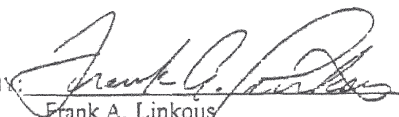


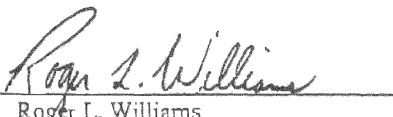
MEMORANDUM OF UNDERSTANDING

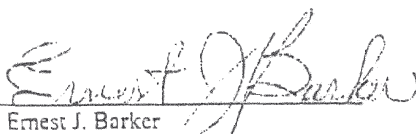
RECLAMATION ACTIVITIES AT PREVIOUSLY LICENSED COAL MINE SITES

This Memorandum of Understanding is made this 1st day of September, 2000, between the Division of Mined Land Reclamation and the Division of Mines.

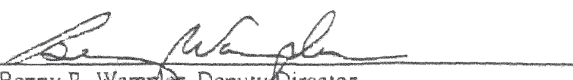
- The Mine Safety Act provides that a licensed coal mining operation is classified as abandoned and shall cease to be a coal mine for purposes of the Act upon completion of the "initial reclamation" activity. The Division of Mines is responsible for enforcement of applicable provisions of the Mine Safety Act at any licensed operation until completion of initial reclamation. "Initial reclamation" as applied in the procedure means the disturbance has been backfilled and seeded. This does not include further work required for bond release by DMLR, such as general maintenance, re-seeding, cleaning out ponds, and maintenance of roads. This procedure is for tracking and monitoring coal mining operations for the purpose of providing for the health and safety of affected coal miners and contract workers through completion of active mining, and until the operation ceases to be a mine as defined under the Mine Safety Act.
- DM will consider a mine abandoned when the licensee submits required information along with a written request to abandon a mine license. Once this information is received, DM removes the mine from the active file system and the site no longer requires inspections.
- DMLR regulates reclamation activities through "final bond release" and regularly visits these sites. Therefore, DM will be responsible for notifying DMLR by e-mail when a site has been abandoned and is no longer licensed by DM. DMLR will notify DM by e-mail if DMLR becomes aware of activities on an unlicensed site by an operator.
- DMLR will notify DM when a DMLR contractor is awarded a contract for reclamation activities described in paragraph one on bond forfeiture sites. DMLR bond forfeiture contractors will be required to obtain a mine license from DM and comply with the Mine Safety Act.

BY: 
Frank A. Linkous
Chief, Division of Mines

BY: 
Roger L. Williams
DMLR AML Services Manager

BY: 
Ernest J. Barker
DMLR Reclamation Services Manager

SEEN AND APPROVED BY:

BY: 
Benny R. Wampler, Deputy Director