

October 23, 2009

MEMORANDUM

TO: All Commissioners

FROM: Beth A. Botsis, Director of Programs

RE: IMCC 2010 Reclamation Awards; Submission Requirements

This memo contains information regarding the Interstate Mining Compact Commission (IMCC) Reclamation Awards Program for 2010. Please read this memo carefully regarding the requirements for submitting nominations.

All reclamation award nominations must be submitted to IMCC in electronic format on a CD, accompanied by the printed regulatory authority form (see below). **IMPORTANT: DO NOT submit nominations through e-mail! The volume and various file sizes of photos and maps will lock up our e-mail server.** Having the nominations submitted on CD will allow us to burn copies of the nominations in their entirety and send them to each member of the Awards Committee to review in advance of their meeting to choose the winners. This should streamline the process and give the committee adequate time to thoroughly review each nomination.

Nominees should also keep in mind that, should they be chosen as the winner, the photos submitted with their nomination will be used for the IMCC Awards Display and possibly for a power point presentation at the banquet and on our web site. Therefore it is to their advantage to submit good quality photos. It is also preferable that photos be submitted in .jpg format in separate files, or as Power Point slides, rather than embedded into Word or Acrobat documents. In

the latter case, we will need to obtain separate photos before we can include them in the recognition events. If this presents a problem to potential nominees, other formats will continue to be accepted.

In order to encourage greater participation in the awards program, we are asking the states to prepare the nominations, working with the nominated company. We hope that this will facilitate the process.

Note that there is a separate nomination form that the state regulatory authority *is required* to complete that provides information regarding the current status of the nominated site in terms of on-the-ground performance, current site conditions, compliance record, and other conditions at the site that might detract from its award-winning citation. **This information should be provided via the attached nomination cover form which *must* be filled out by the state regulatory authority and included in the nomination packet.** Also, please make sure you include *complete* contact information (phone number, address) for the company being nominated.

The presentation of the awards will take place during the awards banquet at IMCC's 2010 Annual Meeting in Point Clear, Alabama, April 11 - 14, 2010. This means you should begin soliciting nominations from your mining industry now. Please begin announcing the awards program to the industries in your state. Since the inception of the IMCC in 1964, one main purpose of the Compact has been to encourage programs which will protect, conserve and improve the usefulness of natural resources. This is one way of accomplishing this Compact objective.

Two 2010 award winners (one for coal and one for noncoal) will be chosen, along with a potential third small operator award. At the 2005 IMCC Annual Meeting, the Commission voted to discontinue awarding honorable mentions to all other nominated sites. Honorable Mention may be awarded, at the discretion of the Awards Committee, when they believe a particular site stands out and deserves special recognition, even though it was not chosen as the winner in that category. All of the winners will be recognized at the annual meeting.

Important Dates to Remember Include:

- | | |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| January 15, 2010 | Date for nominations to be submitted to the State Regulatory Authority. |
| February 15, 2010 | Regulatory Authorities submit their winners to:
Gregory E. Conrad, Executive Director
Interstate Mining Compact Commission
445-A Carlisle Drive
Herndon, VA 20170 |
| March 1, 2010 | Deadline for Awards Committee to select winners. |

The Awards Committee has indicated that the following procedures should be followed:

- The nomination forms should be submitted by the state — *not* the nominee. This will assure several things: 1) that the IMCC format is followed; 2) that the important aspects of the nomination are addressed, thereby separating interesting but unnecessary information about the company or site from that which the awards committee must review; and 3) that as much objectivity as possible is built into the process. Should you work with the applicant in putting together the information, please be sure that it relates specifically and clearly to our awards criteria.
- The nominating state *must* complete and include *the attached nomination form*, as requested by the Awards Committee. An additional cover letter including a short summary about the nominee and why the state selected it is optional.
- All photographs should indicate the date when taken and should be related to or coordinated with the map or aerial photograph of the site and the information in the nomination package. Whenever possible, photos should be submitted as separate .jpg files or as Power Point slides.
- Where the information submitted by the nominee includes use of the term “see attached”, the attachment should clearly and succinctly relate to the specific question or item.

States may submit supplemental nominations for the small operator recognition category. States will therefore have two choices: they may proceed as in the past, by simply indicating that their nomination in the coal and/or noncoal category is a small operator, in which case the nominee will first be considered for the national reclamation award and, if deemed a small operator, will also compete for the small operator recognition award (assuming they do not win the national award). However, a state may also submit a supplemental nomination specifically for the small operator recognition award and may do so in both the coal and noncoal categories. If a state chooses this alternative, these supplemental nominations will NOT be considered for the national awards in the coal or noncoal category – only for the small operator recognition award. Furthermore, the state’s nominations for the national awards will NOT be considered for the small operator recognition award, even if one or both of these nominees are in fact small operators. A state may only have one nominee in the coal category and one nominee in the noncoal category considered for the small operator recognition award. Even under this scenario, there will only be ONE small operator recognition award – not two (i.e. there will NOT be one for coal and one for noncoal).

In terms of the guidelines for the small operator award, the Awards Committee has recommended the following:

	<i>COAL</i>	<i>NONCOAL</i>
Employees	Less than 20 for the permitted site	Less than 10 for the permitted site
Tonnage	Less than 300,000 tons per year	Less than 150,000 tons per year

Attached are copies of the criteria, procedures for selection, the required nomination form for Regulatory Authorities to submit, and an application cover sheet which can be attached to the announcement which you send to the respective industries in your state.

If you have any questions about this program, please contact the IMCC office at 703.809.8654.

Attachments

Interstate Mining Compact Commission Kenes C. Bowling Reclamation Awards Program

Introduction

The Interstate Mining Compact Commission (IMCC) established the annual IMCC Reclamation Awards Program to recognize outstanding achievements in reclamation and to promote reclamation on a national level. Each year there are two awards presented: one for coal and another for noncoal minerals. From time to time the Commission also presents an award recognizing the special efforts of a small operator.

Competition for the national reclamation awards is limited to IMCC states with each state authorized to make *one* nomination in each category (coal and noncoal). To be eligible, a mining company must have been actively mining/reclaiming the site during the 12-month period prior to the nomination.

In addition, beginning in 2004, IMCC adjusted its nomination process for the national reclamation awards program to allow states to submit supplemental nominations for the small operator recognition category. States will therefore have two choices: they may proceed as in the past, by simply indicating that their nomination in the coal and/or noncoal category is a small operator, in which case the nominee will first be considered for the national reclamation award and, if deemed a small operator, will also compete for the small operator recognition award (assuming they do not win the national award). However, a state may also submit a supplemental nomination specifically for the small operator recognition award and may do so in both the coal and noncoal categories. If a state chooses this alternative, these supplemental nominations will NOT be considered for the national awards in the coal or noncoal category – only for the small operator recognition award. Furthermore, the state's nominations for the national awards will NOT be considered for the small operator recognition award, even if one or both of these nominees are in fact small operators. A state may only have one nominee in the coal category and one nominee in the noncoal category considered for the small operator recognition award. Even under this scenario, there will only

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Several states have previously established awards to recognize outstanding reclamation achievements within their own state. This program allows each state to incorporate existing programs into the nomination process for the IMCC awards and provides for more competition at a national level.

The IMCC Awards Program is intended to identify and recognize companies and individuals who maintain compliance with regulatory requirements and apply innovative techniques to reclaim land following mining activities. Through these awards, the IMCC is commending companies that have taken extra efforts to implement techniques which protect people and the environment from any adverse effects of mining, while at the same time allowing access to minerals that are vital to our nation’s economy and the well-being of our society.

Scope

The IMCC Reclamation Award will be presented at the IMCC annual meeting and will be judged on the criteria outlined in the following section. The regulatory authority of each state will announce the Awards Program and request that nominations be submitted to them by the deadline. Each state will conduct a screening process and select one company for each category to compete for the IMCC awards. Each state will then submit their nominations to Gregory E. Conrad, Executive Director, IMCC, 445A Carlisle Drive, Herndon, VA 20170.

Criteria for Selection

Criteria to be considered in judging for the IMCC Reclamation Awards include:

Compliance: Although each regulatory authority provides minimum reclamation guidelines and permitting requirements, the ways and means in which compliance is achieved by companies can vary greatly. Thus, the degree, effort and innovation expended toward compliance can result in exemplary performance and in financial savings to the company. The nominated reclamation work will be reviewed to determine how the operator’s efforts exceed the

spirit and intent of the law. Also, the compliance record of the particular operation will be examined to assure that there are no outstanding violations and to determine that there is no past record of poor cooperation in abating violations. Prior to submission of the nomination, the RA will be requested to determine whether: 1) on-the-ground performance conforms with the permit; 2) information contained in the nomination accurately reflects current site conditions; and 3) other mining and reclamation activities at the site do not detract from the award-winning activity.

Contemporaneous Reclamation: Regulatory guidelines require that mining and reclamation activities occur contemporaneously. The techniques, time limits and distance limitations employed will be reviewed to determine success, innovation and compliance in this area. The difficulty in achieving reclamation under existing conditions and the on-site effectiveness of the reclamation techniques employed will also be considered.

Drainage: Design, maintenance, and technologies employed for the control of drainage of water at minesites can result in effective and efficient water quality treatment, thereby resulting in environmental benefit and cost savings for the operator. All of these will be taken into consideration, together with the use of innovative techniques and on-site effectiveness.

Post-mining Land Use: Preplanning for the desired post-mining land use (including vegetation planting, evaluation procedures, reporting methods) can result in effective and timely release of bond and in accomplishment of the post mining land use. This criterion will consider the success of vegetation and erosion control and the degree to which the post mining land use has been established, including innovative land use planning and the stability of the site on both a short- and long-term basis.

Innovative Practices: Creative development and application of new technologies or techniques can result in resolution of reclamation problems, consequently resulting in substantial reclamation cost savings and environmental benefits. This criterion will also examine the presence of any long-term benefits to the surrounding community and the increased awareness of the law.

Procedures for Selection

Within the member states of the IMCC, the Regulatory Authority (RA) is responsible for nominating *one* candidate for each category: the coal award and the noncoal minerals award. The nominee(s) will be chosen by the State RA from a pool of applicants submitted by mining companies/operators and/or the RA.

The application for the IMCC National Reclamation Award shall be in the form of a narrative that describes the mining operation, the specific reclamation work, and the site specific reclamation techniques or technologies that resulted in exemplary performance. The RA must also complete and return a nomination form for each application submitted to IMCC. The application narrative should be comprehensive and should not exceed five, single-spaced, typewritten pages. Any supplemental information or support documentation which accompanies

the narrative should clearly and succinctly relate to the specific criteria for selection. A map (indicate scale) of the site should be provided. Color photographs (no more than 10) should accompany the narrative description. The photographs should be of reasonable size to view digitally, should indicate the date when taken, and should be related to or coordinated with the narrative description and the map. At least one photograph should be an aerial photograph or an overview of as much of the site as possible. "Before" and "after" photographs are also helpful, but not required. When examined with the narrative description, the photographs should provide a clear understanding of the exemplary performance. Should the nominating state or company choose to utilize a powerpoint presentation, it should be limited to 20 slides.

The RA from each state will submit their respective nominations to the IMCC Executive Director by the end of January each calendar year. Subsequently, the IMCC Executive Director will convene the IMCC Awards Committee during February/March of each year and select the winner in each category. The IMCC Awards Committee will be composed of five members of IMCC with reclamation technical expertise. The Committee will also consider whether a small operator award should be presented depending upon the nature and types of award applicants. The criteria for the small operator award that the Committee will consider include: tons of mineral produced, type of mineral produced, and number of employees.

Submission Requirement for Award Nominations

All reclamation award nominations must be submitted to IMCC in electronic format. Nominations must be submitted to IMCC on CD and accompanied by the printed state regulatory authority form (enclosed). **IMPORTANT: DO NOT submit nominations through e-mail! The volume and various file sizes of photos and maps will lock up our e-mail server.** Whenever possible, all of the photos should be submitted as separate .jpg files or as Power Point slides.

Steps in Award Process

1. January 15: Deadline for mining companies/operators and/or RA inspectors to submit nomination application to RA.
2. February 15: Deadline for RA to evaluate all nomination applications within state and select overall nominees for submittal to IMCC. RA to submit nominations to IMCC Executive Director.
3. March 1: Deadline for IMCC Awards Committee to select award winners.
4. April/May: Presentation of IMCC Reclamation Awards by the IMCC Chairman/designee at the IMCC annual meeting.

Presentation of Awards

During the annual meeting of the IMCC, the Chairman or the Governor's designee will present the awards. Plaques will be awarded to the overall winner in each category.

Any questions should be referred to IMCC at 703/709-8654.

Attachments

***IMCC Reclamation Awards Nomination Form
(MUST be Completed and submitted by the Nominating State RA)***

Nominated Company Name:

Name of Mine:

Location (County):

City, State:

Company Contact Person/Address/Phone/E-Mail Address*:

Current Site Conditions:

Compliance Record &/or Status of Any Citations Received:

Unique Characteristics or Considerations (If Applicable):

** Contact person should be the person who can answer questions about the nomination and who would be invited to the Awards Banquet to receive the award if the nominated site is chosen as the winner. We **must** have a mailing address, and email address, and a phone number for the contact person.*

IMCC National Reclamation Awards Application

Company Name

Name of Mine

Location (County)

City, State

1. Nomination for () Coal or () Noncoal minerals.
2. General description of the mining operation, (i.e. acreage, type of mining, mineral being mined, depth, etc.).
3. Describe the reclamation work done and site specific techniques or technologies employed (including specific problems, solutions, and unusual circumstances) [attach photograph(s)].
4. Describe the basis and highlights of the exemplary performance (including the on-site effectiveness of the work, the transferability or value of the accomplishments to other mining and reclamation operations and the long-term benefits to the landowner and local/regional community).

****NOTE: Parts 3 and 4 of the application should specifically address the five criteria for selection of award winners: compliance; contemporaneous reclamation; drainage; post-mining land use; and innovative practices.***

5. Provide the ***name, mailing address, email address, telephone number and fax number for a contact person at the nominated mine or company*** who is familiar with the nomination. ***This information must be provided to IMCC.***