

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT

U.S. Department of the Interior



Annual Evaluation Report for the
Regulatory Program and the Abandoned Mine Land Program
Administered by the State Regulatory Authority
Of Missouri



For Evaluation Year 2016
July 1, 2015 to June 30, 2016
Prepared by Alton Field Division
September 2016

EXECUTIVE SUMMARY

During the 2016 Evaluation Year, the Office of Surface Mining Reclamation and Enforcement (OSMRE) Alton Field Division, conducted oversight evaluations of the Missouri Department of Natural Resources, Land Reclamation Program (LRP) Regulatory and Abandoned Mine Land Programs. Oversight evaluations determine the effectiveness of the LRP in the implementation of the Surface Mining Control and Reclamation Act of 1977 and approved State programs. The annual evaluation report describes OSMRE's oversight processes, identifies the accomplishments and successes of the Regulatory and Abandoned Mine Land programs. It also identifies the LRP's financial, technical, and programmatic challenges and the OSMRE's concerns during the period of July 1, 2015 through June 30, 2016. The goal of oversight, and the annual evaluation report, is to strengthen the LRP's Programs and advise the LRP and the public of our findings and recommendations.

Every year, the Alton Field Division conducts outreach to solicit comments from the public and interested groups regarding the oversight process. The staff routinely interacts with citizens, environmental groups, industry, and other stakeholders, discussing topics of concern and suggestions for improvement for the OSMRE and the LRP. The information the Alton Field Division receives helps in the development of current and future oversight evaluations.

In support of the OSMRE's national initiatives, the Alton Field Division conducted studies evaluating the three required National Measurement Elements: off-site impacts, reclamation success (bond release), and customer service. Additional topics were reviewed as described below.

Required National Measurement Elements

- The Off-site Impacts study indicates that 88 percent of the LRP's Inspectable Units were free from off-site impacts. There was one off-site impact observed, which was identified as minor water and land. The Alton Field Division concludes that the LRP is successfully protecting the environment and the public from off-site impacts resulting from surface coal mining and reclamation operations. Detailed findings are on page 11.
- The Reclamation Success (bond release) study indicates that the LRP is ensuring successful reclamation. The Alton Field Division gathered information in areas that measure program performance related to reclamation success: a) landform/approximate original contour, b) land capability, and c) hydrologic balance. The Alton Field Division concludes that the LRP is effectively ensuring successful reclamation on lands affected by surface coal mining operations. Detailed findings are on page 12.
- The Customer Service study indicates that the LRP is fulfilling its public participation requirements regarding citizen input during the permit application process. Detailed findings are on page 13.

National Priority Review Topics

The OSMRE did not assign any National Priority Review Topics for this Evaluation Year.

General Oversight Topic Reviews for the State Regulatory Program

- A total of four Federal oversight inspections were conducted by the Alton Field Division. There were no Ten-Day notices issued to the LRP during this Evaluation Year.

General Oversight Topic Reviews for the State Abandoned Mine Land Program

- **Field Assessment: Consistency with AML-1** – The Alton Field Division found that the LRP was ensuring that abandoned mine land site conditions reflected documentation in the Abandoned Mined Land Inventory System, the Authorization to Proceed, and that the State's management of the reclamation construction objectively met the project and program goals. Detailed findings are on page 17.
- **Field Assessment Funded and Completed Abandoned Mine Land Projects** – Detailed Findings are on page 17.
- **Abandoned Mined Land Inventory System** – This programmatic review indicates that the LRP continues to request the OSMRE approval for inventory amendments in accordance with policy and procedures. Eight approvals were submitted to OSMRE for approval concerning inventory changes and updates. Detailed findings are on page 18.

2016 Assistance Activities

- **Funding** - The primary mode of OSMRE assistance to the LRP is through grant funding. The LRP received \$193,159 in EY 2016 for regulatory program operations, providing 50 percent support for its regulatory program. The OSMRE provides 100 percent funding for the LRP Abandoned Mine Land Program, which totaled \$2,781,000 in Evaluation Year 2016.
- **Technical Assistance** – The Alton Field Division provided the LRP Abandoned Mine Land Program technical assistance associated with two acid mine drainage sites, the Old Bevier Wetlands and the Germantown Project. The Alton Field Division also provided the LRP with technical assistance concerning coordination with other agencies dealing with the new northern long-eared bat “Threatened” listing.
- **Training** - Technical training courses are offered by the OSMRE throughout the year, which address technical and programmatic aspects of mining and reclamation. These courses are provided for the OSMRE and state participants. During Evaluation Year 2016, three LRP staff attended three Technical Innovation and Professional Services classes. A total of three staff attended three National Technical Training Program courses.

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Cover Page Photograph: Continental Coal, Inc., Foster South Mine permit #2015-01 (2015).

I. INTRODUCTION

The Surface Mining Control and Reclamation Act (SMCRA) of 1977 created the OSMRE in the Department of the Interior. SMCRA provides authority to the OSMRE to oversee the implementation of, and provide federal funding for the state regulatory programs (Title V) and abandoned mine land (AML) programs (Title IV) approved by the Secretary of the Interior as meeting the minimum standards specified by SMCRA. A brief explanation of each program follows:

Title V – Regulation of Coal Mining

In 1980, Missouri gained primacy and assumed responsibility for regulation of surface coal mining and reclamation operations. The LRP administers the Missouri Regulatory Program under the provisions of the Surface Coal Mining Law (444.800 to 444.970). Its governing regulations are Missouri Code of State Regulations Title 10: Department of Natural Resources, Division 40: Land Reclamation Commission, (10 CSR 40). The LRP's laws and regulations are at the State's website: <http://www.dnr.mo.gov/assistance/laws-regulations.htm>.

The OSMRE is responsible for oversight of the LRP's Regulatory Program to ensure effective administration, implementation, maintenance, and enforcement of the approved program in compliance with SMCRA and consistent with Federal regulations. To fulfill this role, each year the OSMRE conducts performance evaluations in accordance with Directive REG-8 which establishes policy, procedures, and responsibilities for conducting oversight of state programs.

Title IV – Abandoned Mine Land

In 1982, Missouri gained authority for implementing its Title IV AML Program. Through its approved AML Reclamation Plan, Missouri works to protect its citizens from the adverse effects of old mining practices and continues to restore abandoned mine lands to safe and productive conditions.

The Alton Field Division (AFD) is responsible for monitoring the progress and quality of the LRP's AML program. Monitoring includes providing assistance to strengthen the LRP's program as necessary. To fulfill this role, the AFD conducts performance evaluations in accordance with Directive AML-22, including: 1) evaluating the program's annual progress in addressing problems identified in the Enhanced Abandoned Mine Land Inventory System (e-AMLIS) and 2) evaluating compliance with the requirements of SMCRA, applicable 30 CFR regulations, the approved AML reclamation plan, and grant conditions.

In addition to conducting oversight of approved state programs, the OSMRE provides technical assistance, staff training, financial assistance, and policy assistance to each state program. This report contains summary information regarding LRP's Programs and their effectiveness in meeting SMCRA's applicable purposes as specified in Section 102. This report covers the

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Evaluation Year (EY) 2016, from July 1, 2015 to June 30, 2016.

Detailed background information and comprehensive reports for the program elements evaluated during the EY are available for review and copying at the OSMRE, AFD, 501 Belle Street, Suite 216, Alton, Illinois 62002. To arrange an appointment, contact the AFD via telephone at (618) 463-6460.

The reports are also available at the OSMRE Oversight Documents website at <http://odocs.osmre.gov/>. You will need Adobe Acrobat Reader® to view these documents; you can download it at <http://get.adobe.com/reader/>. Follow these steps to gain access to the document of interest:

1. Select Missouri from the drop down box labeled “State.” Also select 2016 as the “Evaluation Year,” and then click “Submit.” You can narrow the search by choosing selections under the “Keyword” or “Category” headings.
2. The oversight documents and reports matching the selected state and evaluation year will appear at the bottom of the page.
3. Select “View” for the document that is of interest and the report will appear for viewing, saving, and/or printing.

The following acronyms are in this report:

AFD	Alton Field Division
AML	Abandoned Mine Land
ATP	Authorization to Proceed
e-AMLIS	Enhanced Abandoned Mine Land Inventory System
EY	Evaluation Year
IU	Inspectable Unit
LRP	Missouri Department of Natural Resources, Land Reclamation Program
OSI	Off-Site Impact
OSMRE	Office of Surface Mining Reclamation and Enforcement
P1	Priority 1
P2	Priority 2
P3	Priority 3
SMCRA	Surface Mining Control and Reclamation Act of 1977

II. OVERVIEW OF COAL MINING IN MISSOURI

Coal Resources

Coal is the most abundant fossil fuel in the world. The United States holds the world's largest estimated recoverable reserves of coal at approximately 27 percent of world supply. Based on current production levels, the United States has enough estimated recoverable reserves of coal to last more than 200 years. There are four main types or ranks of coal (anthracite, bituminous, subbituminous, and lignite), depending on the amounts and types of carbon it contains, and on the amount of heat energy it can produce.

Missouri's coal ranks from lignite to high volatile bituminous. The states' coal reserves estimate to be 6 billion tons and account for 1 to 2 percent of the U.S. coal reserves. The coal-bearing areas cover about 23,000 square miles or 33 percent of the State. There are 20 identified coal seams, of which, twelve have been mined.

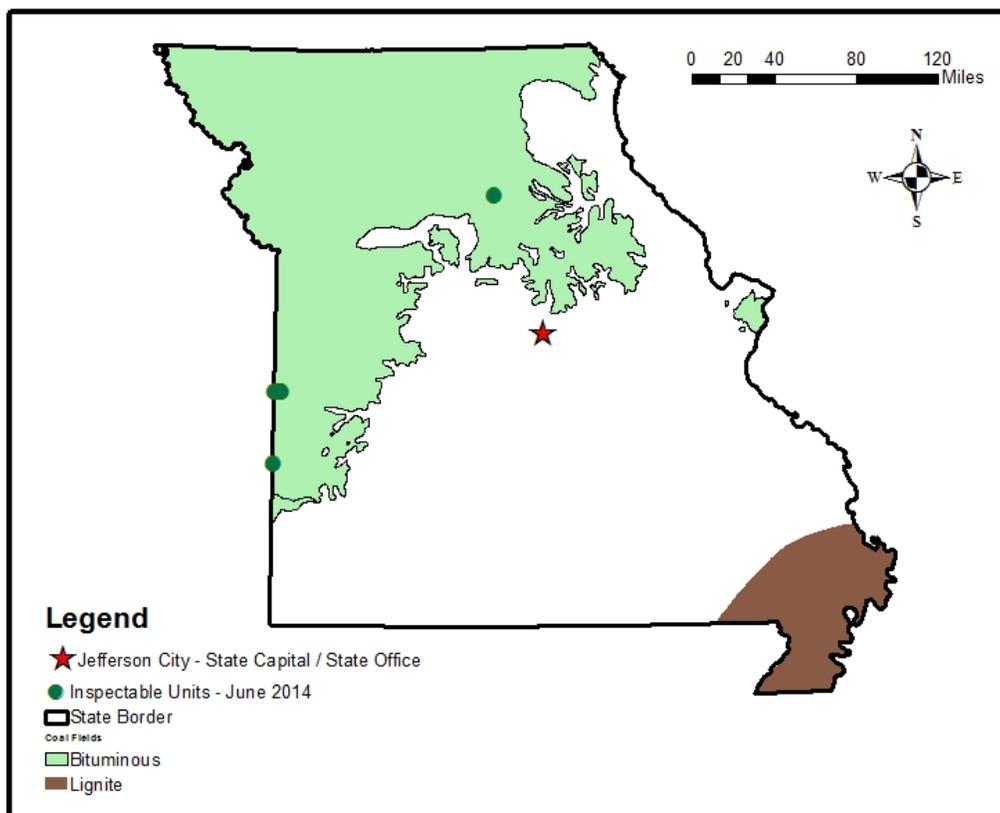


Figure 1. Location of Missouri Coal Fields and Inspectable Units

Historical Highlights

Missouri has a rich history of coal mining activity. In the late 1840s, coal deposits were located in Missouri, giving it the distinction of being the first state west of the Mississippi River to produce coal for commercial use. Although most of the early coal mines in the state were underground, surface mining began in the mid-1930s and has accounted for virtually all the coal

produced in Missouri since the 1960s. Before the enactment of SMCRA in 1977, there were approximately 67,000 acres affected by surface coal mining in 48 Missouri counties.

Current Trends

While underground mining was once the major method of coal extraction in the state, in recent decades Missouri coal has come primarily from surface mines due to advances in equipment size and technology. Coal production reached its peak in 1984; nearly 7 million tons of coal produced. In 1993, only 627,774 tons of coal was mined due to the state’s largest operator ceasing operations. Coal production in the State has varied since then with the most recent data showing 362,838 tons produced in 2014 and 138,206 tons produced in 2015. (Figure 2).

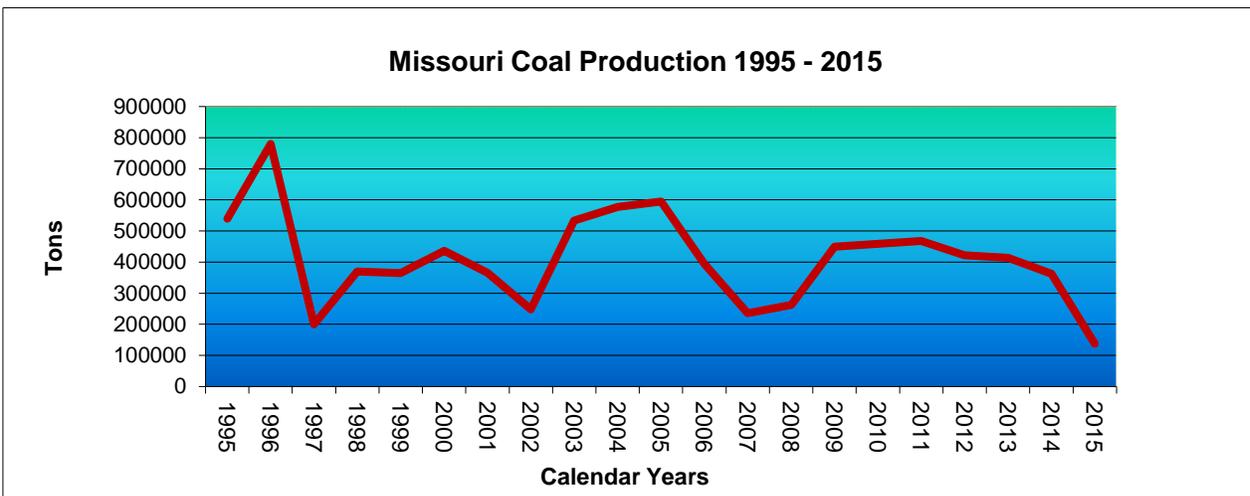


Figure 2. Timeline of Coal Production in Missouri

Use of Missouri Coal

Missouri’s coal mines supply coal to customers in Missouri and Kansas for production of cement, heating and industrial steam, and electric power. The coal used at the electric power producers consists of a mixture of approximately 90 percent Powder River Basin coal and 10 percent Missouri coal.

Abandoned Mine Lands

The mission of all AML programs is to permanently reclaim abandoned mine sites by abating hazards, reducing/eliminating adverse effects of past coal mining on the environment, and restoring adversely affected lands and water to beneficial use. The overall measure of success of AML programs is the degree to which they are achieving planned reclamation goals by addressing the most critical (highest priority) reclamation needs before addressing lower priority reclamation. The requirements for conducting an approved AML reclamation program are located in 30 CFR Parts 870 through 886.

Under SMCRA, the definition of an “emergency” is a sudden danger, or impairment that presents a high probability of substantial physical harm to the health, safety, or general welfare of the public before the danger can be resolved under the normal AML Program operation procedures.

Prior to the passage of SMCRA, Missouri had approximately 67,000 acres of coal mines that affected the landscape throughout the northern and western portions of the state. AML sites may include dangerous mine refuse piles and embankments, burning coal refuse, highwalls, subsidence, open shafts, hazardous mining facilities, polluted water used for agricultural and human consumption, bare acidic soils, coal refuse that pollutes water through soil erosion, sedimentation, and acid mine drainage. The LRP’s AML sites are part of the e-AMLIS, maintained jointly by the LRP’s AML Program and the OSMRE. Appendix 1 – Part B contains tables that depict the reclamation status of AML sites in Missouri.

Based upon their impacts, the AML sites are classified in e-AMLIS and designated with a priority level, based upon their impacts on public health and safety, and environmental quality. These classifications are:

- Priority 1 (P1): an AML problem meeting the conditions of SMCRA concerning the protection of public health, safety, and property from extreme danger of adverse effects of mining practices or adjacent land and water reclamation.
- Priority 2 (P2): an AML problem ... concerning the protection of public health and safety from adverse effects of mining practices or adjacent land and water reclamation.
- Priority 3 (P3): an AML problem ... concerning the restoration of land and water resources and the environment previously degraded by adverse effects of mining practices.

P1s and P2s are “high priorities,” and in accordance with SMCRA, have increased emphasis for reclamation.

You can find additional information regarding the LRP’s AML program on their website at: <http://www.dnr.mo.gov/env/lrp/reclamation/aml/amlinfo.htm>.

III. OVERVIEW OF THE PUBLIC PARTICIPATION AND OUTREACH EFFORTS

The term “public” includes all stakeholders (i.e., citizenry at large, industry, other federal, state or local agencies, and environmental groups). Opportunities for public participation occur at significant points in the LRP’s Regulatory Program processes and involve the ability of the public to:

- Request that areas designated as unsuitable for mining;
- Receive notification by advertisement of permit application receipt;
- Review permit and revision applications;
- Contest the decision of the Commission on permit applications and revisions;

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- Request an inspection of a mine site;
- Submit blasting, groundwater well, and/or general permit complaints if the public believes a violation of the regulations is taking place;
- Object to proposed bond releases;
- Initiate civil suits; and
- Petition to initiate rulemaking.

The AML Program provides opportunities for public participation and interacts with local associations, citizens, environmental organizations, and other groups regarding:

- Project selection;
- Grant applications;
- Consultations under the National Environmental Policy Act;
- Obtaining right of entry documents; and
- Amendments to the State Reclamation Plan.

The LRP website, located at <http://www.dnr.mo.gov/env/lrp/index.html>, contains contact information, mining permit applications and other pertinent information related to the Regulatory and AML Programs. In addition, the LRP produces Biennial Reports that describe current activities the LRP is working on related to coal mining, abandoned mine lands, and industrial and metallic minerals; and posts these to the above referenced website.

The public can also access the LRP's annual evaluation reports and performance agreements via the internet at the OSMRE Oversight Documents website at <http://odocs.osmre.gov/>. The Introduction section of this report (page 5) details how to access information using this website.

The LRP and the AFD consider the bi-monthly Missouri Mining Commission public meetings the principal forum for participation from industry, landowners, citizen groups, and other interested parties. Whenever the opportunity arises, the LRP personnel attend and set up displays at public gatherings and conferences, explaining the LRP's responsibilities and accomplishments.

In addition to the Missouri Mining Commission public meetings, for larger AML projects, press releases are given. When ongoing AML reclamation projects attract local news coverage, the LRP personnel take the opportunity to explain the activities and importance of the LRP's AML Program by participating in press interviews. The LRP also provides landowners and the public in general the full extent of public participation in its permitting and bond release processes as provided by the state regulations.

The AFD provided outreach efforts and public participation during EY 2016 by sending e-mails soliciting comments from the public and interested groups regarding the oversight process, suggestions on additional topics the AFD should consider for review, and suggestions for improvements on future annual evaluations reports.

IV. MAJOR ACCOMPLISHMENTS AND INNOVATIONS

This year marks the 36th anniversary of the Regulatory Program and the 34th anniversary of the AML Program in the State of Missouri. The LRP continues to help protect the public and minimize environmental impacts within its coalfields.

The AFD monitored the LRP's performance in meeting the goals and objectives of the approved state programs over the last year. The AFD finds that the LRP is successfully implementing both its Regulatory and AML Programs. The oversight reviews used to reach this conclusion are included in Sections V and VI of this report.

Major accomplishments and innovations for this year include:

Title V (Regulatory Program)

Environmental Compliance

The LRP administers its program in a way that effectively protects citizens and the environment from adverse impacts resulting from surface coal mining activities. Environmental compliance by coal mining operators has continued to improve; the LRP did not issue any Notices of Violation this EY and 88% of Missouri's permitted mine sites were free from OSIs.

Regulatory Program Amendment

During EY 2016, the OSMRE is reviewing the LRP's program amendment MO-042-FOR. Proposed revisions to the LRP's regulations are regarding ownership and control. This amendment, when approved will make Missouri's program no less effective than the Federal regulations, clarify ambiguities, and improves program efficiency. The OSMRE approved the LRP's program amendment MO-041-FOR regarding revisions for valid existing rights, protection of hydrologic balance, post-mining land use, permit applications, and air resource protection.

Title IV (Abandoned Mine Land Program)

The LRP continues to successfully implement its AML Program to meet the applicable purposes of SMCRA. During this EY, the LRP AML Program eliminated public health and safety hazards and environmental problems related to past mining completing three non-emergency construction projects by reclaiming the lands and waters back to beneficial use.

Appendix 1 – Part B – Tables 2 and 3 provide additional data on the LRP accomplishments in eliminating P1 and P2 health and safety hazards (P1 includes emergencies), and P3 environmental problems.

V. SUCCESS IN ACHIEVING THE PURPOSES OF SMCRA

Title V (Regulatory Program)

The AFD annually evaluates three aspects of all state regulatory programs to gain a national perspective of SMCRA, including: the number of observed off-site impacts (OSIs), the number of mined and reclaimed acres that meet the performance release requirements for the various phases of reclamation, and a component of customer service provided by the state. Detailed topic-specific reports for each of these national topics provide additional information on how the AFD conducted the following evaluations, and they are available online at <http://odocs.osmre.gov/> or at the AFD Office.

A. Off-site Impacts

A primary focus of the SMCRA is the protection of the public, property, and the environment from adverse effects of active coal mining operations. The goal, therefore, is that there are no impacts outside the areas authorized for disturbance by a coal mining permit (off-site impacts). To accomplish this goal, State programs strive to continually decrease the occurrence of OSIs. The AFD and the LRP conducted joint evaluations in EY 2016 to determine the effectiveness of the LRP's Program in protecting the public and the environment from OSIs caused by surface mining and reclamation operations. Conclusions are from data collected from the AFD's federal oversight inspections along with data reported by the LRP.

The definition of an OSI is anything resulting from a surface coal mining and reclamation activity or operation that causes a negative effect on resources (people, land, water, structures) where that impact is intended to be minimized or prevented by the SMCRA or the applicable State program. The applicable State program must regulate or control the mining or reclamation activity or result of the activity from causing an OSI. In addition, the impact on the resource must be substantiated as being related to a mining and reclamation activity and must be outside the area authorized by the permit for conducting mining and reclamation activities. OSIs are identified within the permit boundary, if the impact is outside the bonded area authorized by the permit for mining and reclamation activities.

The definition of an Inspectable Unit (IU) as described by the regulatory authority is, and may include multiple small and neighboring Initial Program Sites or Permanent Program Permits grouped together as one IU for inspection efficiency. An IU may also be one Permanent Program Permit sectioned out into multiple IUs to allow full coverage of complete inspections of the site.

There was one minor OSI in EY 2016. Continental Coal Inc. reported a minor exceedance for total iron and total suspended solids on a National Pollutant Discharge Elimination System sample in July 2015. The exceedance was most likely the result of 10.8 inches of precipitation from July 2nd to July 9th. A follow up sample did not show any exceedances. It was

determined that the root cause was rainfall in excess of the design requirements of the State regulations.

The percentage of the LRP’s IUs free from off-site impacts during EY 2016 was 88 percent. Figure 3 below shows IUs free of OSIs over time. Appendix 1 – Part A Table 5 provides additional data on the type of resource affected and the degree of impact of OSIs.

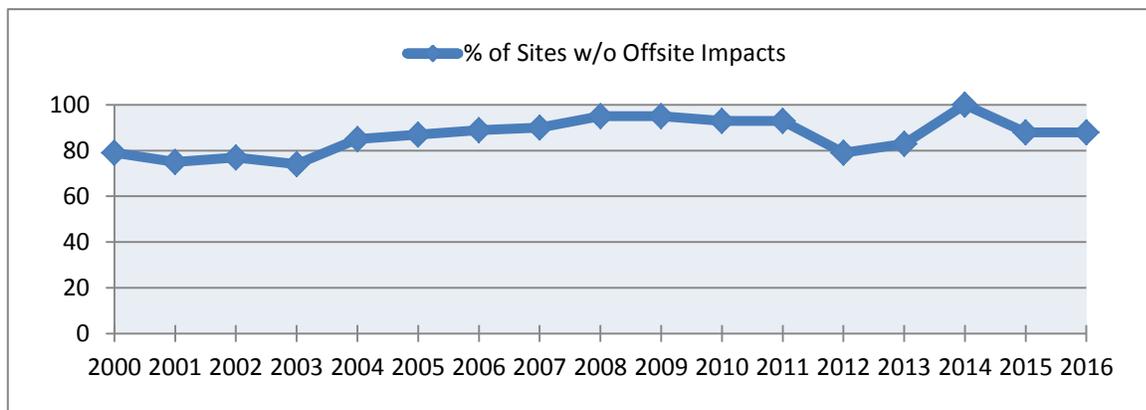


Figure 3. Percent of Sites free of off-site impacts

B. Reclamation Success

The number of acres that meet State bond release standards that have had the performance bond released measures the effectiveness of the LRP in ensuring reclamation success. The bond release phases (i.e., Phase I, Phase II, and Phase III) are as defined in 30 CFR 800.40(c). Phase I release is when, at a minimum, “the operator completes the backfilling, regrading ... and drainage control of a bonded area in accordance with the approved reclamation plan.” Phase II release is when, at a minimum, “revegetation has been established on the regraded mined lands in accordance with the approved reclamation plan.” Phase III release is when “the operator has completed successfully all surface coal mining and reclamation activities,” and “reclamation requirements of the Act and the permit are fully met.”

Based on the AFD evaluation, there were no Phase I or Phase II bond release applications for EY 2016. There was a total of 26 acres for Phase III bond release.

EY	PHASE I	PHASE II	PHASE III
2012	11	83	69
2013	303	0	0
2014	26	26	0
2015	0	0	0
2016	0	0	26

Table 1. Number of Acres for All Phases of Bond Release

The LRP continues to encourage operators to obtain bond release as quickly as regulations allow. A timely release results in a faster return of the land to property owners and helps to minimize cost of the LRP's Regulatory Program.

Missouri has eight active inspectable units, 3,951 acres under bond at the end of the EY. Of these, 807 acres in one inspectable unit are associated with long term disposal facilities, 946 acres in three inspectable units are being reclaimed under a bankruptcy court trustee, and 2,198 acres are in active mining or reclamation status.

C. Customer Service

Effective customer service is an essential component of the Regulatory Program, and a responsibility that State regulatory authorities assume in carrying out the purposes of the SMCRA.

The objective of this review was to evaluate the effectiveness of customer service provided by the LRP in ensuring public outreach during the coal mine permitting process. Our EY 2016 evaluation focused specifically on public notice to the newspapers when a new permit application or significant permit revision application was received by the LRP. Based on information obtained during this evaluation, the AFD finds the LRP to be effectively fulfilling the requirements of its approved program. The LRP is documenting their public outreach and is successfully communicating with the appropriate agencies as required. There are no deficiencies identified in this review by the AFD.

Title IV (Abandoned Mine Land Program)

Non-Emergency Construction Activities – Authorization to Proceed

To date, Missouri has expended almost \$57 million on the ground to reclaim high priority AML features (i.e. vertical openings, dangerous highwalls, etc.). This does not include program administration or project design costs.

The AFD issues the LRP an Authorization to Proceed (ATP), allowing construction activities at non-emergency project sites to begin. The LRP's AML Program requests this authorization after conceptual design and environmental reviews are finished for a site.

The LRP's AML Program completed two non-emergency coal projects, one non-coal project, and one emergency non-coal project (Figure 4).

Coal Projects:

Parry Reclamation Project - This project reclaimed an AML site that consisted of 1,455 feet of Dangerous Highwall, 20 acres of Mine Spoils, and 3 Hazardous Water Bodies. Reclamation included backfilling against the Dangerous Highwall and grading the spoils to a more gentle and natural slope. The spoils were neutralized, fertilized, and planted with both warm and cool season grasses to create an agricultural pastureland intended for livestock.

Germantown L-Pit - This project reclaimed 62 acres of AML that included 1,080 feet of Dangerous Highwall, 38 acres of Mine Spoil, 15 acres of Dangerous Piles and Embankments, 8 acres of Clogged Stream Land and 3 Agricultural and Industrial Problem Waters. The Dangerous Piles, Embankments, and Mine Spoils were graded against the highwall and into the Problem Waters to create a safer more natural grade that blends into the surrounding landscape. After the grading was completed, the spoils were neutralized, fertilized, and seeded to meet the post reclamation land use of wildlife habitat.

Non-coal Projects:

Missouri reclaimed eligible non-coal problems during EY 2016. Non-coal projects must protect public health, safety, and property from the extreme danger and adverse effects of mining practices.

Valle Mines Phase II - This non-coal project closed two very dangerous Priority 1 Vertical Openings that are the remnants of abandoned underground lead and zinc mining.

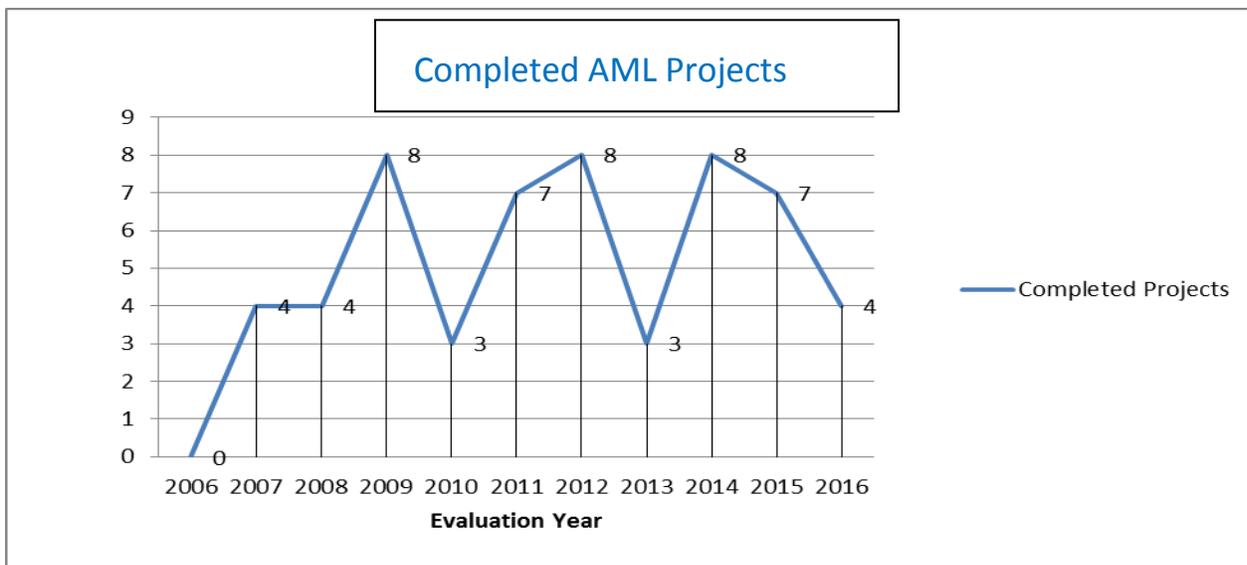


Figure 4. Number of Completed AML Projects – Includes Non-Emergency, Emergency, and Non-Coal.

Emergency Projects:

The LRP has authority for the administration of an AML Emergency Program. Emergency projects are authorized by a blanket ATP, or by an individual ATP similar to non-emergency projects. During EY 2016, the LRP investigated one complaint of subsidence that was

determined to be an emergency AML situation. The following highlights the details of the emergency:

Stiever Shaft MO-224 (aka 29th St Collapse, Dogwood Lane Problem Area) - This emergency project remediated a sudden subsidence event where an abandoned lead and zinc mine shaft collapsed partially underneath the foundation of a residence in Joplin, Missouri. The subsidence created an opening at the surface of 6 feet in diameter with a depth of approximately 22 feet. Abatement of this deadly hazard required the contracted construction company to pump 190 cubic yards of concrete into the hole in order to stabilize the ground and the foundation of the residence. The rapid actions taken saved the structure and prevented any harm to the residents of the area.

VI. NATIONAL PRIORITY AND GENERAL OVERSIGHT TOPIC REVIEWS

National Priority Reviews and General Oversight Topic Reports are located on the OSMRE's website listed on the Introduction (page 5) of this report. Individual reports prepared by the AFD are part of the oversight process for each state and contain findings and details regarding the evaluation of state specific elements.

A. National Priority Reviews

National Priority Reviews are oversight topic reviews selected by the OSMRE to review nationwide. There were no National Priority Reviews during this EY.

B. General Oversight Topic Reviews

General Oversight Topic Reviews conducted as specified in the LRP's Performance Agreement/Evaluation Plan.

Title V (Regulatory)

Oversight Inspection Activity

During EY 2016, the AFD conducted oversight inspections in Missouri to evaluate the effectiveness of the LRP's Program in implementing its rules and regulations that specifically target mining operation performance standards. Information gathered from these inspections indicates how well the LRP's Program is ensuring environmental protection, reclamation success, and preventing OSIs. The number of inspections conducted in Missouri was based on the requirements of the Directive REG-8. The number of IUs varies greatly in each state with Missouri falling within the five to 1000 IU category. The AFD's required inspection target for Missouri was set at four IUs this EY and the AFD completed four inspections. The AFD conducts a variety of inspection types each year. All inspections are focused and will be either complete or partial and joint or non-joint. The total for each of the two groupings will equal the total four inspections performed. The AFD also conducts independent inspections which are unannounced oversight inspections. The state receives short notice (generally less than 24 hours) and may choose to accompany the AFD on these inspections. Independent inspections validate

and enhance the credibility of both State regulatory programs and the AFD’s oversight. Table 2 shows the number of each inspection type conducted in Missouri the EY. It should be noted that the number of inspections recorded in this section will vary from Appendix 1 – Part A, Table 13 because that table is calculated on permits and not IUs. In Missouri, there are multiple permits per IU.

EY 2016 Inspections Conducted	EY 2016 Inspection Target	Percent Target Inspections Completed
4	4	100%

Inspection Types

Complete	Partial	Joint	Non-Joint	Independent
2	2	4	0	1

Table 2. Federal Oversight Inspections

State Inspection Activity

The LRP’s regulations at 10 CSR 40-8.030 define the inspection frequencies required for active, inactive, and abandoned operations.

The LRP’s regulations at 10 CSR 40-8.030 defines the inspection frequencies required for active, inactive, and abandoned operations. An active operation is required to be inspected an average of at least one partial inspection per month and an average of at least one complete inspection per calendar quarter. A complete inspection also counts as one partial inspection; thus, the minimum number of inspections required annually would be four complete inspections and eight partial inspections.

An inactive operation is required to be inspected an average of at least one complete inspection per calendar quarter. Thus, the minimum number of inspections required annually for inactive operations would be four complete inspections and zero partial inspections.

In Missouri, an abandoned/forfeited site is inspected on a set frequency commensurate with the public health and safety and environmental considerations present at each specific site, but in no case less than one complete inspection per calendar year.

The LRP maintains a database that identifies coal mining and reclamation operations by IU, permittee name, mine name, permit number, mine type, mine status, and inspection frequency.

The LRP updates the database as needed, but not less than once per quarter. The AFD checks the database to ensure the mandatory inspection frequencies.

During EY 2016, the LRP met its mandatory inspection frequency on 100 percent of the IUs (Appendix 1 – Part A, Table 10). In addition, there was no Notice of Violations issued during the EY.

Title IV (Abandoned Mine Land)

Field Assessment: Funded and Completed AML Projects

The AFD conducted a field assessment on funded and completed AML Projects that evaluated the LRP's implementation to ensure program and projects goals are completed.

The purpose of this review was to ensure that AML site conditions reflect the documentation for an AML site project scope which in turn ensures program and project goals are accomplished.

The findings of this evaluation concluded that the LRP is 1) accurately describing pre-construction conditions on AML sites, 2) effectively managing AML site reclamation construction contracts during construction, 3) ensuring that project and program goals are satisfied, 4) ensuring compliance with the Endangered Species Act, the Clean Water Act, and the National and State Historic Preservation Act, 5) ensuring needed maintenance on problem items not identified during construction or construction contracts is completed to ensure long term success of AML project sites.

Field Assessment: AML-1 Consistency

The AFD conducted an evaluation on the LRP's adherence to Directive AML-1. Through field assessment verifications, the AFD was able to ascertain if the LRP was ensuring that information presented in e-AMLIS submitted to the AFD for review and approval, matched the field conditions observed by the AFD visits to the problem areas.

The overall purpose of this review was to ensure that AML site conditions reflect the documentation in e-AMLIS, the ATP, and that the State's management of the reclamation construction objectively meets the project and program goals.

In-the-field site assessments are an important function of AML oversight. These assessments ensure that 1) priority documentation forms for the AML problem type are accurate and that site conditions reflect this, 2) required documentation is uploaded and available on the e-AMLIS, 3) priority 3 coal problems that are elevated to a higher priority are done under the "in conjunction with" or "contiguous" provisions and, 4) ultimately the AML inventory is as accurate as reasonably achievable.

The findings of this assessment concluded that the LRP is 1) accurately completing the priority documentation for the AML problem area features and is uploading the documents onto the e-AMLIS with justified cost estimates, 2) accurately prioritizing AML problem area features, 3) appropriately elevating existing Priority 3 coal problems to a higher priority when applicable and, 4) abiding by all Federal Regulations, OSMRE Directive AML-1, e-AMLIS System

Instructions, and the Missouri State AML Plan related to maintenance of the AML Inventory System.

Abandoned Mine Land Inventory System (e-AMLIS)

The AFD and the LRP AML Program utilize an “Enhanced Abandoned Mine Land Inventory System e-AMLIS Procedures Plan” which clarifies procedures for implementing e-AMLIS unique to the LRP’s AML Program. The plan includes various requirements for implementing the OSMRE Directive AML-1, signed December 12, 2012, and its accompanying AML Inventory Manual. Required information, including but not limited to problem type, priority, costs, location, etc., need entered into the e-AMLIS before the ATP can be issued. The AFD reviews the problem types, priority, and costs entered into e-AMLIS and either approves each problem and priority or requests further information. The AFD must approve additions or amendments to the e-AMLIS before an ATP is issued and reclamation begins.

During EY 2016, the AFD processed eight e-AMLIS approvals/amendments on five problem areas and verified that all supporting documentation was uploaded to reflect priorities, funding status, etc., in accordance with Directive AML-1. The LRP’s AML program is effectively implementing procedures consistent with established policy for e-AMLIS.

e-AMLIS information is located at the OSMRE’s website at:

<http://amlis.osmre.gov/Default.aspx.is> Additionally, Tables in Appendix 1 – Part B provide a status of the AML inventory.

VII. PROGRAM PROBLEMS AND ISSUES

The OSMRE has initiated a corrective action process implemented if there are problems identified with a state’s approved Regulatory or AML program, or with the state’s actions under those programs. There were no program-wide problems or issues identified during this EY.

VIII. OSMRE ASSISTANCE

The OSMRE provides technical assistance and technology support to state Regulatory and AML programs at the individual state level on project specific efforts, and at the national level in the form of national meetings, forums, and initiatives. The OSMRE provides direct technical assistance in project and problem investigation, design and analysis, permitting, technical guideline development, training, and support.

During EY 2016, the OSMRE provided the LRP with the following assistance:

Funding

The primary mode of OSMRE assistance to LRP is through grant funding. The LRP received \$193,159 for the operation of the Regulatory Program in EY 2016. The OSMRE provided 50

percent of the total funding necessary for the Regulatory Program operation and 100 percent funding for the AML Program, which totaled \$2,781,000 in EY 2016. Table 3 below contains the grant amounts for the previous five years.

Grants Award in Missouri		
Year	Regulatory Grant Amount*	AML Grant Amount*
2016	\$193,159	\$2,781,000
2015	\$182,568	\$2,784,000
2014	\$194,882	\$2,847,000
2013	\$213,226	\$3,000,000
2012	\$242,124	\$2,512,881
*Regulatory and AML Grant Years are from July 1 – June 30		

Table 3. Regulatory and AML Grants Awarded Since 2012

Technical Assistance

AMD Remediation

The SMCRA includes provisions to clean up AML-related pollution discharges and prevent the creation of future discharges. The term acid mine drainage, is used, in this context, to refer to any pollution discharge emanating from past mining operations. Many of these discharges are, in fact, alkaline with high levels of metals.

The OSMRE provides assistance to the LRP AML Program for continuing clean-up of acid mine drainage discharges. In EY 2016, the OSMRE provided technical assistance at three acid mine drainage problem sites, Old Bevier Wetlands, Germantown L-Pit, and Germantown Duck Pond.

Interagency Coordination

There were no specific requests during EY 2016 for interagency coordination.

Training

Technical training courses are offered by the OSMRE throughout the year, which address technical and programmatic aspects of mining and reclamation. These courses are provided for the OSMRE and state participants on a space available-basis.

The OSMRE also provides states with Technical Innovation and Professional Services including high end technical software and associated training and support. The LRP uses the software and services for a variety of tasks related to permit application processing and other technical or engineering evaluations. The LRP's staff regularly attends applicable training courses each evaluation year.

During EY 2016, the LRP staff attended a total of three Technical Innovation and Professional Services classes and three National Technical Training Program courses.

IX. TABLE FOOTNOTES

Regulatory Program

The following footnotes are in reference to table data located in *Title V: Summary of Core Data to Characterize the Regulatory Program, Appendix 1 – Part A*.

Table 1 – None

Table 2 – None

Table 3 – Permits Allowing Special Categories of Mining: The total number of active and inactive permits is the total number of active and inactive permits that allow the practice at the end of the Evaluation Year. A single permit may encompass several of the special categories of mining so no attempt should be made to use this data as a cumulative total of permits with special categories of mining.

Table 4 – None

Table 5 – None

Table 6 – None

Table 7 – None

Table 8 – None

Table 9 – None

Table 10 – None

Table 11 – None

Table 12 – None

Table 13 – None

Table 14 – None

Table 15 – None

AML Program

The following footnotes are in reference to table data located in *Title IV: Summary of Core Data to Characterize the AML Program, Appendix 1 – Part B*.

Table 1 – None

Table 2 – Annual Reclamation includes Non-Coal Accomplishments

Table 3 – Coal Accomplishments Only

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Table 4 – Includes Non-Coal Projects

Table 5 – None

Table 6 – Includes Non-Coal Projects

Table 7 – None

APPENDIX 1, Part A**Title V: Summary of Core Data to Characterize the Regulatory program**

The following tables present summary data pertinent to mining operations and regulatory activities under the LRP's regulatory program. Unless otherwise specified, the reporting period for the data contained in the tables is the EY. Other data and information used by the AFD in its evaluation of the LRP's performance are available for review in the evaluation file maintained by AFD.

Because of the enormous variations from state to state in the number, size, and type of coal mining operations and the differences between state programs, the summary data should not be used to compare one state to another.

List of Tables

Table 1	Coal Produced for Sale, Transfer, or Use
Table 2	Permanent Program Permits, Initial Program Sites, Inspectable Units, and Exploration
Table 3	Permits Allowing Special Categories of Mining
Table 4	Permitting Activity
Table 5	Off-site Impacts
Table 6	Surface Coal Mining and Reclamation Activity
Table 7	Bond Forfeiture Activity
Table 8	Regulatory and AML Programs Staffing
Table 9	Funds Granted to State by OSMRE
Table 10	State Inspection Activity
Table 11	State Enforcement Activity
Table 12	Lands Unsuitable Activity
Table 13	OSMRE Oversight Activity
Table 14	Status of Action Plans
Table 15	Land Use Acreage (Optional)

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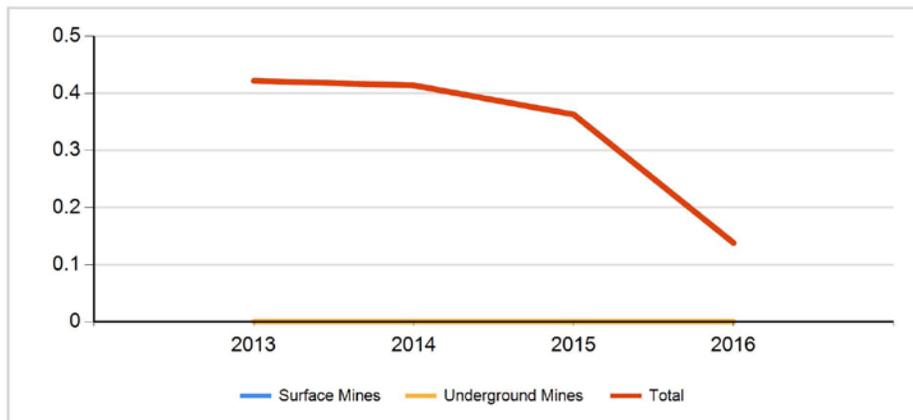
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TABLE 1

COAL PRODUCED FOR SALE, TRANSFER, OR USE ^A			
(Millions of short tons)			
Calendar Year	Surface Mines	Underground Mines	Total
2012	0.4	0.0	0.4
2013	0.4	0.0	0.4
2014	0.4	0.0	0.4
2015	0.1	0.0	0.1

^A Coal production is the gross tonnage (short tons) and includes coal produced during the calendar year (CY) for sale, transfer or use. The coal produced in each CY quarter is reported by each mining company to OSM during the following quarter on line 8(a) of form OSM-1, "Coal Reclamation Fee Report." Gross tonnage does not provide for a moisture reduction. OSM verifies tonnage reported through routine auditing of mining companies. This production may vary from that reported by other sources due to varying methods of determining and reporting coal production.

TABLE 1
 COAL PRODUCED FOR SALE, TRANSFER, OR USE
 DURING THE CALENDAR YEAR
 (Millions of short tons)



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TABLE 2

PERMANENT PROGRAM PERMITS, INITIAL PROGRAM SITES, INSPECTABLE UNITS, AND EXPLORATION														
Mines and Other Facilities	Numbers of Permanent Program Permits and Initial Program Sites								Insp. Units ^{1, 2}	Area in Acres ³				Total Area
	Permanent Program Permits				Initial Program Sites					Permanent Program Permits (Permit Area)		Initial Program Sites		
	Active	Inactive	Abandoned	Total	Active	Inactive	Abandoned	Total		Federal Lands	State/Tribal and Private Lands	Federal Lands	State/Tribal and Private Lands	
Surface Mines	11	0	0	11	0	0	0	0	8	0	3,951	0	0	3,951
Underground Mines	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Facilities	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	11	0	0	11	0	0	0	0	8	0	3,951	0	0	3,951
Permanent Program Permits and Initial Program Sites (Number on Federal Lands: 0)				Total Number:				11				Average Acres per Site:		359.18
Average Number of Permanent Program Permits and Initial Program Sites per Inspectable Unit (IU):				Total Number:				1.38				Average Acres per IU:		493.88
Permanent Program Permits in Temporary Cessation:				Total Number:				0				Number More than 3 Years:		0
EXPLORATION SITES				Total Number of Sites				Sites on Federal Lands ⁴				Exploration Inspectable Units		
Exploration Sites with Permits:				0				0				0		
Exploration Sites with Notices:				0				0				0		

¹An Inspectable Unit may include multiple small and neighboring Permanent Program Permits or Initial Program Sites that have been grouped together as one Inspectable Unit, or conversely, an Inspectable Unit may be one of multiple Inspectable Units within a Permanent Program Permit.

²Total Inspectable Units calculation includes Exploration Sites Inspectable Units

³When a Permanent Program Permit or Initial Program Site contains both Federal and State and Private lands, the acreage for each type of land is in the applicable column.

⁴The number of Exploration Sites on Federal lands includes sites with exploration permits or notices any part of which is regulated by the state under a cooperative agreement or by OSM pursuant to the Federal Lands Program, but excludes exploration sites that are regulated by the Bureau of Land Management

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TABLE 3

PERMITS ALLOWING SPECIAL CATEGORIES OF MINING			
Special Category of Mining	30 CFR Citation Defining Permits Allowing Special Mining Practices	Numbers of Permits	
		Issued During EY	Total Active and Inactive Permits
Experimental Practice	785.13(d)	0	0
Mountaintop Removal Mining	785.14(c)(5)	0	0
Steep Slope Mining	785.15(c)	0	0
AOC Variances for Steep Slope Mining	785.16(b)(2)	0	0
Prime Farmlands Historically Used for Cropland	785.17(e)	1	8
Contemporaneous Reclamation Variances	785.18(c)(9)	0	4
Mining on or Adjacent to Alluvial Valley Floors	785.19(e)(2)	0	0
Auger Mining	785.20(c)	0	0
Coal Preparation Plants Not Located at a Mine Site	785.21(e)	0	0
In-Situ Processing	785.22(c)	0	0
Remining	773.15(m) and 785.25	0	0
Activities in or Within 100 Feet of a Perennial or Intermittent Stream	780.28(d) and/or (e) 784.28(d) and/or (e)	0	0

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TABLE 4

PERMITTING ACTIVITY												
Type of Application	Surface Mines			Underground Mines			Other Facilities			Totals		
	App. Rec.	Issued/ Appvd	Acres	App. Rec.	Issued/ Appvd	Acres ¹	App. Rec.	Issued/ Appvd	Acres	App. Rec.	Issued/ Appvd	Acres
New Permits	0	1	348	0	0	0	0	0	0	0	1	348
Renewals	0	0		0	0		0	0		0	0	
Transfers, sales, and assignments of permit rights	0	0		0	0		0	0		0	0	
Small operator assistance	0	0		0	0		0	0		0	0	
Exploration permits										0	0	
Exploration notices ²											0	
Revisions that do not add acreage to the permit area	23	19		0	0		0	0		0	0	
Revisions that add acreage to the permit area but are not incidental boundary revisions	0	0	0	0	0	0	0	0	0	0	0	0
Incidental boundary revisions	0	0	0	0	0	0	0	0	0	0	0	0
Totals	23	20	348	0	0	0	0	0	0	23	20	348
Permits terminated for failure to initiate operations:							Number:	0	Acres:		0.0	
Acres of Phase III bond releases (Areas no longer considered to be disturbed):									Acres:		26.0	
Permits in temporary cessation							Notices received:	0	Terminations:		0	
Midterm permit reviews completed							Number:	0				
¹ Includes only the number of acres of proposed surface disturbance ² State approval not required. Involves removal of less than 250 tons of coal and does not affect lands designated unsuitable for mining.												

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TABLE 5

OFF-SITE IMPACTS EXCLUDING BOND FORFEITURE SITES													
RESOURCES AFFECTED		People			Land			Water			Structures		
DEGREE OF IMPACT		Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major
TYPE OF IMPACT EVENT	NUMBER OF EVENTS												
Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0
Land Stability	0	0	0	0	0	0	0	0	0	0	0	0	0
Hydrology	1	0	0	0	0	0	0	1	0	0	0	0	0
Encroachment	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0	1	0	0	0	0	0
Total Number of Inspectable Units ¹ :				8									
Inspectable Units with one or more off-site impacts:				1									
Exploration Inspectable Units with one or more off-site impacts ² :				0									
Inspectable Units free of off-site impacts:				7									
				% of Inspectable Units free of off-site impacts ⁴ : 88									
¹ Total number of Inspectable Units is (1) the number of active and inactive inspectable units at the end of the Evaluation Year and (2) the number of Inspectable Units that were final bond released or removed during the Evaluation Year													
² Exploration Inspectable Units with one or more off-site impacts is a subset of Inspectable Units with one or more off-site impacts													
OFF-SITE IMPACTS AT BOND FORFEITURE SITES													
RESOURCES AFFECTED		People			Land			Water			Structures		
DEGREE OF IMPACT		Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major
TYPE OF IMPACT EVENT	NUMBER OF EVENTS												
Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0
Land Stability	0	0	0	0	0	0	0	0	0	0	0	0	0
Hydrology	0	0	0	0	0	0	0	0	0	0	0	0	0
Encroachment	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Number of Inspectable Units ³ :				0									
Inspectable Units with one or more off-site impacts:				0									
Inspectable Units free of off-site impacts:				0									
				% of Inspectable Units free of off-site impacts ⁴ : 0									
³ Total number of Inspectable Units is (1) the number of bond forfeiture sites that were reclaimed during the Evaluation Year and (2) the number of bond forfeiture sites that were unreclaimed at the end of the Evaluation Year													

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TABLE 5
(Continued)

TOTAL OFF-SITE IMPACTS INCLUDING BOND FORFEITURE SITES															
RESOURCES AFFECTED		People			Land			Water			Structures				
DEGREE OF IMPACT		Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major		
TYPE OF IMPACT EVENT	NUMBER OF EVENTS														
Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0		
Land Stability	0	0	0	0	0	0	0	0	0	0	0	0	0		
Hydrology	1	0	0	0	0	0	0	1	0	0	0	0	0		
Encroachment	0	0	0	0	0	0	0	0	0	0	0	0	0		
Other	0	0	0	0	0	0	0	0	0	0	0	0	0		
Total	1	0	0	0	0	0	0	1	0	0	0	0	0		
Total Number of Inspectable Units ⁵ :				8											
Inspectable Units with one or more off-site impacts:				1											
Exploration Inspectable Units with one or more off-site impacts:				0											
Inspectable Units free of off-site impacts:				7											
												% of Inspectable Units free of off-site impacts ⁴ :		88	
⁴ % of Inspectable Units free of off-site impacts is based on the number of Inspectable Units during the Evaluation Year. The number of Inspectable Units may vary during the Evaluation Year.															
⁵ Total number of Inspectable Units is (1) the number of active and inactive Inspectable Units at the end of the Evaluation Year and (2) the number of Inspectable Units that were final bond released or removed during the Evaluation Year and (3) the number bond forfeiture sites that were reclaimed during the Evaluation Year and (4) the number of bond forfeiture sites that were unreclaimed at the end of the Evaluation Year.															

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TABLE 6

SURFACE COAL MINING AND RECLAMATION ACTIVITY							
Areas of Phase I, II, and III Bond Releases During the Evaluation Year (EY)							
Phase I Releases	Phase II Releases		Phase III Releases			Total Acres Released During the EY	
	Total Acres Released in Approved Phase II Releases	Acres not previously released under Phase I	Total Acres Released in Approved Phase III Releases	Acres not previously released under Phase II	Acres not previously released under Phase I or II		
0		0			0	Phase I	0
	0			0		Phase II	0
			26			Phase III	26
Number of Permanent Program Permits with Jurisdiction Terminated Under Phase III Bond Release During the Evaluation Year					2	Other Releases - Acres	
Initial Program Sites with Jurisdiction Terminated During the Evaluation Year					0	Administrative Adjustments	0
Number of Inspectable Units Removed					0	Bond Forfeiture	0
Areas of Permits Bonded for Disturbance by Surface Coal Mining and Reclamation Operations							

	Total Acres at Start of EY	Total Acres at End of EY	Change in Acres During EY
New Area Bonded for Disturbance			348
Total Area Bonded for Disturbance	3,629	3,951	322
Area Bonded for Disturbance without Phase I Bond Release	3,300	3,648	348
Area Bonded for Disturbance for which Phase I Bond Release Has Been Approved	303	303	0
Area Bonded for Disturbance for which Phase II Bond Release Has Been Approved	26	0	(26)
Area Bonded for Disturbance with Bonds Forfeited During Evaluation Year			0
Area Bonded for Remining	0	0	0
Areas of Permits Disturbed by Surface Coal Mining and Reclamation Operations			
Disturbed Area	3,589	3,751	162

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TABLE 7

BOND FORFEITURE ACTIVITY (Permanent Program Permits)			
Bond Forfeiture and Reclamation Activity	Number of Sites	Dollars	Acres
Sites with bonds forfeited and collected that were un-reclaimed at the start of the current Evaluation Year (i.e, end of previous Evaluation Year) ¹	0		0
Sites with bonds forfeited and collected during the current Evaluation Year	0	0	0
Sites with bonds forfeited and collected that were re-permitted during the current Evaluation Year	0		0
Sites with bonds forfeited and collected that were reclaimed during the current Evaluation Year	0		0
Sites with bonds forfeited and collected that were un-reclaimed at the end of the current Evaluation Year ¹	0		0
Sites with bonds forfeited but un-collected at the end of the current Evaluation Year	0		0
Forfeiture Sites with Long-Term Water Pollution			
Bonds forfeited, lands reclaimed, but water pollution is still occurring	0		
Bonds forfeited, lands reclaimed, and water treatment is ongoing	0		
Surety/Other Reclamation Activity In Lieu of Forfeiture			
Sites being reclaimed by surety/other party at the start of the current Evaluation Year (i.e., the end of previous Evaluation Year) ²	0		0
Sites where surety/other party agreed during the current Evaluation Year to do reclamation	0		0
Sites being reclaimed by surety/other party that were re-permitted during the current Evaluation Year	0		0
Sites with reclamation completed by surety/other party during the current Evaluation Year ³	0		0
Sites being reclaimed by surety/other party at the end of the current Evaluation Year ²	0		0
¹ Includes data only for those forfeiture sites not fully reclaimed. ² Includes all sites where surety or other party has agreed to complete reclamation and the site is not fully reclaimed. ³ These sites are also reported in Table 6, Surface Coal Mining and Reclamation Activity, because Phase III bond release would be granted on these sites.			

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TABLE 8

REGULATORY AND AML PROGRAMS STAFFING	
Function	Number of FTEs
Regulatory Program	
Permit Review and Maintenance	1.50
Inspection	1.16
Other (supervisory, clerical, administrative, fiscal, personnel, etc.)	0.90
Regulatory Program Total	3.56
AML Program Total	8.57
TOTAL	12.13

CHART 8A HISTORICAL TRENDS
 REGULATORY AND AML PROGRAMS STAFFING

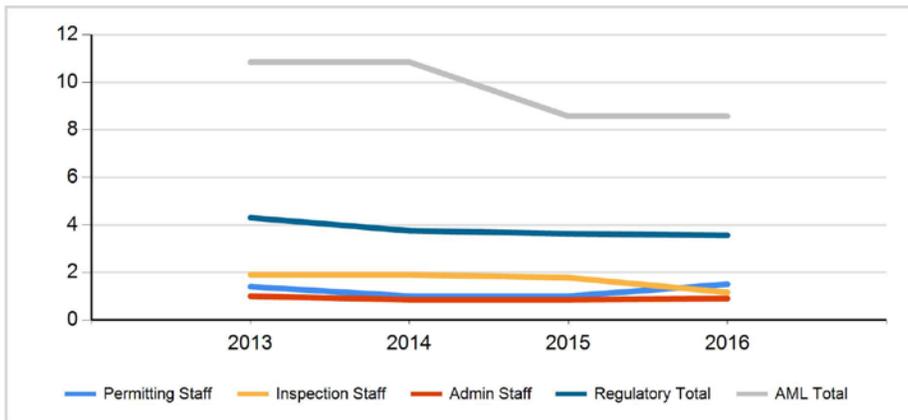


TABLE 8A

REGULATORY AND AML PROGRAMS STAFFING					
Year	Regulatory Program				AML Program
	Permitting	Inspection	Admin	Total	
2013	1	2	1	4	11
2014	1	2	1	4	11
2015	1	2	1	4	9
2016	2	1	1	4	9

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TABLE 9

FUNDS GRANTED TO STATE OR TRIBE BY OSM (Actual Dollars Rounded to the Nearest Dollar)			
Type of Funding	Federal Funds Awarded	Total Program Cost	Federal Funds Awarded as a Percentage of Total Program Costs
Regulatory Funding			
Administration and Enforcement Grant	193,159		
Other Regulatory Funding, if applicable	0		
Subtotal (Regulatory Funding)	193,159	386,318	50
Small Operator Assistance Program Grant Funding	0	0	
Abandoned Mine Land Reclamation Funding	2,781,000	2,781,000	100
Watershed Cooperative Agreement Program	0	0	
TOTAL	2,974,159		

CHART 9A HISTORICAL TRENDS
 FUNDS GRANTED TO STATE OR TRIBE BY OSM

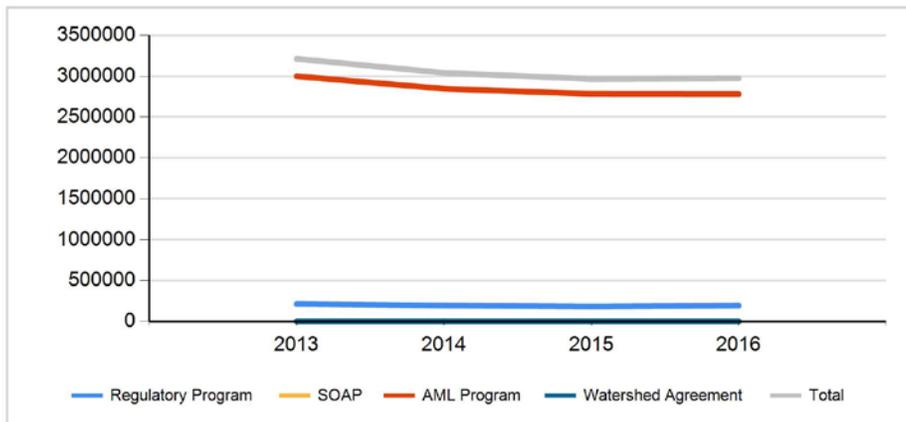


TABLE 9A

FUNDS GRANTED TO STATE OR TRIBE BY OSM				
Year	Regulatory Program	SOAP	AML Program	Total
2013	213,266	0	3,000,000	3,213,266
2014	194,882	0	2,847,000	3,041,882
2015	182,568	0	2,784,000	2,966,568
2016	193,159	0	2,781,000	2,974,159

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TABLE 10

**STATE INSPECTION ACTIVITY
INSPECTABLE UNITS FOR WHICH STATE MET REQUIRED INSPECTION FREQUENCY ON AN
INSPECTABLE UNIT-BY-INSPECTABLE UNIT BASIS ¹**

Inspectable Units (IUs)	Total number of inspectable units ²	Number of inspections required annually		Number of inspections conducted		IUs Met Complete Inspection Frequency Requirement		IUs Met Partial Inspection Frequency Requirement		IUs Met Complete and Partial Inspection Frequency Requirements		
		Complete inspections	Partial inspections	Complete inspections	Partial inspections	Number	Percent	Number	Percent	Total number of IUs	Number that met inspection frequency	Percent
COAL MINES AND FACILITIES												
Active	8	32	64	30	62	8	100	8	100	8	8	100
Inactive	0	0	0	0	0	0	0	0	0	0	0	0
Abandoned	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS ³	8	32	64	30	62	8	100	8	100	8	8	100
Coal Exploration Activities ⁴		Complete Inspections					Partial Inspections					
Exploration sites with permits		0					0					
Exploration sites with notices		0					0					

¹ Calculated on a site-specific basis.
² Total number includes both permanent program permits and initial program sites.
³ OSM is assuming that all states have gone through the process described in 30 CFR 840.11(h) and 842.11(f) to reduce inspection frequency on abandoned/forfeited sites
⁴ Includes all valid notices and permits. No inspection frequency data are provided since SMCRA does not establish a minimum numerical inspection frequency for coal exploration activities.
⁵ NA - Not Available

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TABLE 11

STATE OR TRIBAL ENFORCEMENT ACTIVITY		
Type of Enforcement Action	Number of Actions ¹	Number of Violations ¹
Notice of Violation	0	0
Failure-to-Abate Cessation Order	0	0
Imminent Harm Cessation Order	0	0
¹ Does not include actions and violations that were vacated.		

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EY 2016, ending June 30, 2016

TABLE 12

LANDS UNSUITABLE ACTIVITY		
Activity	Number	Acres
Petitions Received	0	
Petitions Rejected	0	
Petitions Accepted	0	
Decisions Denying Petition	0	
Decisions Declaring Lands Unsuitable	0	0
Decisions Terminating Unsuitable Designations	0	0

Missouri
EY 2016, ending June 30, 2016

TABLE 13

OSM OVERSIGHT ACTIVITY					
Oversight Inspections and Site Visits					
	Complete		Partial		
	Joint	Non-Joint	Joint	Non-Joint	Total
Oversight Inspections	7	0	3	1	11
	Technical Assistance		Other		Total
Site Visits	0		0		0
Violations Observed by OSM and Citizen Requests for Inspection¹					
Type of Action					Total number of each action
How many violations were observed by OSM on oversight inspections?					0
Of the violations observed, how many did OSM defer to State action during inspections?					0
Of the violations observed, how many did OSM refer to the State through Ten-Day Notices? ²					0
How many Ten-Day Notices did OSM Issue for observed violations? ³					0
How many Ten-Day Notices did OSM issue to refer citizen requests for inspection?					0
How many Notices of Violation did OSM issue?					0
How many Failure-to-Abate Cessation Orders did OSM issue?					0
How many Imminent Harm Cessation Orders did OSM issue?					0
OSM Action for Delinquent Reporting or Non-Payment of Federal AML Reclamation Fees					
How many Ten-Day Notices for delinquent reporting or non-payment of Federal AML reclamation fees did OSM issue?					0
How many Notices of Violation for delinquent reporting or non-payment of Federal AML reclamation fees did OSM issue?					0
How many Federal Failure-to-Abate Cessation Orders for delinquent reporting or non-payment of Federal AML reclamation fees did OSM issue?					0
¹ This section does not include actions for delinquent reporting or non-payment of Federal AML fees that are reported in the last section of the table. ² Number of violations contained in Ten-Day Notices not including those issued to refer citizen requests for inspection. ³ Number of Ten-Day Notices issued not including those to refer citizen requests for inspection.					

Missouri

EY 2016, ending June 30, 2016

**CHART 13A HISTORICAL TRENDS
OSM OVERSIGHT ACTIVITY**

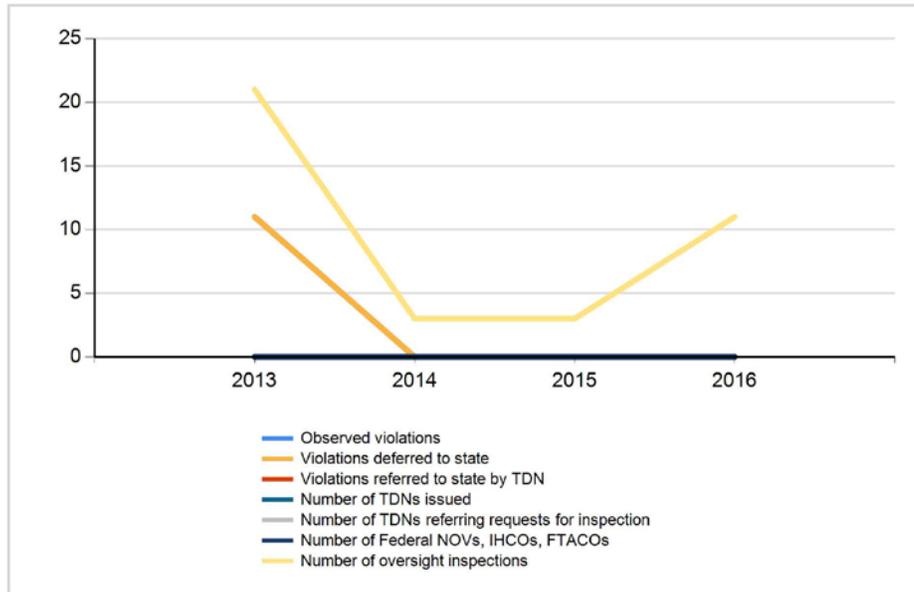


TABLE 13A

OSM OVERSIGHT ACTIVITY							
Year	Number of violations observed on OSM oversight inspections	Number of violations deferred to state action	Number of violations referred to state by TDN	Number of TDN's issued	Number of TDN's issued to refer requests for inspection	Number of Federal NOVs, FTACOs, & IHCOs issued	Number of oversight inspections
2013	11	11	0	0	0	0	21
2014	0	0	0	0	0	0	3
2015	0	0	0	0	0	0	3
2016	0	0	0	0	0	0	11

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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TABLE 14

STATUS OF ACTION PLANS						
Action Plan ID	Problem Type ¹	Problem Title	Problem Description	Date Action Plan Initiated	Scheduled Completion Date	Actual Completion Date
None						
¹ Problem Type: "PA" indicates a required Program change under subchapter T or 732 "RP" indicates a Regulatory Program implementation or administrative problem						

Missouri

EY 2016, ending June 30, 2016

**TABLE 15
(Optional)**

POST-MINING LAND USE ACREAGE OF SITES FULLY RECLAIMED (Phase III bond release or termination of jurisdiction under the Initial Program)	
Land Use¹	Acres Released
Cropland	0.00
Pasture/Hayland	0.00
Grazingland	0.00
Forestry	0.00
Residential	0.00
Industrial/Commercial	26.00
Recreation	0.00
Fish & Wildlife Habitat	0.00
Developed Water Resources	0.00
Undeveloped land or no current use or land management	0.00
Other - Public Utilities	0.00
Other -	0.00
Sub-Total Other	0.00
Total	26.00

¹ Land uses as defined in 30 CFR 701.5 or "Other" as defined under the state or tribal program

APPENDIX 1, Part B

Title IV: Summary of Core Data to Characterize the AML program

The following tables present summary data pertinent to abandoned mine land activities under the LRP's AML program. Unless otherwise specified, the reporting period for the data contained in the tables is the EY. Other data and information used by the AFD in its evaluation of the LRP's performance are available for review in the evaluation file maintained by the AFD.

Because of the enormous variations from state to state and the differences between state programs, the summary data should not be used to compare one state to another.

List of Tables

- Table 1 Status of AML Inventory All Priority 1, 2, and 3 Hazards
- Table 2 Accomplishments in Eliminating Health and Safety Hazards Related to Past Mining Priority 1 and 2 Hazards
- Table 3 Accomplishments in Eliminating Health and Safety Hazards Related to Past Mining Priority 3 and SMCRA Section 403(b) Hazards
- Table 4 Public Well-Being Enhancement
- Table 5 Partnership Financial Resources Dedicated to Protecting the Public from Adverse Effects of Past Mining
- Table 6 Reclamation Projects Started and/or Completed
- Table 7 AML Program Awards and Staffing

					Missouri
					EY 2016, ending June 30, 2016
TABLE 1					
STATUS OF AML INVENTORY ALL <u>PRIORITY 1, 2, AND 3</u> HAZARDS					
	High Priority		Elevated Priority 3	Stand-Alone Priority 3 (Not adjacent or in conjunction w/ P1&2)	Total
	Priority 1	Priority 2			
Unfunded					
GPRA Acres	75	1660.86		4384.93	6120.79
Dollars	\$147,002.00	\$44,009,528.00		\$45,373,631.00	\$ 89,530,161.00
Funded					
GPRA Acres	0	142.4	32	7	181.4
Dollars	\$0.00	\$1,168,645.00	\$1.00	\$1.00	\$ 1,168,647.00
Completed					
GPRA Acres	292.06	4352.87	1309.79	934.77	6889.49
Dollars	\$3,422,814.00	\$49,809,305.26	\$1,266,065.00	\$2,426,122.00	\$ 56,924,306.26

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Missouri

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TABLE 2

ACCOMPLISHMENTS IN ELIMINATING HEALTH AND SAFETY HAZARDS RELATED TO PAST MINING PRIORITY 1 AND 2 HAZARDS

Problem Type (keyword)

	Clogged Stream (CS) (miles)	Clogged Stream Lands (CSL) (acres)	Dangerous Pile or Embankment (DPE)(acres)	Dangerous Highwall (DH) (feet)	Dangerous Impoundment (DI) (count)	Dangerous Slide (DS) (acres)	Gases: Hazardous/Explosive (GHE) (count)	Hazardous Equip./Facilities (HEE) (count)	Hazardous Water Body (HWB) (count)	Industrial/Residential Waste (IRW) (acres)	Portal (P) (count)	Polluted Water:Agri/Industrial (PWA)(count)	Polluted Water: Human Consumption (PWHC)(count)	Subsidence (S) (acres)	Surface Burning (SB) (acres)	Underground Mine Fire (UMF) (acres)	Vertical Opening (VO) (count)	TOTAL
Unreclaimed/Remaining Hazards (Unfunded)																		
Units	2	20.7	229.4	37686	2	0	0	9	27	29.9	15	16	5	630.9	1	0	31	
GPRA Acres	10	40.7	229.4	538.46	10	0	0	0.9	135	29.9	1.5	80	25	630.9	1	0	3.1	1735.86
Dollars	\$104,204.00	\$169,932.00	\$4,578,373.00	\$6,029,510.00	\$12,000.00	\$0.00	\$0.00	\$44,680.00	\$1,536,601.00	\$74,200.00	\$78,000.00	\$629,721.00	\$2,436,209.00	\$28,320,000.00	\$3,000.00	\$0.00	\$140,100.00	\$44,156,530.00
Annual Reclamation - EY2016 only (Completed)																		
Units	0	8	26	3371	0	0	0	0	3	1	0	4	0	0	0	0	3	
GPRA Acres	0	40	26	48.1	0	0	0	0	15	1	0	20	0	0	0	0	0.3	150.4
Dollars	\$0.00	\$166,485.78	\$454,000.00	\$460,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$149,583.30	\$1,000.00	\$0.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38,427.85	\$1,319,496.93
Historical Reclamation - EY1978 - 2016 (Completed)																		
Units	10.8	1551.8	795.9	95649	6	0	0	28	24	73.6	36	53	15	6.1	19	7	139	
GPRA Acres	54	1812.6	795.9	1366.44	30	0	0	2.8	120	73.6	3.6	265	75	6.1	19	7	13.9	4644.94
Dollars	\$595,997.00	\$8,815,455.78	\$11,429,448.00	\$8,603,899.97	\$1,051,615.00	\$0.00	\$0.00	\$443,211.00	\$1,509,217.30	\$295,160.00	\$45,188.00	\$15,087,412.50	\$3,999,409.00	\$760,530.00	\$58,501.00	\$104,831.00	\$432,243.71	\$53,232,119.26

TABLE 3

**ACCOMPLISHMENTS IN ELIMINATING ENVIRONMENTAL PROBLEMS RELATED TO PAST MINING
PRIORITY 3 AND SMCRA SECTION 403(b) HAZARDS**

Problem Type (keyword)

	Bench, Solid Bench, Fill Bench (BE) (acres)	Industrial/Residential Waste Dump (DP) (acres)	Equipment and Facilities (EF) (count)	Gob (GO) (acres)	Highwall (H) (feet)	Haul Road (HR) (acres)	Mine Opening (MO) (count)	Pit, Open Pit, Strip Pit (PI) (acres)	Spoil, Spoil Bank (SA) (acres)	Slurry (SL) (acres)	Slump (SP) (acres)	Water (WA) (gallons)	Other (specify)	Water Supplies (WS) – Section 403(b) (count)	TOTAL
Unreclaimed/Remaining Hazards (Unfunded)															
Units	0	7.4	21	89.7	185206	73.3	17	449.8	8590.3	19.3	416.1	374	19.1	0	
GPRA Acres	0	7.4	2.1	89.7	2645.88	73.3	1.7	449.8	8590.3	19.3	416.1	0	0	0	12295.58
Dollars	\$0.00	\$34,561.00	\$186,102.00	\$2,368,448.00	\$20,965,305.00	\$278,978.00	\$34,000.00	\$4,083,686.00	\$22,561,221.00	\$181,501.00	\$19,736,200.00	\$689,501.00	\$329,460.00	\$0.00	\$71,448,963.00
Annual Reclamation - EY2016 only (Completed)															
Units	0	0	0	0	0	0	0	0	45	0	0	0	0	0	
GPRA Acres	0	0	0	0	0	0	0	0	45	0	0	0	0	0	45
Dollars	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2.00
Historical Reclamation - EY1978 - 2016 (Completed)															
Units	2	6.6	9	153.4	21669	1.4	1	95.9	1616.1	69	0.4	86	4	0	
GPRA Acres	2	6.6	0.9	153.4	309.56	1.4	0.1	95.9	1616.3	69	0.4	0	0	0	2255.56
Dollars	\$1.00	\$19,255.00	\$5,903.00	\$284,362.00	\$374,867.00	\$2,500.00	\$500.00	\$238,478.00	\$2,408,985.00	\$144,217.00	\$1,000.00	\$169,090.00	\$43,030.00	\$0.00	\$3,692,188.00

Missouri

EY 2016, ending June 30, 2016

TABLE 4

PUBLIC WELL-BEING ENHANCEMENT
(All Priority 1, 2 and 3 AML projects completed during EY 2016)

#	PAD Number	Project Name	Problem Type(s) Reclaimed	GPRA Acres	Cost	Number of People with Reduced Exposure Potential (State Estimated /or/ Census Data)
1	MO-095	Parry Reclamation Project	DH, SA, HWB	67.7	\$284,584.30	49
2	MO-120	Germantown L-Pit	SA, PWAI, CSL, DH, IRW, DPE	127.4	\$996,486.78	52
3	MO-224	Stiever Shaft (29th St Collapse) (Dogwood Lane Problem Area)	VO	0.1	\$34,477.85	1164
4	MO-273	Valle Mines Phase II (Non-Coal)	VO	0.2	\$3,950.00	378
TOTAL				195.4	\$1,319,498.93	1643

TABLE 5

**PARTNERSHIP FINANCIAL RESOURCES DEDICATED TO PROTECTING THE PUBLIC FROM ADVERSE EFFECTS OF PAST MINING
(AML projects completed during EY 2016)**

#	PAD Number	Project Name	SMCRA Program Funding Source	Total SMCRA funding	Alternate Non-SMCRA Funding Source	Total non-SMCRA Funding	In-Kind Services	Total Project Funding	Comments
1									
TOTAL				\$0.00		0	\$0.00	\$0.00	

There were no financial partnerships for Evaluation Year 2016

TABLE 6

RECLAMATION PROJECTS STARTED AND/OR COMPLETED

Project Type	Projects Started	Projects Completed
State/Tribe (EY 2016):	5	4
Federal (EY 2016):	0	0
Total (EY 2016):	5	4

Missouri	
EY 2016, ending June 30, 2016	
TABLE 7	
AML PROGRAM GRANT AWARDS AND STAFFING	
AML Program Costs	
Administration	\$330,005.00
Construction	\$2,250,995.00
Water Supply Construction	\$0.00
AMD Set-Aside	\$0.00
Other(s) (Non-Coal)	\$200,000.00
Total AML Funding	\$2,781,000.00
AML Program Staffing (full-time equivalents on June 30, 2016):	8.57

APPENDIX 2: Comments of State of Missouri on the Report

Missouri Annual Evaluation Report

Evaluation Year 2016

Comments of State of Missouri on the Report

Title V: Missouri Regulatory Program Comments

There were no comments received from the state of Missouri.

Title IV: Missouri AML Program Comments

There were no comments received from the state of Missouri.