



INTERSTATE MINING COMPACT COMMISSION

**ANNUAL REPORT
2022**

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**2022 Annual Report
of the
Interstate Mining Compact Commission**

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About The Cover Photo:

On the cover are photos of the Interstate Mining Compact Commission's 2022 Kenes C. Bowling National Reclamation Award winning sites: Top-Down: (1) – Texas Railroad Commission (Texas) – Winner of the Coal Surface Mining Safety & Health Award (2) Sterling Mining Corporation – Carroll Hollow #6 Mine (Ohio) – Winner of the Coal Reclamation Award (3) Welch Concrete Products, LLC – Welch Sand and Gravel (Kentucky) – Winner of the Non-Coal Reclamation Award

Table of Contents

2022 Officers	1
History and Purpose of the Compact	2
Report of the Executive Director	3
Appendix A.....	5
2022 Standing Committees	11
Yearly Commission Meetings	12
Activities of the Standing Committees	13
Committee Chairs and Vice Chairs for 2023	17
Officers Elected for 2023	18
Resolutions	19
Financial Reports	36
Member State Permitting Data	39
Member State Reclaimed Land Use Data	43
2022 Kenes C. Bowling Reclamation Award Winners	47
2022 Mine Safety and Health Training Award Winners	48
2022 Minerals Education Award Winners.....	49
2022 IMCC Membership	50
2023 Commissioners and Their Representatives	54



Officers 2022

Chair:

Governor Asa Hutchinson
Arkansas

Vice Chair:

Governor John Bel Edwards
Louisiana

Treasurer:

Governor Andy Beshear
Kentucky

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-two 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, Mississippi, Arizona, and Montana – have become members. New Mexico withdrew from the Compact in 1991 as a full member but rejoined as an associate member in 2000 and again became a full member in 2016. New York joined the Compact as its first associate member state in 1994. Since then the following have also joined as associate members: North Dakota (2000), Utah (2004), Wyoming (2005), Alaska (2006), Colorado (2007), Nevada (2012), Mississippi

(2013), Arizona (2016), and Montana (2019). Mississippi, New York, North Dakota, Utah, Alaska, Wyoming, and New Mexico are now all full members. Nevada chose to withdraw its associate membership in May of 2015, and Arizona in 2020.

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

After several years in which the biggest question for coal AML programs was whether the program would continue beyond its scheduled September 30, 2021, expiration date, in mid-November 2021, Congress put concerns over the future of the program to rest by adopting the Infrastructure Investment and Jobs Act (IIJA) which appropriated \$11 billion for coal abandoned mine lands AML programs to spend over the next fifteen years and reauthorized AML fee collection at 80% of previous rates for thirteen years. The main problem facing the program quickly shifted from a future in doubt to finding ways to make good use of much greater resources in addressing abandoned mine hazards than ever before. The IIJA brought the most significant changes to the abandoned AML program since it was first established in 1977.

2022 began just as the IIJA was taking effect. Having secured the funding to greatly enhance their ability to eliminate AML hazards over a fifteen-year period, the next challenge for coal AML programs was to tackle all the thorny issues arising in implementing the new law. IMCC led implementation efforts on behalf of the states in 2022:

- By January 2022, within two months of the IIJA's enactment, IMCC: urged Interior Secretary Haaland to interpret the IIJA to allow a portion of grant funds to be "set aside" to pay for the long-term costs of addressing Acid Mine Drainage (AMD); led a virtual meeting of States non-governmental organizations and other stakeholders with the Interior Department to make the case for this interpretation of the IIJA; convinced the Office of Surface Mining Reclamation and Enforcement (OSMRE) to determine each state's share of annual IIJA funds so States could begin planning to adapt their programs to utilize the new funding; and urged the Council on Environmental Quality (CEQ) and Office of Management and Budget (OMB) to modify their geo-spatial tool for identifying "disadvantaged communities" for purposes of the Administration's Justice 40 Initiative to include AML-impacted areas.
- By February 2022, within three months of enactment, IMCC wrote to OSMRE to: reinforce the need for OSMRE to consider input from states, which carry out 99% of the AML program, in organizing the IIJA AML program; urge it to implement all AML programs through a single annual grant application; and question the timing of its decision to undertake a comprehensive examination of each State's legal authority to conduct an AML program, at a point when states' primary objective should instead be efficiently and effectively putting the new AML funds to work.
- By April 2022, IMCC: provided written testimony for a hearing of the House Energy and Mineral Resources Subcommittee, which has oversight jurisdiction over OSMRE, expressing concerns about several issues affecting efficient implementation of the IIJA; and, provided OSMRE with the State's recommendation as to how the miners' preference in the IIJA should be implemented.
- By May 2022, IMCC: surveyed the States regarding their plans to add personnel for implementation of the IIJA to provide States with a valuable benchmarking tool and to provide OSMRE with the information necessary to upgrade its training programs to meet the needs of the many new state employees.
- By June 2022, IMCC: surveyed the states regarding their most important questions and concerns regarding IIJA implementation and compiled a summary of the responses that was provided to Acting OSMRE Director Owens in advance of the initial briefing OSMRE held on its draft guidance for IIJA implementation; provided detailed written comments on OSMRE's initial draft IIJA guidance; and, provided separate detailed written comments on the performance metrics contemplated by OSMRE's initial draft IIJA guidance.

- By October 2022, IMCC: surveyed States and, compiled their questions for OSMRE on IJIA implementation issues in advance of a face-to-face meeting between states, tribes and OSMRE at the National Association of Abandoned Mine Land Programs meeting this month.
- On the one-year anniversary of IJIA enactment, November 15, 2022, IMCC: provided the forum for another face-to-face meeting with OSMRE and Department of the Interior representatives at its Midyear meeting. This provided an opportunity for states to express their frustration with OSMRE’s failure to address continuing state questions regarding IJIA implementation. Subcommittee staff from the House Subcommittee that oversees OSMRE attended this meeting and heard the discussion of the issues and states’ concerns, first-hand.
- In December 2022, IMCC: arranged a roundtable, summit-style virtual meeting between State AML program managers and OSMRE for the purpose of improving the federal-state relationship and enhancing the states’ influence in IJIA implementation decisions; and, provided detailed written comments opposing a request for collection of information OSMRE had published in the Federal Register regarding changes it hoped to make to an OSMRE form. These changes would compel states to provide complex, detailed project lists with their applications for grants of IJIA funds. OSMRE itself had decided such lists were too cumbersome in the 1990s.

In addition to all the other IJIA coal AML implementation activity discussed above, IMCC also expended considerable, significant effort to draft and obtain passage of the STREAM Act by Congress in 2022. After the Interior Department declined to interpret the IJIA to include authority to set aside a portion of IJIA AML grants for long term AMD costs, IMCC took the lead in drafting this legislation and securing sponsors in March 2022. Throughout the rest of the year, IMCC engaged in concerted efforts to educate Congress on the need for this legislation. This culminated in the inclusion of the STREAM Act in omnibus legislation that became law in December 2022.

The IJIA also authorizes a first-of-its-kind hardrock AML program. This was envisioned as a \$3 billion, ten-year program that would provide grants to states for the purpose of eliminating hardrock AML hazards. Unfortunately, however, the appropriations language necessary to fund this program was not included in the IJIA. As a result, the program has been awaiting funding from Congress through annual appropriations legislation. The Interior Department’s Office of Environmental Policy and Compliance (OEPC) has been tasked with development of this program thus far. It has looked to IMCC as the voice of the states on program implementation issues. In addition to its coal AML work in 2022, IMCC has been very active in development of this new program for hardrock AML. The effort IMCC put into organizing the program will pay dividends when a sustainable funding source for the program is developed.

Two developments in February 2022 resulted in a new focus on mining law and policy by the federal government. On February 22, 2022, the Biden Administration released its “Fundamental Principles for Domestic Mining Reform” that contained its general policy direction to the federal government on reform of the Mining Law of 1872 as well as the need to increase domestic production of critical minerals. The same day, the Interior Department announced its formation of a government-wide Interagency Working Group on Mining Laws, Regulations and Permitting (IWG) for the purpose of reviewing existing mining laws, regulations and permitting processes and making recommendations for improvements. IMCC again served as the voice of the states with the IWG. Throughout the latter part of the year, IMCC facilitated many meetings among states to discuss state perspectives on Mining Law Reform and between the states and the IWG and all its six subgroups. IMCC also facilitated meetings among states to discuss state comments to the IWG, prepared and submitted its own comments to the IWG and gathered all state comments and made them available to the states. In addition to everything reported above, IMCC’s efforts on behalf of state coal regulatory programs remained strong in 2022. Important issues addressed this year included OSMRE’s planned dam safety rulemaking, implementation of the 2020 Biological Opinion and training therewith, and the revegetation study the IJIA required OSMRE to produce.

Appendix A

2022 Meetings

January 4, 2022 – BIF/BIL Implementation Work Group
 January 4, 2022 – DOI Management re AMD Interpretation of BIL
 January 5, 2022 – Congressional Staff
 January 5, 2022 – BIL Implementation - OSMRE Management
 January 6, 2022 – IMCC and NAAML P Hardrock AML committee
 January 7, 2022 – PA AML Campaign
 January 7, 2022 – IMCC briefing re coal AML BIL issues
 January 11, 2022 – OSMRE Appalachian States listening session re BIL
 January 11, 2022 – HUD re Justice 40
 January 12, 2022 – DOI OEPC re Hardrock AML
 January 13, 2022 – Congressional Staff & Joe Pizarchik
 January 14, 2022 – PA AML Campaign
 January 18, 2022 – OSMRE Western States listening session re BIL
 January 18, 2022 – Congressional Staff
 January 19, 2022 – AMLER Workgroup (States/Tribes Only)
 January 21, 2022 – PA AML Campaign
 January 24, 2022 – DOE re Justice 40
 January 24, 2022 – Nevada DEP & DOM
 January 26, 2022 – Joe Pizarchik
 January 26, 2022 – BIL Implementation - OSMRE Management
 January 28, 2022 – PA AML Campaign
 January 28, 2022 – Congressional Staff
 February 2, 2022 – BIL Implementation - OSMRE Management
 February 3, 2022 – BIF/BIL Work Group
 February 4, 2022 – PA AML Campaign call
 February 9, 2022 – Congressional Staff
 February 10, 2022 – Congressional Staff re Hardrock AML and Good Sam
 February 10, 2022 – OSMRE Briefing for states re BIL Implementation
 February 11, 2022 – PA AML Campaign
 February 11, 2022 – OSMRE Director Uram re AMD Interpretation
 February 11, 2022 – NAAML P President re meeting agenda
 February 16, 2022 – Congressional Staff
 February 16, 2022 – Congressional Staff
 February 16, 2022 – BIL Implementation - OSMRE Management
 February 16, 2022 – Congressional Staff
 February 16, 2022 – Congressional Staff
 February 18, 2022 – PA AML Campaign
 February 18, 2022 – Blue Green Alliance NGOs
 February 18, 2022 – DOI OEPC re Hardrock AML
 February 22, 2022 – NAAML P Winter Business Meeting
 February 23, 2022 – NAAML P Winter Business Meeting
 February 24, 2022 – NAAML P Winter Business Meeting
 February 25, 2022 – Congressional Staff & Ohio DNR
 February 25, 2022 – PA AML Campaign

February 25, 2022 – Congressional Staff & Joe Pizarchik
 February 28, 2022 – Congressional Staff
 March 1, 2022 – Congressional Staff & AL DOL
 March 2, 2022 – BIL Implementation - OSMRE Management
 March 3, 2022 – Congressional Staff & AL DOL
 March 4, 2022 – PA AML Campaign
 March 4, 2022 – Congressional Staff & Joe Pizarchik
 March 8, 2022 – DOI Management – BIL Implementation
 March 9, 2022 – OSMRE & USF&WS Midcontinent Region BiOp Training
 March 10, 2022 – Reclaim Coalition NGOs
 March 11, 2022 – PA AML Campaign
 March 14, 2022 – Congressional Staff
 March 14, 2022 – IMCC & NAAML P Hardrock Committees re AML Inventories
 March 15, 2022 – BIF/BIL Implementation Work Group
 March 15, 2022 – USDOE re BIL Clean Energy on Mine Sites
 March 16, 2022 – BIL Implementation - OSMRE Management
 March 18, 2022 – PA AML Campaign NGOs
 March 22, 2022 – Congressional staff
 March 23, 2022 – National Mining Association
 March 23, 2022 – Congressional staff
 March 24, 2022 – Congressional staff
 March 25, 2022 – USDOE re. BIL clean energy on mine sites
 March 25, 2022 – PA AML Campaign NGOs
 March 30, 2022 – Appalachian Voices - AMLER
 March 30, 2022 – IMCC/NAAML P Hardrock AML Inventory Workgroup
 March 30, 2022 – BIL implementation - OSMRE Management
 March 31, 2022 – House EMR Subcommittee hearing re. BIL legacy pollution cleanup programs
 March 31, 2022 – IMCC Finance and Administrative Committee Meeting
 April 6, 2022 – Mining and Metallurgical Society of America meeting re. AML
 April 8, 2022 – PA AML Campaign NGOs
 April 8, 2022 – Congressional staff
 April 8, 2022 – Nevada/NAAML P leadership re. hardrock AML cost estimates
 April 10-13, 2022 – IMCC Annual Meeting
 April 15, 2022 – PA AML Campaign NGOs
 April 22, 2022 – OEPC re. hardrock AML grants
 April 22, 2022 – PA AML Campaign NGOs
 April 27, 2022 – USGS re. hardrock AML database
 April 28, 2022 – BIL Implementation Work Group
 April 28, 2022 – IMCC/NAAML P Hardrock AML Inventory Workgroup
 April 29, 2022 – PA AML Campaign NGOs
 May 3, 2022 – OEPC re. hardrock AML grants
 May 4, 2022 – RECLAIM Coalition NGOs
 May 6, 2022 – PA AML Campaign NGOs
 May 9, 2022 – Intergovernmental AML Briefing
 May 11, 2022 – Congressional staff
 May 11, 2022 – Congressional staff
 May 11, 2022 – BIL implementation - OSMRE Management
 May 12, 2022 – House EMR Subcommittee hearing re. hardrock mining reform
 May 13, 2022 – Intergovernmental AML Briefing
 May 13, 2022 – PA AML Campaign NGOs
 May 17, 2022 – NAAML P Leadership re. hardrock AML

May 20, 2022 – DOI briefing re. draft IJJA AML guidance
 May 20, 2022 – PA AML Campaign NGOs
 May 24, 2022 – Nevada/NAAMLPL leadership re. hardrock AML
 May 25, 2022 – OEPC re. hardrock AML grants
 May 25, 2022 – BIL implementation - OSMRE Management
 May 25, 2022 – IMCC AML Committee debrief on DOI briefing re. draft IJJA AML guidance
 May 26, 2022 – NAAMLPL leadership and Michigan re. hardrock AML inventory
 May 26, 2022 – NAAMLPL leadership and Idaho re. hardrock AML inventory
 May 26, 2022 – Congressional staff
 May 26, 2022 – Congressional staff
 May 27, 2022 – NGOs
 June 1, 2022 – OSMRE briefing re. IJJA AML guidance
 June 1, 2022 – NGOs
 June 1, 2022 – Congressional Staff
 June 2, 2022 – IMCC AML Committee briefing re. DOI IJJA draft AML guidance
 June 2, 2022 – PA AML Campaign NGOs
 June 7, 2022 – Hardrock/Non-Coal Environmental Affairs Committee re. hardrock mining reform
 June 8, 2022 – BIL implementation - OSMRE Management
 June 9, 2022 – House EMR Subcommittee hearing re. STREAM Act
 June 9, 2022 – DOI IWG re. hardrock mining reform
 June 10, 2022 – PA AML Campaign NGOs
 June 10, 2022 – OEPC re. hardrock AML grants
 June 17, 2022 – IMCC AML Committee meeting re. BIL performance measures comments
 June 17, 2022 – PA AML Campaign NGOs
 June 22, 2022 – BIL implementation - OSMRE Management
 June 22, 2022 – Presentation at PA AMR Conference
 June 23, 2022 – Presentation to Minnesota Mineland Vision Partnership
 June 24, 2022 – RECLAIM Coalition NGOs
 June 24, 2022 – Congressional Staff
 June 24, 2022 – Congressional Staff
 June 27, 2022 – IMCC/NAAMLPL Hardrock AML Inventory Workgroup
 June 30, 2022 – Western States Water Council
 July 5, 2022 – DOI Deputy ASLM
 July 6, 2022 – BIL implementation - OSMRE Management
 July 8, 2022 – PA AML Campaign NGOs
 July 13, 2022 – House Natural Resources Committee mark-up hearing
 July 15, 2022 – OEPC - Hardrock AML Grants
 July 15, 2022 – PA AML Campaign NGOs
 July 18, 2022 – DOI IJJA AML Guidance Briefing
 July 19, 2022 – States/Tribes - USGS Proposed Hardrock AML Inventory Design
 July 19, 2022 – Western States Water Council and Trout Unlimited re. Good Sam
 July 20, 2022 – BIL Implementation - OSMRE Management
 July 20, 2022 – Congressional Staff
 July 21, 2022 – IMCC Strategic Plan Workgroup
 July 21, 2022 – NGOs
 July 22, 2022 – PA AML Campaign NGOs
 July 28, 2022 – NAAMLPL leadership re. USGS hardrock AML inventory
 July 28, 2022 – Congressional Staff
 July 29, 2022 – NMA re. hardrock mining reform IWG
 July 29, 2022 – PA AML Campaign NGOs
 August 2, 2022 – IMCC AML Committee Meeting re. IJJA AML final guidance

August 3, 2022 – BIL implementation - OSMRE Management
 August 4, 2022 – IMCC AML Committee – Comments to IWG on Mining Reform
 August 4, 2022 – Congressional Staff
 August 5, 2022 – USGS and DOI hardrock AML agencies re. inventory
 August 5, 2022 – PA AML Campaign NGOs
 August 9-10, 2022 – OSMRE Appalachian Regional Meeting
 August 11, 2022 – Congressional staff
 August 12, 2022 – PA AML Campaign NGOs
 August 15-22, 2022 – Meetings with individual AMLER states
 August 16, 2022 – Congressional staff
 August 17, 2022 – BIL implementation - OSMRE Management
 August 18, 2022 – Congressional staff
 August 18, 2022 – Congressional staff
 August 19, 2022 – PA AML Campaign NGOs
 August 23, 2022 – Meeting Wyoming Governor’s Staff
 August 24-26, 2022 – Wyoming Mining Association Meeting; Presentation
 August 26, 2022 – PA AML Campaign NGOs
 August 30, 2022 – OSMRE Western Region Meeting
 August 31, 2022 – BIL implementation - OSMRE Management
 September 1, 2022 – Montana DEQ Leadership re IMCC Membership
 September 2, 2022 – PA AML Campaign NGOs
 September 8, 2022 – Plan for Davis Bacon Training with OSMRE Leadership
 September 8, 2022 – Congressional Staff
 September 9, 2022 – PA AML Campaign NGOs
 September 14, 2022 – BIL implementation - OSMRE Management
 September 16, 2022 – PA AML Campaign NGOs
 September 16, 2022 – Congressional Staff
 September 20-21, 2022 – OSMRE Mid-Continent Regional meeting
 September 20-21, 2022 – Energy & Mineral Law Foundation – MSHA Assistant Secretary
 September 22, 2022 – Meet with WV’s DC Rep in Washington
 September 23, 2022 – PA AML Campaign NGOs
 September 26, 2022 – OSMRE Leadership re Reclamation Plan Updates
 September 27, 2022 – DOL training webinar re. DBA
 September 28, 2022 – NAAMLPL leadership re. conference agenda
 September 28, 2022 – BIL implementation - OSMRE Management
 September 28, 2022 – Congressional Staff
 September 29, 2022 – Senate EPW Committee hearing re. Good Sam
 September 29, 2022 – DOL training webinar re. DBA
 September 30, 2022 – PA AML Campaign NGOs
 September 30, 2022 – Congressional staff
 October 4, 2022 – OEPC re. hardrock AML grants program
 October 4, 2022 – NAAMLPL leadership re. BIL implementation and plans for OSMRE meeting
 October 5, 2022 – NAAMLPL Hardrock AML Committee Chair re. meeting planning
 October 6, 2022 –NAAMLPL BIL Committee Chair re. meeting planning
 October 7, 2022 – PA AML Campaign NGOs
 October 11, 2022 – NAAMLPL BIL Committee Chair re. meeting planning
 October 11, 2022 – Congressional Staff
 October 12, 2022 – OEPC re. hardrock AML grants program
 October 12, 2022 – BIL implementation - OSMRE management
 October 13, 2022 –MSHA Quarterly Meeting
 October 13, 2022 – Congressional Staff

October 14, 2022 – PA AML Campaign NGOs
 October 16-19, 2022 – NAAML P Annual Conference and Business Meeting
 October 18, 2022 – OEPC and USGS re. hardrock AML grants funding distribution
 October 18, 2022 – Presentation at 2022 NAAML P Annual Conference
 October 21, 2022 – PA AML Campaign NGOs
 October 25, 2022 – Congressional staff
 October 26, 2022 – BIL implementation - OSMRE management
 October 28, 2022 – PA AML Campaign NGOs
 October 21, 2022 – OEPC re. hardrock AML grants program
 October 31, 2022 – NAAML P Hardrock AML Committee Chair re. draft OEPC MOU
 November 1, 2022 – RECLAIM Coalition NGOs
 November 1, 2022 – Multiple Congressional staff
 November 1, 2022 – Congressional staff
 November 2, 2022 – States-OSMRE project list discussion
 November 4, 2022 – PA AML Campaign NGOs
 November 4, 2022 – OEPC re. hardrock AML grants program
 November 4, 2022 – DOI Leadership discussion re. IMCC meeting
 November 7, 2022 – OEPC re. hardrock AML grants program
 November 8, 2022 – IMCC Strategic Plan Workgroup
 November 9, 2022 – IOGCC re. orphan wells grants programs
 November 9, 2022 – BIL implementation - OSMRE management
 November 14-16, 2022 – IMCC 2022 Mid-Year Meeting
 November 18, 2022 – PA AML Campaign NGOs
 November 21, 2022 – Multiple Congressional staff, NGOs
 November 22, 2022 – Multiple Congressional staff
 November 22, 2022 – OMB Examiner for OSMRE
 November 23, 2022 – Multiple Congressional staff, NGOs
 November 23, 2022 – BIL implementation - OSMRE management
 November 24, 2022 – Multiple Congressional staff, NGOs
 November 28, 2022 – Multiple Congressional staff, NGOs
 November 29, 2022 – Multiple Congressional staff, NGOs
 November 30, 2022 – Multiple Congressional staff, NGOs
 December 1, 2022 – Multiple Congressional staff, NGOs
 December 2, 2022 – PA AML Campaign NGOs
 December 5, 2022 – BIL Committee meeting
 December 6, 2022 – OEPC re. hardrock AML grants program
 December 6, 2022 – Multiple Congressional staff, NGOs
 December 7, 2022 – BIL implementation - OSMRE management
 December 7, 2022 – Multiple Congressional staff, NGOs
 December 9, 2022 – PA AML Campaign NGOs
 December 9, 2022 – Multiple Congressional staff, NGOs
 December 12, 2022 – States Roundtable pre-meeting
 December 13, 2022 – IWG on Hardrock Mining Reform
 December 13, 2022 – Multiple Congressional staff, NGOs
 December 14, 2022 – OSMRE-States Roundtable part 1 meeting
 December 15, 2022 – Multiple Congressional staff, NGOs
 December 15, 2022 – IWG on Hardrock Mining Reform
 December 16, 2022 – State project list team
 December 16, 2022 – PA AML Campaign NGOs
 December 16, 2022 – Multiple Congressional staff, NGOs
 December 20, 2022 – BIL Committee meeting

December 21, 2022 – Multiple Congressional staff, NGOs
December 21, 2022 – BIL implementation - OSMRE management
December 23, 2022 – PA AML Campaign NGOs
December 30, 2022 – PA AML Campaign NGOs

2022 Standing Committees

Environmental Affairs Committee

Coal Section

John Stefanko, Pennsylvania, Chair

Jonathan Rorrer, West Virginia, Vice Chair

Noncoal Section

Brent Goodrum, Alaska, Chair

Dana Dean, Utah, Vice Chair

Abandoned Mine Lands Committee

Jerry Schoepner, New Mexico, Chair

Dustin Morin, Alabama, Vice Chair

Mine Safety and Health

Mary Ann Pritchard, Oklahoma, Chair

Randy Moore, Virginia, Vice Chair

Finance and Administrative Committee

Gordon Slone, Kentucky, Chair

John Stefanko, Pennsylvania, Vice Chair

Resolutions Committee

Larry Bengal, Arkansas, Chair

Abby Springer, Louisiana, Vice Chair

Awards Committee

James Matheny, Mississippi, Chair

Chris McKelvey, New York, Vice Chair

Members of the 2022 Reclamation Awards Committee: Alabama, Illinois, Maryland, Montana

Members of the 2022 Mine Safety and Health Training Awards Committee: Mississippi, Tennessee

Members of the 2022 Education Awards Committee: New York, Utah, Virginia

Yearly Commission Meetings

The Interstate Mining Compact Commission (IMCC) held two yearly commission meetings for 2022; the Annual Meeting was held in April 2022 in Lexington, Kentucky and the Mid-Year Meeting was held in November 2022.

A full list of meetings in which IMCC and its members participated can be found in Appendix A of this Annual Report.

Commission Business Meetings

An Executive Commission Business Meeting was held on April 13, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. After a roll call of the member states established that a quorum was present, the Commission voted to approve: the minutes of the December 14, 2021 Mid-Year Business Meeting, a Commission budget for Fiscal Year 2023, as clarified; recommendations for Salary Increases for Fiscal Year 2023 and a bonus for the Executive Director for Fiscal Year 2022, eight thank you resolutions, and plans for 2022 Midyear Meeting in New Orleans, Louisiana.

An Executive Commission Business Meeting was held on November 16, 2022, at the Bourbon Orleans Hotel in New Orleans, Louisiana. After a roll call of the member states established that a quorum was present, the Commission elected IMCC officers for calendar year 2023, approved committee chairs for calendar year 2023, formally approved all actions taken during earlier committee meetings, including: approval of the minutes of the Annual Meeting in April 2022 in Lexington, Kentucky; the projected budgets for FY 2024 and FY 2025 for purposes of dues calculation and the dues calculated thereon; a resolution in support of the STREAM Act, including the anticipated amendment thereto; and adoption of eight thank you resolutions. Following a brief report on the activities of the Compact by the Executive Director, there was a discussion of plans for future meetings. Last, the Commission voted to adopt a resolution honoring Brian Bradley for his many years of involvement in and contributions to IMCC.

Activities of the Standing Committees

Environmental Affairs Committee – Coal Section

The Coal Environmental Committee met on April 12, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. The Committee’s discussions included recent bonding legislation in various states, reports from West Virginia, Wyoming and North Dakota, industry’s perspective on bonding issues, State strategies in coal industry bankruptcies, the Modern Mine Reclamation Act and proposed bans on mountaintop removal that had been introduced in Congress, State experiences with the 2020 Biological Opinion, the backlog of program amendments pending OSMRE’s approval, OSMRE’s plans for a dam safety rulemaking and OSMRE’s NTTP and TIPS training programs.

The Coal Environmental Committee met again on November 15, 2022, during the Midyear Meeting at the Bourbon Orleans Hotel in New Orleans, Louisiana. Discussions included SMCRA Title V funding, bonding and financial assurances for reclamation, NPDES permitting for bond forfeiture sites, a potential IMCC resolution on unplanned subsidence, State interactions with the Fish and Wildlife Service under the 2020 Biological Opinion, additional training on implementation of the 2020 Biological Opinion, OSMRE’s planned rulemaking on dam safety, new techniques for processing slurry, and State experiences with critical mineral recovery.

Abandoned Mine Lands Committee

The Abandoned Mine Lands Committee met on April 12, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. Issues discussed included development of the upcoming OSMRE

guidance on the IJJA coal AML program, plans for developing IMCC/state comments on OSMRE’s IJJA guidance, grants processes under the IJJA, state reclamation plan revisions, introduction of the STREAM Act in Congress, Governor’s letters of support and other efforts to support the STREAM Act, OSMRE’s plans for staff additions to implement the IJJA, states’ plans for staff additions, an IMCC survey on plans for staff additions, difficulties in administering the AMLER program, and the need to reconvene the AMLER Work Group.

The Abandoned Mine Lands Committee met again during the IMCC’s Midyear Meeting at the Bourbon Orleans Hotel in New Orleans, Louisiana on November 15, 2022. Issues discussed included the need for a summit-style meeting with OSMRE on various issues and, more generally, on improvement of the federal-state relationship, OSMRE’s 1994 report on the simplified grants process, changes to the OSM-51 Form, OSMRE’s reinstatement of the project list requirement it had decided was too cumbersome in the 1990s, the need to upgrade OSMRE’s NTTP and TIPS training programs’ capacity to meet the needs of new hires for implementation of the IJJA AML program, the need to recruit additional instructors and offer classes tailored to regional circumstances, 2 CFR Part 200 issues in the AMLER program, AMLER project vetting, program income incident to AMLER projects, interaction with congressional committees on the STREAM Act, and an IMCC resolution in support of the STREAM Act.

In addition to the face-to-face meetings of the AML Committee during IMCC’s Annual and Midyear Meetings described above, workgroups of this Committee met virtually frequently throughout the year to discuss ongoing developments in implementation of the IJJA coal AML program and efforts to secure adoption of the STREAM Act.

Awards Committee

The Awards Committee met via conference call on February 11 to select winners of the 2022 Education Award. On February 14, the Awards Committee met to select winners of the Kenes C. Bowling National Reclamation Awards, and members of the Mine Safety & Health Committee met via conference call to select the winners of the 2022 Mine Safety and Health Training Awards.

Environmental Affairs Committee – Noncoal Section

The Hardrock/Non-Coal Environmental Committee met on April 12, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. The Committee heard a report from the Interior Department on the status of development of the new national hardrock AML program, appropriations for the hardrock AML program, and development of a national hardrock AML inventory.

Following the presentation, the Committee discussed these matters as well as the Biden Administration’s principles for mining law reform, mining law reform efforts in Congress, financial assurances for reclamation of hardrock mines, legislation to provide Good Samaritan protections for entities that undertake reclamation of abandoned hardrock mines, proposed royalties and other revenues from hardrock mining on public lands, a review of IMCC’s comments on EPA’s CERCLA 108(b) rule, which would provide a starting point for development of IMCC’s positions on similar issues with the Administration’s Interagency Working Group, recovery of critical minerals and rare earth elements, permitting reform legislation in Congress and both court decisions and the rulemaking on the definition of “waters of the United States.”

The Hardrock/Non-Coal Environmental Committee met again on November 15, 2022, during the Midyear Meeting at the Bourbon Orleans Hotel in New Orleans, Louisiana. Committee activity and discussions included a presentation by Chris Haas of the United States Department of Energy on Clean Energy Demonstration Projects on Mine Sites; a presentation by Bill Lodder of the Interior Department’s Office of Environmental Policy and Compliance (OEPC) regarding development of the hardrock AML program authorized by the IJIA, including: status of funding, plans for developing a national hardrock AML inventory, the status of the United States Geologic Survey’s inventory development efforts and incorporation of state AML databases into the national inventory, and need for and status of hardrock Good Samaritan legislation; a presentation by Rebecca Konolige of the Mineral and Energy Resources Subcommittee of the House Natural Resources Committee on permitting reform bills introduced in Congress, differences between the mining law reform bills pending in the House and Senate, IMCC comments to the Interagency Working Group on Mining Law Reform, IMCC policy resolutions on Hardrock Mining Law and Policy and Hardrock Good Samaritan legislation, a United States Supreme Court case dealing with the definition of waters of the United States, and naturally occurring asbestos encountered by mining operations.

In addition to the face-to-face meetings of the Hardrock, Non-Coal Environmental Committee during IMCC’s Annual and Midyear Meetings described above, workgroups of this Committee met frequently throughout the year to discuss developments in two areas: the new hardrock AML program and the associated nationwide inventory of hardrock AML and state interaction with and comments to the Interagency Working Group on Mining Law Reform.

Mine Safety & Health Committee

The Mine Safety and Health Committee met on April 12, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. Matters the Committee

discussed included confirmation of a new Assistant Secretary of Labor for Mine Safety and Health, the new Assistant Secretary's priorities for the agency, Mine Safety and Health Administration (MSHA) support for mine rescue contests, and the need to recruit judges for mine rescue contests.

The Mine Safety and Health Committee met again on November 15, 2022, during the Midyear Meeting at the Bourbon Orleans Hotel in New Orleans, Louisiana. The Committee discussed the background and biographical information on the new MSHA Assistant Secretary, trends in mining fatalities, the MSHA rulemaking on silica, adequate numbers of judges for mine rescue contests and the need for continued MSHA support of these competitions.

Resolutions Committee

Two The Resolutions Committee met on April 11, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. The Committee considered and approved eight resolutions thanking various people for their support for and attendance at the meeting. There was also discussion of IMCC's process for considering policy resolutions.

The Resolutions Committee met again on November 16, 2022, during the Midyear Meeting at the Bourbon Orleans Hotel in New Orleans, Louisiana. The Committee discussed potential policy resolutions on Hardrock AML Funding and Good Samaritan Legislation, Hardrock Mining Law and Policy, Support for the STREAM Act, IJA Program Implementation Issues, and Unplanned Subsidence. It adopted the resolution in support of the STREAM Act and recommended the others be further developed and considered at future meetings, if appropriate.

Finance and Administrative Committee

The Finance and Administrative Committee met virtually on March 31, 2022, to hear the Executive Director deliver his annual report on the activities of the Compact and develop a recommendation for salaries for IMCC employees for FY 2023 and a bonus for the Executive Director for FY 2022.

The Finance and Administrative Committee met on April 11, 2022, during the Annual Meeting at the Griffin Gate Marriott Hotel in Lexington, Kentucky. The Committee approved the Minutes of the December 14, 2021 Midyear Business Meeting, heard the Executive Director's review of IMCC's unaudited financial statement for the 3rd quarter of Fiscal Year 2022 and update on membership recruitment, and discussed plans for investment of IMCC reserve funds, information needs for producing IMCC's 2021 Annual Report, updates to IMCC's strategic plan, a clarification of IMCC's budget for Fiscal Year 2023, the dues calculation for the FY 2024 - FY 2025 period, and Texas' concern with the fairness of the dues structure. The Committee deferred action on the new dues structure and approved the Fiscal Year 2023 IMCC budget and recommendations for salary increases for IMCC employees for Fiscal Year 2023 and a bonus for the Executive Director for Fiscal Year 2022.

In addition to the face-to-face meetings of this Committee, a workgroup of this Committee met in July, August and November 2022 to develop recommendations for updates to the IMCC Strategic Plan.

The Finance and Administrative Committee met again on November 16, 2022, during the Midyear Meeting at the Bourbon Orleans Hotel in New Orleans, Louisiana. The Committee: approved the minutes of the April 11-13, 2022 Annual Meeting and heard the Executive Director's review of the auditor's report and audited financial statements for Fiscal Year 2022, and the unaudited financial statement for the first quarter of Fiscal Year 2023. The Committee discussed investment of IMCC reserve funds, the status of the office space lease,

IMCC's relationship with its contract consultant, data needs for completing IMCC's Annual Report, the status of membership recruitment efforts, dues fairness considerations, and the possibility of IMCC utilizing federal funding. The Committee agreed to form a workgroup to consider Texas' dues fairness concerns in more detail. It considered a potential memorandum of understanding between IMCC and the Interior

Department's OEPC and reviewed and approved projected budgets and a dues calculation for the FY 2024-FY 2025 period. The Committee also heard the report of the work group tasked with recommending updates to the IMCC Strategic Plan.

Committee Chairs and Vice Chairs for 2023

Coal Environmental Affairs Committee

Jonathan Rorrer, West Virginia, Chair

Steve Weinzapfel, Vice Chair

Hardrock/Noncoal Environmental Affairs Committee

Dana Dean, Utah, Chair

Kyle Wendtland, Wyoming, Vice Chair

Abandoned Mine Lands Committee

Dustin Morin, Alabama, Chair

Lesla Baker, Virginia, Vice Chair

Mine Safety and Health

Randy Moore, Virginia, Chair

Howard "Butch" Dyer, Ohio, Vice Chair

Finance and Administrative Committee

John Stefanko, Pennsylvania, Chair

Mary Ann Pritchard, Oklahoma, Vice Chair

Resolutions Committee

Abby Springer, Louisiana, Chair

Gordon Slone, Kentucky, Vice Chair

Awards Committee

Psalm Wyckoff, New York, Chair

Vickie Broomhead, Illinois, Vice Chair

Members of the 2022 Awards Committee: Alabama, Illinois, Maryland, Montana, Mississippi, Tennessee, New York, Utah, Virginia

Officers Elected for 2023

Chair:

Governor John Bel Edwards
Louisiana

Vice Chair:

Governor Andy Beshear
Kentucky

Treasurer:

Governor Tom Wolf
Pennsylvania

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission’s (IMCC) Annual Meeting in Lexington, Kentucky was honored by the presence of Grant Bromhal, Ph.D., Acting Director for the Minerals Sustainability Division in the Office of Fossil Energy and Carbon Management at the U.S. Department of Energy; and

WHEREAS, Grant Bromhal addressed the member states on April 12, 2022; and

WHEREAS, Grant Bromhal shared valuable insights and information with the IMCC member states;

WHEREAS, The Commission is most appreciative of the time and effort that Grant Bromhal has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Grant Bromhal.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Annual Meeting in Lexington, Kentucky was honored by the presence of Steve Feldgus, Ph.D., Deputy Assistant Secretary for Land and Minerals Management at the U.S. Department of Energy; and

WHEREAS, Steve Feldgus addressed the member states on April 12, 2022; and

WHEREAS, Steve Feldgus shared valuable insights and information with the IMCC member states;

WHEREAS, The Commission is most appreciative of the time and effort that Steve Feldgus has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Steve Feldgus.

Issued this 13th day of April, 2022

ATTEST:



Thomas L. Clarke
Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Rebecca Goodman, Secretary of the Kentucky Energy and Environment Cabinet, served as the host of the Annual Meeting for the Interstate Mining Compact Commission (IMCC) in Lexington, Kentucky from April 10 – 13, 2022; and

WHEREAS, Rebecca Goodman also served as the Welcome Speaker on April 11, commencing the Annual Meeting in the Commonwealth of Kentucky; and

WHEREAS, our host warmly welcomed and generously extended the Bluegrass State hospitality to all attendees;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Rebecca Goodman for assuring a successful meeting.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Annual Meeting in Lexington, Kentucky was honored by the presence of The Honorable Angie Hatton, Member of the Kentucky House of Representatives; and

WHEREAS, Representative Hatton served as the Master of Ceremonies at the Awards Banquet on April 12; and

WHEREAS, our host warmly welcomed all attendees to the Bluegrass State and honored the IMCC Award winners;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Representative Hatton for assuring a successful meeting and Awards Banquet.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission’s (IMCC) Annual Meeting in Lexington, Kentucky was honored by the presence of William B. Lodder, Jr., Team Leader of the Office of Environmental Policy and Compliance Environmental Cleanup and Liability Management Team at the U.S. Department of the Interior; and

WHEREAS, William B. Lodder, Jr. addressed the member states on April 11, 2022; and

WHEREAS, William B. Lodder, Jr. shared valuable insights and information with the IMCC member states;

WHEREAS, The Commission is most appreciative of the time and effort that William B. Lodder, Jr. has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to William B. Lodder, Jr.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Annual Meeting in Lexington, Kentucky was honored by the presence of Glenda Owens, Acting Director of the Office of Surface Mining Reclamation and Enforcement; and

WHEREAS, Glenda Owens spoke with the states on April 11, 2022; and

WHEREAS, Glenda Owens shared valuable insights and information with the IMCC member states;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Glenda Owens for her participation in making this year's Annual Meeting an outstanding success.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Gordon Slone, Commissioner of the Kentucky Department for Natural Resources, served as a host of the Annual Meeting for the Interstate Mining Compact Commission (IMCC) in Lexington, Kentucky from April 10-13, 2022; and

WHEREAS, our host warmly welcomed all attendees to the Bluegrass State and helped make the meeting a great success;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Gordon Slone for assisting IMCC in making its meeting in Lexington such a success.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Annual Meeting in Lexington, Kentucky was honored by the presence of Stephen Tryon, Director of the Office of Environmental Policy and Compliance at the U.S. Department of the Interior; and

WHEREAS, Stephen Tryon addressed the member states on April 11, 2022; and

WHEREAS, Stephen Tryon shared valuable insights and information with the IMCC member states;

WHEREAS, The Commission is most appreciative of the time and effort that Stephen Tryon has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Stephen Tryon.

Issued this 13th day of April, 2022

ATTEST:



Executive Director

Resolution
Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, the Interstate Mining Compact Commission (IMCC) is a multi-state governmental organization representing the natural resource and related environmental protection interests of its 26 member states; and

WHEREAS, Title IV of the federal Surface Mining Control and Reclamation Act (SMCRA) established an abandoned mine lands (AML) program under which state agencies utilize federal grants funded by a fee on coal production to restore and reclaim lands and waters affected by unregulated and under-regulated coal mining that took place before SMCRA's adoption in 1977; and

WHEREAS, the Infrastructure Investment and Jobs Act (IIJA), Public Law 117-58, adopted November 15, 2021, greatly increased the funding available for restoration of lands and waters affected by past coal mining by transferring approximately \$11.3 billion from the US Treasury to the AML Trust Fund established under SMCRA; and

WHEREAS, effective remediation of acid mine drainage (AMD) from abandoned mines requires construction of a water treatment system with current funds, *plus* dedication of future funds to pay for ongoing costs of operation, maintenance and periodic rehabilitation of such systems; and

WHEREAS, the ongoing costs for operation, maintenance and periodic rehabilitation of an AMD treatment system continue, essentially, in perpetuity, and thus each AMD treatment system for which funds are not dedicated for these future costs represents a long-term unfunded liability for the state that builds it; and

WHEREAS, section 402(g)(6) of SMCRA authorized each state or tribe to address such liabilities by placing up to 30% of its annual grant under the pre-existing fee-based AML program into an interest-bearing state account, known as an AMD "set aside account" to cover long-term AMD remediation expenses; and

WHEREAS, the Interior Department has interpreted the IIJA to lack parallel authority for states to establish set aside accounts with IIJA funds; and

WHEREAS, bipartisan legislation has been introduced in Congress, H.R. 7283 and S. 3957, titled the STREAM Act, that would allow each state or tribe to establish a set aside account with up to 30% of its annual AML grant from the IIJA; and

WHEREAS, in addition to AMD costs, state AML programs would also benefit greatly from the ability to utilize a set aside account for other types of long-term AML hazards that can be anticipated

to occur well beyond the duration of the grant program established by the IJJA, such as mine fires and mine subsidence; and

WHEREAS, the STREAM Act does not authorize any new outlay of federal funds or change the amount of coal AML grant funds any state or tribe will receive under the IJJA; and

WHEREAS, the STREAM Act gives state and tribal AML programs the flexibility they need to fund long-term liabilities out of grants they are already entitled to receive under the IJJA; and

WHEREAS, the STREAM Act was adopted by the House of Representatives with broad bipartisan support, by a vote of 391-9.

NOW THEREFORE BE IT RESOLVED THAT THE INTERSTATE MINING COMPACT COMMISSION:

Affirms its support for using AML funds for the maximum possible societal benefit in addressing land and water impacted by coal mining conducted before 1977; and

Affirms its support for providing the states and tribes with flexibility to use AML funds in the manner that is best suited to the particular types of legacy coal mining impacts they face; and

Believes that authority for states and tribes to establish set aside accounts with IJJA funds, as they have enjoyed under the previous fee-based AML program under Title IV of SMCRA, is vital to achieving the maximum possible societal benefit with funds the IJJA provided for coal AML; and

Believes the STREAM Act should also authorize states and tribes to use set aside accounts for other types of long-term AML hazards, such as mines fires and mine subsidence, and urges the United States Senate to amend the STREAM Act to include such authority; and

Urges the Congress to adopt the STREAM Act as soon as possible; and

Calls upon the President to promptly sign the STREAM Act into law after its adoption by Congress.

Issued this 16th day of November 2022:
ATTEST:



Thomas L. Clarke
Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Mid Year Meeting in New Orleans, Louisiana was honored by the presence of Steve Feldgus, Ph.D., Deputy Assistant Secretary for Land and Minerals Management at the U.S. Department of the Interior; and

WHEREAS, Steve Feldgus addressed the member states on November 14, 2022; and

WHEREAS, Steve Feldgus shared valuable insights and information with the IMCC member states; and

WHEREAS, The Commission is most appreciative of the time and effort that Steve Feldgus has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Steve Feldgus.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission’s (IMCC) Mid Year Meeting in New Orleans, Louisiana was honored by the presence of Chris Haas, Project Manager with the Office of Clean Energy Demonstrations at the U.S. Department of Energy; and

WHEREAS, Chris Haas addressed the member states on November 15, 2022; and

WHEREAS, Chris Haas shared valuable insights and information with the IMCC member states; and

WHEREAS, The Commission is most appreciative of the time and effort that Chris Haas has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Chris Haas.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Mid Year Meeting in New Orleans, Louisiana was honored by the presence of Rebecca Konolige, Professional Staff with the House Natural Resources Committee, Energy and Mineral Resources Subcommittee; and

WHEREAS, Rebecca Konolige addressed the member states on November 15, 2022; and

WHEREAS, Rebecca Konolige shared valuable insights and information with the IMCC member states; and

WHEREAS, The Commission is most appreciative of the time and effort that Rebecca Konolige has expended in the preparation and presentation of her remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Rebecca Konolige.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Stephen Lee, Director of the Louisiana Office of Conservation’s Injection and Mining Division, served as a host of the Mid Year Meeting for the Interstate Mining Compact Commission (IMCC) in New Orleans, Louisiana from November 14-16, 2022; and

WHEREAS, our host warmly welcomed all attendees to the Pelican State and helped make the meeting a great success;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Stephen Lee for assisting IMCC in making its meeting in New Orleans such a success.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Mid Year Meeting in New Orleans, Louisiana was honored by the presence of William B. Lodder, Jr., Division Chief of the Office of Environmental Policy and Compliance, Environmental Compliance and Cleanup Division at the U.S. Department of the Interior; and

WHEREAS, William B. Lodder, Jr. addressed the member states on November 15, 2022; and

WHEREAS, William B. Lodder, Jr. shared valuable insights and information with the IMCC member states; and

WHEREAS, The Commission is most appreciative of the time and effort that William B. Lodder, Jr. has expended in the preparation and presentation of his remarks;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to William B. Lodder, Jr.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, The Interstate Mining Compact Commission's (IMCC) Mid Year Meeting in New Orleans, Louisiana was honored by the presence of Glenda Owens, Acting Director of the Office of Surface Mining Reclamation and Enforcement; and

WHEREAS, Glenda Owens spoke with the states on November 14, 2022; and

WHEREAS, Glenda Owens shared valuable insights and information with the IMCC member states;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its gratitude to Glenda Owens for her participation in making this year's Mid Year Meeting an outstanding success.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Abby Springer, Ph.D., Geologist Supervisor with the Louisiana Office of Conservation's Injection and Mining Division, served as a host of the Mid Year Meeting for the Interstate Mining Compact Commission (IMCC) in New Orleans, Louisiana from November 14-16, 2022; and

WHEREAS, our host warmly welcomed all attendees to the Pelican State and helped make the meeting a great success;

NOW THEREFORE BE IT RESOLVED:

That the Interstate Mining Compact Commission expresses its deep appreciation to Dr. Abby Springer for assisting IMCC in making its meeting in New Orleans such a success.

Issued this 16th day of November, 2022

ATTEST:



Executive Director

Financial Reports

**Interstate Mining Compact Commission
Statement of Financial Position for the Year Ended June 30, 2022**

ASSETS

Cash	\$ 771,494
Certificates of deposit	300,000
Interest receivable	2,278
Prepaid expenses and deposits	8,164
Property and equipment, net	895
Total assets	\$ 1,082,831

LIABILITIES AND NET ASSETS

Liabilities:	
Accounts payable and accrued expenses	22,118
Deferred assessments revenue	112,369
Deferred rent	646
Total liabilities	135,133
Net assets:	
Unrestricted	947,698
Total net assets	947,698
Total liabilities and net assets	\$ 1,082,831

Financial Reports

Interstate Mining Compact Commission
Statement of Activities
For the Year Ended June 30, 2022

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Unrestricted revenue and support	
Assessments	\$657,435
Government grants and contracts	30,000
Conferences and meetings	22,450
Interest income	2,832.09
Other income	-
Total revenue and support	712,717
Expenses	
Government programs	449,361
Administrative and general	122,231
Total expenses	571,592
Change in net assets	141,125
Net assets, beginning of year	806,573
Net assets, end of year	\$947,698

Financial Reports

Interstate Mining Compact Commission Schedule of Comparison of Expenses and Budget For the Year Ended June 30, 2022

Description	Government Programs	Administrative & General	Totals	Budget	Variance Over (Under)
Salaries	\$292,968	\$73,242	\$366,210	\$361,000	\$5,210
Employee Benefits	77,452	19,363	96,815	105,000	(8,185)
Rent	19,486	4,872	24,358	24,000	358
Moving	-	-	-	-	-
Conference and Meetings	31,878	-	31,878	40,000	(8,122)
Travel	-	-	7,172	25,000	(17,828)
Contractual Services	15,767	-	15,766.53	40,000	(24,233)
Legal	-	-	-	25,000	(25,000)
Publications	-	-	-	2,500	(2,500)
Telephone	1883	1882	3,765	6,000	(2,235)
Accounting	-	10,129	10,129	9,500	629
Auditing	-	6,758	6,758	6,700	58
Postage	-	-	-	1,000	(1,000)
Equipment Expenses	21	62	83	1,500	(1,417)
Office Supplies	486	1,457	1,943	3,500	(1,557)
Other Expenses	184	522	736	3,000	(2,264)
Insurance	-	2,084	2,084	5,000	(2,916)
Printing	-	-	-	1,000	(1,000)
Registration Fees and Subscriptions	1,204	1,204	2,408	2,000	408
Utilities	881	220	1,101	2,000	(899)
Depreciation	-	468	468	-	468
Total Expenses	\$449,361	\$122,231	\$571,592	\$659,700	\$(88,108)

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED JANUARY 1 - DECEMBER 31, 2022 FOR COAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	# Acres Disturbed	# Acres Reclaimed
Alabama Surface Mining Commission	0	0	362	1285
Alaska Dept. of Natural Resources ¹	1	0	28	0
Arkansas Dept. of Energy and Environment	0	0	0	30
Colorado Division of Reclamation, Mining & Safety	5	162,945.50	14,584	1,941
Illinois Dept. of Natural Resources, Office of Mines & Minerals, Land Reclamation Division	0	0	148.57	225.89
Indiana Dept. of Natural Resources, Division of Reclamation	1	0	1336	4,051.08
Kentucky Dept. for Natural Resources, Division of Mine Permits ²	155	6,414 (2022)	170,728.04 (total)	7,600.11 (2022)
Louisiana Dept. of Natural Resources	0	27,198	25,828	6,667
Maryland Bureau of Mines	2	338	169	171
Mississippi Dept. of Environmental Quality, Office of Geology, Mining and Reclamation Div.	0	13,891	4,565	323
Missouri Land Reclamation Program	1	114	27	17
Montana Dept. of Environmental Quality, Coal Section/Mining Bureau ³	1	9,108	586.56	2,407
New Mexico Energy, Minerals & Natural Res. Dept., Coal Mine Reclamation Program	0	0	245	0
North Dakota Public Service Commission	0	2	1,290 ⁴	1,054 ⁵
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	1 (new)	1,387	16,617 ⁶	981 ⁷
Oklahoma Dept. of Mines		15,633	9,642	652.6
Pennsylvania Dept. of Environmental Protection ⁸	10	1,216	902	1,212
Texas Railroad Commission	0 ⁹	28.8 ¹⁰	155,916.2 ¹¹	4,033.4 ¹²
Utah Division of Oil, Gas and Mining	23	83,183.3	2,592.3	27.45
Virginia Dept. of Energy, Division of Mined Land Repurposing	17	68,153.59	47,975.52	28,668.04
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	21	5,291	197,940.05	5,074.83
Wyoming Dept. of Environmental Quality, Land Quality Division	0	0	2,410.4	1,780

See footnotes on following page...

¹ New approvals: Coeur Alaska Kensington Mine RPA (7/14/2022)(+25 acres), Anarraaq-Aktigirug Approval POOA & RPA 8/12/2022 (182 acres)
 Amended Approvals: Constantine Mining Palmer Amendment (5/13/2022), Fort Knox POOA/RPA Minor Mod (2/9/2022)

Renewal of Existing Permit: Two Bull Ridge (Permit # S-0603)

² Permits Issued: NW-13; AM-15; MA-16; MI-111

³ Phase I: 311; Phase II: 662; Phase III: 1,061; Phase IV: 373

⁴ Disturbed acres are the acres on which coal removal was complete in 2022. Sand and gravel mining is unregulated in ND and other noncoal mining is minimal.

⁵ Acres reclaimed are the acres where the ten year revegetation period was initiated

⁶ Acres to be reclaimed + acres to be affected

⁷ Phase III releases only

⁸ Acres permitted and reclaimed are newly permitted and reclaimed acres during 2022. Acres disturbed represent the accumulated acres.

⁹ Includes new permits and renewal/revision permits

¹⁰ Total permit acreage as of 12/31/22 (298,271.37 ac) minus total permit acreage as of 1/1/2022 (298,242.57 ac) = 28.8 ac

¹¹ Total acres under bond (includes acres mined, disturbed, and approved for disturbance)

¹² Phase III bond-release approval (most not removed from permitted acreage)

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED JANUARY 1 - DECEMBER 31, 2022 FOR NONCOAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	# Acres Disturbed	# Acres Reclaimed
Alabama Dept. of Labor, Non-Fuel Surface Mining	N/A	N/A	N/A	N/A
Alaska Dept. of Natural Resources	3	207	207	0
Arkansas Dept. of Energy and Environment	274	27,459	9,992	260
Colorado Division of Reclamation, Mining & Safety	33	199,359.42	20,616.89	626.86
Illinois Dept. of Natural Resources, Office of Mines & Minerals, Explosives & Aggregates Div.	18	414.27	368.63	309.65
Indiana Dept. of Natural Resources, Division of Reclamation	0	711.05	17.77	7.06
Kentucky Dept. for Natural Resources, Division of Mine Reclamation and Enforcement, Non-Coal Review Branch	45	8,214.70	18,862.5187	809.65
Maryland Dept. of the Environment, Division of Mineral, Oil, and Gas	23	25,148.04	717.07	77.40
Mississippi Dept. of Environmental Quality, Office of Geology, Mining and Reclamation Div.	27	35,562	N/A	1,687
Missouri Land Reclamation Program, Industrial and Metallic Minerals Mining Unit	356	42,135	42,135	337
Montana Dept. of Environmental Quality, Hardrock Mining Section & Opencut Mining Section	3	641.6	48.35	20
New Mexico Energy, Minerals and Natural Resources Dept., Mined Act Reclamation Prog	4	0	38	0
New York State Dept. of Environmental Conservation	17 (2022) ¹ 1,744 (total active)	157,831 (total) ²	64,841 (total)	672 (2022) 40,700 (total)
North Carolina Dept. of Environmental Quality, Div. of Energy, Mineral, and Land Resources	770	81,442	50,125	430
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	8 (new)	1,195	3,076 ³	427 ⁴
Oklahoma Dept. of Mines	40 ⁵	183,329	73,653	1,140
Pennsylvania Dept. of Environmental Protection ⁶	61	1,137	710	206
South Carolina Dept. of Health and Environmental Control	25	5,174.9	5,417.3	485.9
Tennessee Division of Water Resources – Mining Section	12	395.03	4,580.9	2
Utah Division of Oil, Gas and Mining	561	58,683	58,683	341
Virginia Dept. of Energy, Mineral Mining Program	0	57,600.16	0	0
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	0	0	6,486.34	100.68
Wyoming Dept. of Environmental Quality, Land Quality Division	20	443.75	N/A	N/A

See footnotes on following page...

¹Permits issued for new mines in 2022

²Total statewide acreage figures since NYS Mined Land Reclamation Law enacted in 1975

³Acres bonded

⁴IM-7 releases only

⁵Permits Issued: 40; Amendments Issued: 19; Transfers Issued: 8; Limited Use Permits Issued: 34; Permits on IUL: 816

⁶Acres permitted and reclaimed are newly permitted and reclaimed acres during 2022. Acres disturbed represent the accumulated acres.

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT) JANUARY 1 - DECEMBER 31, 2022 FOR COAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama ¹	0	3.2	3.9	9.6	83.3
Alaska	N/A	100	N/A	N/A	N/A
Arkansas	50	50	0	0	0
Colorado	N/A	N/A	N/A	N/A	N/A
Illinois	13	52	N/A	18	16 ²
Indiana	0	32.9	12.1	0.17	54.83 ³
Kentucky	50	35	9	0.26	5.74
Louisiana	23	20	35	15	0
Maryland	10	60	20	5	5
Mississippi		50	50	0	0
Missouri	0	100	0	0	0
Montana	82	11	0	0.04	7
New Mexico	N/A	100	N/A	N/A	N/A
North Dakota	15	2	6	1	75
Ohio	99	0	0	0	1
Oklahoma	71	0	0	0	29
Pennsylvania ⁴	30	5	50	2	13
Texas	54 (2,175.7)	1 (38.8)	25 (1,015.4)	2 (96.8)	See addtl data
Utah	N/A	N/A	N/A	N/A	100
Virginia	3.53	1.36	84.61	0.19	0
West Virginia	17.6	14.7	41.2	3.0	23.5
Wyoming	0	0	0	0	95 ¹⁰

See footnotes on following page...

¹ Land use percentages based on 1285 acres that were Phase III released

² Coal Reclamation "Other" includes 8.6 acres water and 27.6 acres cropland.

³ Other Use of Land is as follows: Non Prime Cropland: 354.8 ac; Prime Cropland: 1239.80; Access Roads: 51.0 ac; Public Roads: 29.91 ac; Residential: 7.5 ac; Water: 536.3 ac; Other: 2.2 ac

⁴ Land use percentages are estimates since there is no data available to track this

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT) JANUARY 1 - DECEMBER 31, 2022 FOR NONCOAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama	N/A	N/A	N/A	N/A	N/A
Alaska	N/A	100	N/A	N/A	N/A
Arkansas	0	21	0	77	2
Colorado	N/A	N/A	N/A	N/A	N/A
Illinois	42	N/A	N/A	38	20
Indiana	100	N/A	N/A	N/A	N/A
Kentucky	28	13	4	10	45
Maryland	60	10	5	20	0
Mississippi	20	40	40	0	0
Missouri ¹	33	29	0	7	31
Montana	79	0	0	0	0
New Mexico	0	100	0	0	0
New York	0	61	0	10.3	28.7 ²
North Carolina	N/A	N/A	N/A	N/A	N/A
Ohio	18	17	1	32	32
Oklahoma	85	0	0	12	3 ³
Pennsylvania ⁴	10	5	10	15	60
South Carolina	45	0	0	16	39 ⁵
Tennessee	100	0	0	0	0
Utah	0	0	0	0	0
Virginia	0	0	0	0	0
West Virginia	100	0	0	0	0
Wyoming	0	0	0	0	95

See footnotes on following page...

¹ Other Land Use is water impoundments

² Includes 12.4% Agricultural Farmland and 16.3% Wetland/Lake

³ 3% water reservoir

⁴ Land use percentages are estimates since there is no data available to track this

⁵ Other: 35.ac reclaimed as residential development, 150.6ac reclaimed as lake/pond

2022 Kenes C. Bowling Reclamation Award Winners

2022 Winners

The Compact's annual reclamation awards were established to recognize companies and individuals for their outstanding achievements in reclamation. The reclamation awards are presented in two main categories, coal and noncoal. Award winners are presented with an engraved plaque of recognition.

Coal Category Winner:

The Sterling Mine Corporation – Carroll Hollow #6 Mine (Ohio)

Noncoal Category Winner:

Welch Concrete Products, LLC – Welch Sand and Gravel (Kentucky)

Noncoal Small Operator Category Winner:

Walker Sand & Stone, INC – #1 Mine (Virginia)

2022 Mine Safety & Health Training Award Winners

2022 Winners

The Compact's annual mine safety and health training awards were established to recognize excellence in mine safety and health training programs and materials. The mine safety and health training awards are presented in two main categories, a state award and an industry award; each including four subcategories: coal surface, coal underground, metal/nonmetal surface, and metal/nonmetal underground, for a potential of up to four awards to be presented annually in each of the two categories. Award winners are presented with an engraved plaque of recognition.

State Award Winners:

Coal Category – Surface Mining:

Texas Railroad Commission, Surface Mining and Reclamation Division

Coal Category – Underground Mining:

Virginia Department of Energy

Metal/Non-Metal – Surface Mining:

Ohio Department of Natural Resources, Division of Mineral Resources – Mine Safety

2022 Education Award Winners

2022 Winners

The Compact's annual education awards were established to recognize organizations and individuals who have achieved excellence in one or more of the following categories:

- Provided educational outreach in an innovative manner that increases the level of understanding in the community about mining and its impacts.
- Promoted awareness of environmental stewardship associated with mining through active involvement with citizens.
- Fostered cooperation and partnerships with diverse groups to achieve understanding. • Enhanced the understanding of issues associated with mining and natural resource development.
- Fostered public education through mine tours, visitor centers, community awareness days, career days, personal volunteerism in the schools, maintaining adopt-a-school programs or education partnerships, or any other innovative initiative deemed deserving by the awards committee. This award will consist of an engraved plaque recognizing the winner.

Award Winners:

Public Outreach Category:

Texas Mining and Reclamation Association (TMRA)

Public Outreach Category – Honorable Mention:

Lakeside Sand and Gravel, Inc. (Ohio)

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Governor Jim Justice

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 Deputy Commissioner
 Department of Natural Resources

Arkansas

Larry Bengal
 Director
 Arkansas Oil and Gas Commission

Illinois

Vacant

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