirements under Section 108(b) of CERCLA; hardrock mining and Good Samaritan legislation and administrative actions; the Extractive Industries Transparency Initiative; the "National Strategic and Critical Minerals Production Act" (H.R. 761); DOE, Legacy Management Office's "Report to Congress on Defense-Related Uranium Mines"; and updates to IMCC's Noncoal Mineral Resources Report.

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 16 in Cincinnati, Ohio and October 2 in San Antonio, Texas. At the April 16 meeting, the committee discussed the following topics: legislative proposals (S. 222 and H.R. 488) to amend the Surface Mining Control and Reclamation Act (SMCRA) to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs; state Title IV (AML) grants and impacts from delayed distribution; AML enhancement projects; and IMCC/NAAMLP (National Association of Abandoned Mine Land Programs) comments on the limited liability rulemaking.

At the October 2 meeting, topics discussed included: pending legislative proposals regarding use of prior balance AML moneys to do noncoal AML work and for acid mine drainage set aside (S.222), the use of accrued interest and excess treasury funds under Title IV to pay for United Mine Workers retirees (S. 468 and H.R. 980), lifting the cap on payments to certified states and tribes and providing for two enhanced payments (H.R. 527 and S. 783); state Title IV AML grants; NAAMLP's AML accomplishments report; and the status of the limited liability rulemaking.

Mine Safety & Health Committee

The Mine Safety & Health Committee met jointly with the Noncoal Section of the Environmental Affairs Committee on two occasions in 2013 – on April 15 in Cincinnati, Ohio in conjunction with the Compact's Annual Meeting, and on October 2 in San Antonio, Texas in conjunction with IMCC's Mid-Year Meeting. Topics of discussion at the April 15 meeting included: Mine Safety and Health

Administration (MSHA) state training grants; the status of mine safety and health legislation; an IMCC/MSHA meeting held January 23, 2103; OSM's coal waste impoundments study and rulemaking; a certification tracking system; and Pennsylvania's Special Medical Response Team.

Topics discussed at the October 2 meeting included: MSHA's FY 2014 appropriation and effects of a continuing resolution; reprogramming of MSHA state training grant funds; appeals of FY 2013 state grant amounts; status of mine safety and health legislation; future meetings with MSHA officials; and OSM/MSHA interaction on coal waste impoundments.

Awards Committee

The Awards Committee met via conference call on March 19, 2013 to select winners of the 2013 Kenes C. Bowling National Mine Reclamation Awards. The Education Work Group met via conference call on March 19, 2013 to select winners of the 2013 IMCC National Minerals Education Awards.

The reclamation award recipients are listed elsewhere in this Annual Report. The awards were presented at the Annual Awards Banquet on April 16, 2013, which was held in conjunction with IMCC's Annual Meeting in Cincinnati, Ohio.

The National Mineral Education Awards were also presented at the April 16 Awards Banquet. The education award recipients are also listed elsewhere in this Annual Report.

Committees and Committee Chairmen and Vice Chairmen for 2014

Environmental Affairs Committee

Coal Section

Jim Deutsch, North Dakota, Chairman

Steve Weinzapfel, Indiana, Vice Chairman

Noncoal Section

Mary Ann Pritchard, Oklahoma, Chairman

Craig Kennedy, South Carolina, Vice Chairman

Abandoned Mine Lands Committee

Ed Larrimore, Maryland, Chairman

Eric Cavazza, Pennsylvania, Vice Chairman

Mine Safety and Health

Franklin Reed, Kentucky, Chairman

William Gerringer, North Carolina, Vice Chairman

Finance and Administrative Committee

Butch Lambert, Virginia, Chairman

John Baza, Utah, Vice Chairman

Resolutions Committee

Scott Fowler, Illinois, Chairman

Tom Surtees, Alabama, Vice Chairman

Awards Committee

Jim Stephens, Arkansas, Chairman

Judi Stoute, Louisiana, Vice Chairman

(Members of the 2014 Awards Committee: Arkansas, Louisiana, Colorado, New Mexico, Virginia)

Legal Advisor

Alaska

Minerals Education Work Group

Wendy Hamilton, South Carolina, Chairman

Yearly Commission Meetings

2013 Annual Meeting — Cincinnati, Ohio

The 2013 Annual Meeting was held at the Hilton Netherland Plaza Hotel in Cincinnati, Ohio from April 14 - 17, 2013. Eighteen of the 25 member states were in attendance and the state of New York participated via conference call. Attendees included approximately 53 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, a social reception and a dinner.

The meeting began with welcome remarks by Lanny Erdos, Chief of the Ohio Division of Minerals Resources Management in the Department of Natural Resources who opened the General Session on April 15. Speakers and topics covered during the session included: "The Mushroom Farm AML/AMD Project" by Cheryl Socotch and Theresa McQuade of the Ohio Department of Natural Resources; "Joint Ohio State University/Ohio DNR Stream Quality Study" by Robert Baker of Ohio State University and Roger Osborne of B&N Coal Company; "Acid Mine Drainage Treatment and Recovery in the Monday Creek Watershed" by Nate Schlater of the Monday Creek Restoration Project; and "Education: The Key to Maintaining Our Public License to Operate – Lessons Learned in Ohio" by Patrick Jacomet of the Ohio Aggregates and Industrial Minerals Association.

IMCC's Standing Committee meetings commenced during the mid-morning of April 15 (see *Activities of the Standing Committees*). In the evening attendees enjoyed a dinner buffet at the Moerlein Lager House.

The Standing Committee meetings resumed on the morning of April 16 and continued throughout the afternoon. At a banquet that evening, the IMCC presented its 2013 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 17. The meeting was chaired by John Caudle on behalf of the Compact's Chairman, Governor Rick Perry of Texas. 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*); approval of standing committee action items; and future IMCC meetings. In addition, two resolutions were adopted at the meeting and are contained in the *Resolutions* section of this Annual Report.

2013 Mid-Year Meeting – San Antonio, Texas

The Mid-Year Executive Commission Meeting of the IMCC was held in San Antonio, Texas at the Westin Riverwalk Hotel, October 2 - 3, 2013. Twenty of the 25 member states were in attendance. Representatives from the states of Mississippi and Montana were also in attendance. Committee meetings were held on October 2. A luncheon and a social reception were also held on October 2. Alaska State Senator Cathy Giessel was the keynote speaker at the luncheon. Committee meetings resumed the morning of October 3. They were followed by the commission's business meeting which concluded the meeting. The business meeting was chaired by John Caudle on behalf of the Compact's Chairman, Governor Rick Perry of Texas. 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*); approval of

standing committee action items; election of officers for 2014; appointment of committee chairs for 2014; a draft member state survey; 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 2014

Chairman:
Governor Pat Quinn
Illinois

Vice Chairman:
Governor Robert J. Bentley
Alabama

Treasurer:
Governor Terry McAuliffe
Virginia

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Lanny Erdos and his staff arranged an informative and interesting annual meeting for the Interstate Mining Compact Commission in Cincinnati, Ohio from April 14 - 17, 2013; and

WHEREAS, Mr. Erdos also served as the Moderator for the Opening Session on April 14 and the Master of Ceremonies at the Awards Banquet on April 16; and

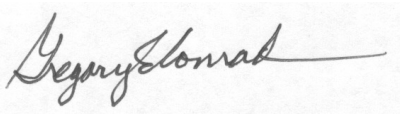
WHEREAS, our hosts warmly welcomed and generously extended their Buckeye hospitality to all attendees;

NOW THEREFORE BE IT RESOLVED:

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

Issued this 17th day of April, 2013

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 15, 2013 in Cincinnati, Ohio are men and women of outstanding ability in their respective fields, and the benefits 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;

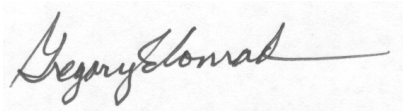
NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its sincere gratitude to:

Cheryl Socotch
Robert Baker
Nate Schlater
Theresa McQuade
Roger Osborne
Patrick Jacomet

Issued this 17th day of April, 2013

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, John Caudle and his staff assisted in arranging and preparing for the Mid-Year Meeting of the Interstate Mining Compact Commission in San Antonio, Texas on October 2 and 3, 2013; and

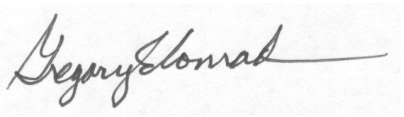
WHEREAS, our hosts warmly welcomed and generously extended their Lone Star hospitality to all attendees;

NOW THEREFORE BE IT RESOLVED:

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

Issued this 3rd day of October 2013

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, article V, paragraph (f) of the By-laws of the Interstate Mining Compact Commission provide for associate membership in the Commission; and

WHEREAS, by letter dated September 24, 2013 from Governor Phil Bryant the state of Mississippi made application to become an associate member of the Commission; and

WHEREAS, pursuant to its letter of application, the state of Mississippi has expressed an interest in the programs of the Commission, desires to participate in its activities, and commits itself to seriously consider regular membership in the Compact through the adoption of necessary legislation;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission, by unanimous affirmative vote of the member states, hereby approves the entry of Mississippi as an associate member of the Commission.

Issued this 3rd day of October, 2013

ATTEST:

Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, the Interstate Mining Compact Commission's Mid-Year Meeting in San Antonio, Texas on October 2, 2013 was honored by the presence of The Honorable Cathy Giessel, Alaska State Senator for District N; and

WHEREAS, Senator Giessel presented the Keynote Address at the IMCC luncheon on October 2nd; and

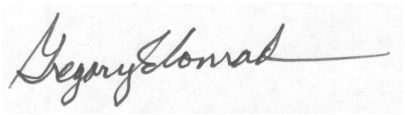
WHEREAS, Senator Giessel was the primary sponsor for legislation to bring Alaska into the Compact and was instrumental in leading the effort in the Alaska legislature to adopt the legislation;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Senator Giessel for her participation in making this year's meeting an outstanding success and for her strong support of IMCC.

Issued this 3rd day of October, 2013

ATTEST:



Executive Director

Financial Reports

Interstate Mining Compact Commission
Statement of Financial Position for the Year Ended June 30, 2013

ASSETS

Cash	$ 161,975.00
Certificates of deposit	400,000.00
Accounts receivable, net	49,053.00
Interest receivable	4,361.00
Prepaid expenses and deposits	5,251.00
Property and equipment, net	2,683.00
Total assets	623,323.00

LIABILITIES AND NET ASSETS

Liabilities:	
Accrued vacation	49,063.00
Deferred revenue	25,669.00
Deferred rent	3,043.00
Total liabilities	77,775.00
Net assets:	
Unrestricted	545,548.00
Total net assets	545,548.00
Total liabilities and net assets	623,323.00

Financial Reports

Interstate Mining Compact Commission
Statement of Activities
For the Year Ended June 30, 2013

Unrestricted revenue and support	
Assessments	$556,573
Government grants and contracts	15,000
Conferences and meetings	17,930
Interest income	6,228
Other income	10
Total revenue and support	595,741
Expenses	
Administrative and general	597,501
Total expenses	597,501
Change in net assets	(1,760)
Net assets, beginning of year	547,308
Net assets, end of year	$545,548

Financial Reports

Interstate Mining Compact Commission
Schedule of Comparison of Expenses and Budget
For the Year Ended June 30, 2013

Description	Admin. & General	Totals	Budget	Variance Over (Under)
Salaries	$335,125	$335,125	$327,000	$ 8,125
Employee benefits	88,237	88,237	110,000	(21,763)
Rent	36,563	36,563	39,000	(2,437)
Conference and meetings	39,011	39,011	25,000	14,011
Travel	16,716	16,716	20,000	(3,284)
Contractual services	1,725	1,725	–	1,725
Legal	7,500	7,500	–	7,500
Publications	3,164	3,164	5,000	(1,836)
Telephone	7,349	7,349	10,000	(2,651)
Auditing	4,700	4,700	5,000	(300)
Postage	1,432	1,432	2,500	(1,068)
Equipment expenses	2,785	2,785	2,500	285
Office supplies	3,863	3,863	3,500	363
Other expenses	1,533	1,533	2,100	(567)
Insurance	3,539	3,539	4,500	(961)
Printing	1,859	1,859	1,900	(41)
Registration fees/ subscriptions	1,050	1,050	1,500	(450)
Utilities	1,101	1,101	1,500	(399)
Depreciation	940	940	–	940
Bad debt	39,309	39,309	–	39,309
Total expenses	$ 597,501	$ 597,501	$ 561,000	$36,501

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED
JANUARY 1 - DECEMBER 31, 2013 FOR COAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	#Acres Disturbed	# Acres Reclaimed
Alabama Surface Mining Commission	4	1,965		
Alaska Dept. of Natural Resources, Division of Mining, Land & Water	12 (cumulative); 0 (renewed)	12,397 (cumulative); 0 (new)	2,432 (cumulative); 148 (new)	355 (cumulative); 0 (new) [1]
Arkansas Dept. of Environmental Quality, Surface Mining and Reclamation Division	3	1,436	812	0
Colorado Division of Reclamation, Mining & Safety, Coal Program	0	185,532.61	19,608.57	5,666.522 [2]
Illinois Dept. of Natural Resources, Office of Mines & Minerals, Land Reclamation Division	2	868	794	483
Indiana Dept. of Natural Resources, Division of Reclamation	5	8,933.2 [3]	2,425.3 [4]	4551.8
Kentucky Dept. for Natural Resources, Division of Mine Reclamation and Enforcement	578	121,511	241,750	14,646
Louisiana Dept. of Natural Resources, Office of Conservation	0	0	22,375	25.38
Maryland Bureau of Mines [5]	8	111	2,588	275
Mississippi Dept. of Environmental Quality	0 (in 2013)	0 (new); 8,389 (total)	497 (new); 3,594 (total)	0 (2013); 2,000 (est. total)
Missouri Department of Natural Resources, Land Reclamation Program	1	168	168	619.28
New Mexico Energy, Minerals & Natural Res. Dept., Coal Mine Reclamation Program [6]	0	0	856.5	0
North Dakota Public Service Commission	0	0	1,410	2,085
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	9 (new); 19 (adjacent areas)	20,183.6 (total) [7]	37,788.54 [8]	4,428.5 [9]
Oklahoma Dept. of Mines	[10]	21,863.53	10,167.21	701.1
Pennsylvania Dept. of Environmental Protection	85	13,318	2,918	3,755
Texas Railroad Commission	5 (new, renewals and revisions)	6,065.64 [11]	5,389.8 [12]	2,654.5 [13]
Utah Division of Oil, Gas and Mining	0 (new); 29 (total)	480 (new); 127,752 (total)	41 (new); 3,182 (total)	87 (2013 phase III bond release)
Virginia Dept. of Mines, Minerals & Energy, Division of Mined Land Reclamation	11 (9 - new; 2 - transfers)	79,445.65	55,910.19; 65,456.91 (acres bonded)	1,939.82; 32,430.32 (total reclaimed)
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	71 (2013 new and amendments)	9,275 (2013); 336,680 (total)	121,889 (total) [14]	3,090 (2013 released - Phase III)
Wyoming Dept. of Environmental Quality, Land Quality Division	1 [15]	457,211.41 (total) [16]	166,346.62 (total for permitted coal mines)	75,862.35 (total for permitted coal mines) [17]

See footnotes on following page...

[1] Only Phase III bond release reported.
[2] "Acres Reclaimed" are those acres for which final bond release was approved.
[3] Surface Acres 8,933.2 + Underground Shadow Acres 0.0 = 8,933.2 Acres.
[4] Acres Mined 1,848.1 + Acres Disturbed 577.2 = 2,425.3.
[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 12/31/2013. 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 2013. These numbers do not represent cumulative acreage. Reclaimed lands means that full bond release has been approved.
[7] 3,801.9 surface + 16,381.7 underground = 20,183.6 total.
[8] Total coal "reclamation due" acres through 12/31/2013. Coal acres bonded 1/1/2013 - 12/31/2013 = 2,580.92.
[8] Phase III acres released 1/1/2013 - 12/31/2013.
[10] 1 permit issued; 57 permits on IUL; 18 revisions approved.
[11] Total permit acreage as of 12/31/2013 (324,832.43) minus total permit acreage as of 1/01/2013 (318,766.79) = 6,065.64 acres.
[12] 2,505.1 acres mined and 2,884.7 acres non-mined disturbed = 5,389.8 acres.
[13] Phase III bond release approval (may not have been removed from permitted acreage).
[14] Disturbed Acres (total) means the total number of disturbed acres, including acreage disturbed and reclaimed but not yet receiving final bond release, associated with permits that as of 12/31/13 were not final released or revoked.
[15] RD0018 – research and development for underground coal gasification.
[16] Total acres for new RD is 640.
[17] Defined as reclaimed to final seeding.

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED
JANUARY 1 - DECEMBER 31, 2013 FOR NONCOAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	#Acres Disturbed	# Acres Reclaimed
Alabama Department of Labor	19 (new); 305 (renewals)	11,562	21,600	216
Alaska Dept. of Natural Resources, Division of Mining, Land and Water [1]	3 (new/renewals); 9 (total)	14 (for 2013); 9,002 (total)	14 (for 2013)	0 (for 2013)
Arkansas Dept. of Environmental Quality	262	23,442.7	13,018.7	387.27
Colorado Division of Reclamation, Mining and Safety, Minerals Program	38	189,212.00	108,120.00	3,829.00 [2]
Illinois Dept. of Natural Resources, Mine Safety & Training Div., Blasting and Explosives Unit	12	700.35	677.22	184.9
Indiana Dept. of Natural Resources, Division of Reclamation	8	636.25	31.23	5.0
Kentucky Dept. for Natural Resources, Division of Mine Reclamation and Enforcement	66	50,742	19,392	362
Maryland Minerals, Oil & Gas Division	65	2,354.44	15,892.37	8,229.98
Mississippi Dept. of Environmental Quality	33 [3]	2,036 [3]	814 [3]	787 [3]
Missouri Department of Natural Resources, Land Reclamation Program	386	34,786	34,786	1,161
Nevada Division of Environmental Protection [4]	259	191,357	130,267	108
New Mexico Energy, Minerals and Natural Resources Dept., Mining Act Reclamation Prog.[5]	39	83	108	668
New York State Dept. of Environmental Conservation, Div. of Mineral Resources	34 (new in 2013); 1,983(total active)	147,231 (total) [6]	60,155 (total) [6]	1,287 (2013); 35,643 (total) [6]
North Carolina Dept. of Environment & Natural Resources	833	75,139	43,737	877
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	7 (new); 22 (amended)	1,523.5 (total)	1,460.0 [7]	625.2 [8]
Oklahoma Dept. of Mines	[9]	137,919	55,744	1,878.78
Pennsylvania Dept. of Environmental Protection	95	2,611	3,286	1,385
South Carolina Dept. of Health and Environmental Control	26	879.2	591.8	554.1
Tennessee Department of Environment and Conservation, Mining Unit	10	5,179.56	3,785	163.83
Utah Division of Oil, Gas and Mining	640 (total); 17 (new)	66,966 (total); 92 (new)	66,966 (total); 92 (new)	548
Virginia Dept. of Mines, Minerals and Energy, Division of Mineral Mining	11(new); 4 (transfers) [10]	41,668.70	22,743.56	953.68
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	1 (2012 permits and amendments)	74 (2012); 12,314 (total)	5,307 (total)	0 (2012 released - Phase III)
Wyoming Dept. of Environmental Quality, Land Quality Division	6	433.88 (new)	N/A	N/A

See footnotes on following page...

[1] Numbers exclude placer mining.
[2] "Acres Reclaimed" are those acres for which final bond release was approved.
[3] Plus 60 exempt sites of 4 acres or less.
[4] The "Permits Issued" are reclamation permits. The 108 acres reclaimed in 2013 was completed to establish a post mining land use of wildlife habitat.
[5] For noncoal minerals: The majority of permits issued represent Minimal Impact Mining (2), Exploration (6), and General Permits (31). General Permits include recreational miners. Noncoal does not include sand and gravel operations. Acres reclaimed means regrading and seeding has occurred, not necessarily bond release. The numbers shown are for permitting and mining/reclamation activity taking place during calendar year 2013. 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 1/1/2013 - 12/31/2013.
[8] IM-7 acres released 1/1/2013 - 12/31/2013.
[9] Permits Issued – 42; Revisions – 97; Transfers – 6; Limited Use Permits Issued – 39; Annual Reviews of Permits – 558; Permits on IUL – 730.
[10] Transferred permits are existing permits that have been transferred to new ownership and have received new permit identifications.

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT)
JANUARY 1 - DECEMBER 31, 2013 FOR COAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama	0	0	0.038	0	99.96 [1]
Alaska	0	100	0	0	0
Illinois	3	2	0	0	95 (cropland)
Indiana	16 (747.32 acres)	22 (981.97 acres)	9 (413.0 acres)	< 1 (11.3 acres)	53 [2] (2,398.1 acres)
Kentucky	29.51	44.79	21.82	1.09	2.79
Louisiana	0	0	0	100	0
Maryland	54	0	45	1	0
Mississippi	1	4	94	1	0
Missouri	85	10	0	0	5
North Dakota	31	3	1	6	59 (cropland)
Oklahoma	96	1	0	1	2 (water)
Pennsylvania [3]	30	5	50	2	13
Texas	1,646.7 acres	308.3 acres	414.6 acres	74.9 acres	201.7 acres (water resources); 7.4 acres (cropland); 0.9 acres (Residential)
Utah	0	100	0	0	0
Virginia	17.31 (392.20 acres)	4.23 (95.85 acres)	58.36 (1,322.33 acres)	19.59 [4] (443.75 acres) (indus./commercial)	0.51 [5] (11.57 acres)
West Virginia	12	22	50	5.0	11 [6]
Wyoming	0	0	0	0	95 (grazing & wildlife habitat)

[1] "Other" land uses = undeveloped and transportation.
[2] For coal "Other land uses: 1,868.7 acres cropland (41%); 454.6 acres water (10%); 58.1 acres roads (1%); 8.9 acres residential (< 1%).
[3] Land use percentages are estimates since no data is available to track this.
[4] Industrial/commercial includes – 33.71 acres commercial; 249.16 acres industrial – gas wells; and 160.88 acres industrial – manufacturing.
[5] "Other" land uses include: public utilities, roads, buildings and facilities, residential, and recreational.
[6] "Other" land uses: of the 11%, 8% is combined use (i.e. two or more land uses on one permit) with the remaining 3% being rangeland.

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT)
JANUARY 1 - DECEMBER 31, 2013 FOR NONCOAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama	60 acres	20 acres	100 acres	6 acres	30 acres (water)
Alaska	0	100	0	0	0
Arkansas	17.1	50.1	0	0.8	32.0
Illinois	52	14	0	33	1 (water)
Indiana	0	100 (5 acres)	0	0	0
Kentucky	55	3	10	8	24
Maryland	60	10	5	20	0
Mississippi	10 (estimate)	10 (estimate)	50 (estimate)	10 (estimate)	20 (estimate) [1]
Missouri	16	27	0	26	31 (water)
Nevada	0	100 [2]	0	0	0
New Mexico [3]	20	80	0	0	0
New York	0.9	56.9	0.1	3.2	38.9 [4]
Oklahoma	90	0	0	7	3 (water)
Pennsylvania [5]	10	5	10	15	60
South Carolina	43.6 (241.4 acres)	0	0	0	56.4 (312.7 acres) (lakes/ponds)
Tennessee	90	0	5	5	0
Utah	0	100	0	0	0
Virginia	48.1 (458.48 acres)	45.8 (437.06 acres)	2.4 (22.50 acres)	1.7 (15.95 acres)	2.1 (19.69 acres)
Wyoming	0	0	0	0	95 [6]

[1] "Other" = ponds and grassland.
[2] The 108 acres reclaimed in 2013 was completed to establish a post mining land use of wildlife habitat.
[3] The percentages for use of land following reclamation are for mined lands reclaimed in 2013.
[4] Includes 23.5% agricultural farmland and 15.4% wetland/lake.
[5] Land use percentages are estimates since no data is available to track this.
[6] "Other" = grazing and wildlife habitat.

2013 Kenes C. Bowling Reclamation Award Winners

2013 Winners

The following companies were winners of the Compact's 2013 national reclamation awards and were presented with plaques at the 2013 awards banquet:

Coal Category Winner:

Vigo Coal Operating Company, Inc. – Cypress Creek Mine (Indiana)

Noncoal Category Winner:

M-I SWACO (a Schlumberger Company) – Greybull Bentonite Mine (Wyoming)

Floyd G. Durham Special Recognition for a Small Operator Winner:

Continental Coal, Inc. – Cottonwood Creek Mine (Missouri)

2013 Honorable Mention Recipients:

Coal Category: *Bridger Coal Company – Jim Bridger Mine Complex (Wyoming)*

Noncoal Category: *Vulcan Construction Materials – Skippers Quarry (Virginia)*

2013 Minerals Education Award Winner

2013 Winner

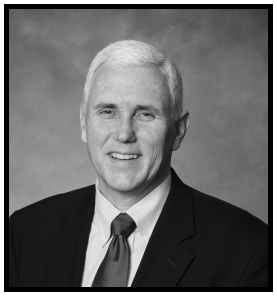
The Compact's annual minerals education award was presented during the awards banquet held in conjunction with the 2013 Annual Meeting in Cincinnati, Ohio. Annually, the mining educator awareness award is presented to a teacher or school from one of the Compact's member states. The winner receives an 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. There were no nominations in the educator awareness category in 2013.

Public Outreach Category Winner:

Utah Division of Oil, Gas and Mining for its "Mineral and Petroleum Literacy Program"

2013 IMCC Membership

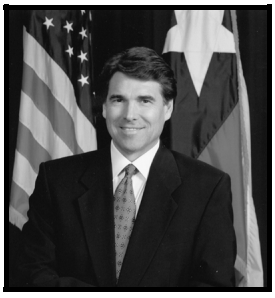
Commissioner		Commissioner's Official Representative
 Governor Robert J. Bentley	**Alabama**	 G. Thomas Surtees Director Department of Industrial Relations
 Governor Sean Parnell	**Alaska**	 Ed Fogels Deputy Commissioner Department of Natural Resources
 Governor Mike Beebe	**Arkansas**	 James F. Stephens Chief, Surface Mining and Reclamation Division

Commissioner		Commissioner's Official Representative
 Governor Pat Quinn	**Illinois**	 Marc Miller Director Department of Natural Resources
 Governor Governor Mike Pence	**Indiana**	**Photo Not Available** Vacant
 Governor Steven L. Beshear	**Kentucky**	 Dr. Leonard K. Peters Secretary Environmental & Public Protection Cabinet

Commissioner		Commissioner's Official Representative
Governor Bobby Jindal	**Louisiana**	**Photo Not Available** Vacant
Governor Martin O'Malley	**Maryland**	C. Edmon Larrimore Program Manager Dept. of the Environment, Mining Program
Governor Jay Nixon	**Missouri**	Sara Parker Pauley Director Department of Natural Resources

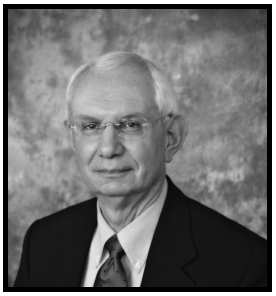
Commissioner		Commissioner's Official Representative
Governor Andrew M. Cuomo	**New York**	**Photo Not Available** Vacant
Governor Pat McCrory	**North Carolina**	George Howard
Governor Jack Dalrymple	**North Dakota**	James R. Deutsch Director Reclamation Division Public Service Commission

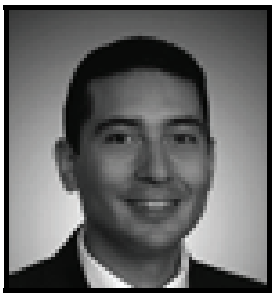
Commissioner		Commissioner's Official Representative
Governor John R. Kasich	**Ohio**	Jim Zehringer Director Department of Natural Resources
Governor Mary Fallin	**Oklahoma**	C. Michael Ming Secretary of Energy
Governor Tom Corbett	**Pennsylvania**	John J. Stefanko Deputy Secretary Active and Abandoned Mine Operations

Commissioner		Commissioner's Official Representative
Governor Nikki Haley	**South Carolina**	R. Craig Kennedy South Carolina Mining Council
Governor Bill Haslam	**Tennessee**	Robert J. Martineau, Jr. Commissioner Dept. of Environment and Conservation
 Governor Rick Perry	**Texas**	David J. Porter Commissioner Railroad Commission of Texas

Commissioner		Commissioner's Official Representative
Governor Gary R. Herbert	**Utah**	John R. Baza Director Div. of Oil, Gas & Mining
Governor Robert F. McDonnell	**Virginia**	Bradley C. (Butch) Lambert, Deputy Director Department of Mines, Minerals and Energy
Governor Earl Ray Tomblin	**West Virginia**	Randy Huffman Cabinet Secretary Department of Environmental Protection

2013 Associate Member States

Commissioner		Commissioner's Official Representative
 Governor John Hickenlooper	**Colorado**	 Loretta Pineda Director, Div. of Reclamation, Mining & Safety
 Governor Phil Bryant	**Mississippi**	 Stan Thieling Director Coal Mining Division
 Governor Brian Sandoval	**Nevada**	 Alan Coyner Administrator, Nevada Division of Minerals

Commissioner		Commissioner's Official Representative
Governor Susana Martinez	**New Mexico**	 Fernando Martinez Director, Div. of Mining and Minerals
Governor Matt Mead	**Wyoming**	Todd Parfitt Director Department of Environmental Quality

2014 Commissioners and Their Representatives

2014 Commissioners

Illinois
Governor Pat Quinn – Chairman

Alabama
Governor Robert J. Bentley – Vice Chairman

Virginia
Governor Terry McAuliffe – Treasurer

Alaska
Governor Sean Parnell

Arkansas
Governor Mike Beebe

Indiana
Governor Mike Pence

Kentucky
Governor Steven L. Beshear

Louisiana
Governor Bobby Jindal

Maryland
Governor Martin O'Malley

Missouri
Governor Jay Nixon

New York
Governor Andrew M. Cuomo

North Carolina
Governor Pat McCrory

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

Texas
Governor Rick Perry

Utah
Governor Gary R. Herbert

West Virginia
Governor Earl Ray Tomblin

Associate Member States

Colorado
Governor John Hickenlooper

Mississippi
Governor Phil Bryant

Nevada
Governor Brian Sandoval

New Mexico
Governor Susana Martinez

Wyoming
Governor Matt Mead

Commissioner's Official Representatives — 2014

Alabama
G. Thomas Surtees
Commissioner, Alabama Department of Labor

Alaska
Ed Fogels
Deputy Commissioner, Department of Natural Resources

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

Illinois
Marc Miller
Director, Department of Natural Resources

Indiana
Vacant

Kentucky
Leonard K. Peters
Secretary, Environmental and Public Protection Cabinet

Louisiana
Vacant

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

Mississippi
James Matheny
Director, Coal Mining Division,
Department of Environmental Quality

Missouri
Sara Parker Pauley
Director, Department of Natural Resources

New York
Vacant

North Carolina
George Howard
Co-Founder/CEO, Restoration Systems, LLC

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

Ohio
Jim Zehringer
Director, Department of Natural Resources

Oklahoma
Michael Teague
Secretary of Energy

Pennsylvania
John J. Stefanko
Deputy Secretary, Office of 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

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

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

West Virginia
Randy Huffman
Cabinet Secretary, Department of Environmental Protection

Associate Member States

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

Nevada
Rich Perry
Administrator, Division of Minerals

New Mexico
Fernando Martinez
Director, Division of Mining and Minerals

Wyoming
Todd Parfitt
Director, Department of Environmental Quality

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