INTERSTATE MINING COMPACT COMMISSION

ANNUAL REPORT 2021



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2021 Annual Report of the Interstate Mining Compact Commission

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About The Cover Photo:

On the cover is a photo of one of the Interstate Mining Compact Commission's 2021 Kenes C. Bowling National Reclamation Award winning sites. Martin Marietta Materials, Inc., Clinton Quarry, Ohio – Winner of the Noncoal Reclamation Award.

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Officers 2021

Chair: *Governor Mike DeWine* Ohio

Vice Chair: Governor Asa Hutchinson Arkansas

Treasurer: Governor John Bel Edwards Louisiana

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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

In 2021, big changes came in Washington. Following the 2020 election, a new administration from a different political party swept into office, armed with majorities of its own in control of both houses of Congress. On the President's first day, he ordered federal agencies to reconsider all actions taken while his predecessor was in office. Notwithstanding the desire of the new administration and its allies for sweeping change, however, the COVID-19 Pandemic and its economic consequences continued to be the dominant concern for law- and policy-makers in the nation's capital. As part of the response to the pandemic-related economic downturn, lawmakers resorted to a familiar tool that has historically been used for economic stimulus in such times, spending on infrastructure. The prevailing economic and policy influences across the country could not have coalesced at a more opportune time for the mining states' biggest legislative goal over the past six years, re-authorization of the fee supporting the coal abandoned mine lands (AML) program.

Approaching midyear in 2021, the future of the coal AML program remained uncertain. The fees on coal production that had funded the program for the entirety of its forty-four year existence were set to expire on September 30. Despite six years of intensive effort by states, tribes, and IMCC to educate Congress on the need for the program to continue, there was not a clear path forward to enactment of re-authorization legislation. Then in late June, the outline of an agreement among members of the Senate on parts of a Bipartisan Infrastructure Framework (BIF) was announced. This agreement included a transfer of \$11.3 billion from the United States Treasury to the AML Trust Fund for AML work by states and tribes over the next fifteen years. The significance of this to the world of coal AML work cannot be overstated. First, the amount is roughly twice what coal AML programs have had to spend over the previous forty-four year history of the program and is to be used in about one third of the time. State AML programs will have far more money to address legacy coal hazards than ever before. Second, Congress recognized for the first time that coal AML work is important enough as a national priority to be worthy of expenditure of general revenue from the US Treasury. This is a very important precedent in light of the trend toward declining coal production and, with it, declining AML revenue from fees on coal production. Third, because the amount of the transfer approximates the value placed on performing the remaining AML work by the federal e-AMLIS inventory, it demonstrates a commitment by Congress to finish the job of addressing legacy coal hazards. IMCC worked closely with congressional staff to refine the language of this legislation and, importantly, to inform them that AML re-authorization would still be necessary because the information in e-AMLIS is incomplete and most of its reclamation cost estimates have not been adjusted for several decades of inflation. Provisions reauthorizing AML fees for thirteen years at 80% of current rates were added to the BIF.

Another 2021 development that may in time equal or exceed the importance of the coal AML provisions in the BIF was the decision of the Senate to also authorize, for the first time ever, a hardrock AML program under which states would receive federal grants to fund elimination of legacy hazards from non-coal mining. When the Senate passed the BIF, which had become known as the Infrastructure Investment and Jobs Act (IIJA) in August 2021, it included a ten-year, \$3 billion hardrock AML program. The Interior Department was charged with organizing this new program within ninety days of adoption of the IIJA. Because the IIJA was ripe for approval by the House at any time after it passed the Senate, this gave the Interior Department very little time to stand up an entirely new program. It reached out to IMCC for assistance. To help Interior meet the very short deadline, IMCC worked at a furious pace. It organized a group of states and tribes, including many from beyond the ranks of its membership, to discuss concepts that would need to be addressed in a new federal hardrock AML program. After a first meeting to acquaint state and tribal leaders with these issues, IMCC convened a second meeting with the goal of attempting to reach consensus among the states and tribes on the best approaches on these issues. After the states and tribes were as well organized

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as possible in short order, IMCC convened a third meeting to discuss organization of the program with the Interior Department. In the midst of conducting these meetings, IMCC also undertook a comprehensive survey of existing state and tribal hardrock AML programs across the country to inform the Interior Department's efforts. When the IIJA was finally enacted in November 2021, efforts to develop a federal hardrock AML program were well underway. Unfortunately, the appropriation necessary to fund the new program was omitted from the version of the IIJA that passed. Congress continues to consider appropriate funding for this program and IMCC continues to work closely with the Interior Department on program organization, so it will be capable of putting a federal investment in hardrock AML to work quickly after Congress dedicates sufficient funding to it.

IMCC remains financially responsible, accountable, and transparent. It once again engaged the services of Rogers and Company as external auditors for the Compact for Fiscal Year 2021 and hosted them during their virtual onsite visit to the Compact's offices at which many questions regarding the Compact's financial transactions and records were posed and answered. Subsequently, IMCC secured the necessary confirmation letters from the banking institutions at which the Compact's accounts are maintained so the auditors could complete their work. The Executive Director reviewed several drafts of final audit documents prior to the receipt of a final audit report and letter from Rogers and Company on November 18, 2021, concluding its audit of IMCC for Fiscal Year 2021. Importantly, the final report reflects a "clean" audit with no negative findings.

A list of meetings attended by or hosted by IMCC regarding policy issues important to state mining regulators and AML programs during 2021 appears below in Appendix A.

2021 Standing Committees

Environmental Affairs Committe	e
Coal Section	
Brent Elliott, Texas, Chair	John Stefanko, Pennsylvania, Vice Chair
Noncoal Section	
Bryan Epperson, Tennessee, Chair	Brent Goodrum, Alaska, Vice Chair
Abandoned Mine Lands Commit	ttee
Bob Scott, Kentucky, Chair	Jerry Schoeppner, New Mexico, Vice Chair
Mine Safety and Health	
Dustin Morin, Alabama, Chair	Mary Ann Pritchard, Oklahoma, Vice Chair
Dustin 19101 III, Alaballia, Cilali	wary mar i rachara, oktanoma, vice chan
Finance and Administrative Con	·
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Finance and Administrative Con	nmittee
Finance and Administrative Con <i>Abby Springer</i> , Louisiana, Chair	nmittee
Finance and Administrative Con Abby Springer, Louisiana, Chair Resolutions Committee	nmittee Gordon Slone, Kentucky, Vice Chair

Members of the 2021 Reclamation Awards Committee: Indiana, New York, Pennsylvania, Texas, Wyoming Members of the 2021 Mine Safety and Health Training Awards Committee: Kentucky, Maryland, North Carolina

Yearly Commission Meetings

Due to the economic impacts, travel restrictions, and health concerns from the continuing COVID-19 pandemic, IMCC was unable to hold its 2021 meetings in-person and as a result, the IMCC Business Meeting and certain standing committee meetings were held virtually via video conference. Notwithstanding our inability to meet face-to-face, IMCC was very active in advancing state mining interests on many fronts. 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

The Commission's biannual business meetings were held on June 15, 2021 and December 14, 2021. The June 15 business meeting was chaired by David Crow on behalf of the Compact's Chair, the Honorable Mike DeWine, Governor of the State of Ohio. Subjects of action and discussion included: review of the Compact's financials and the FY 2022 budget, IMCC's dues structure, IMCC employee salaries, and plans for updating the IMCC Strategic Plan.

The December 14 business meeting was again chaired by David Crow on behalf of the Compact's Chair, the Honorable Mike DeWine, Governor of the State of Ohio. Subjects of action and discussion included: approval of minutes of the Compact's June 2021 Business Meeting, review of IMCC's FY 2021 Audit and the Compact's current financial status, and election and approval of officers, committee chairs, and committee vice chairs for the 2022.

Activities of the Standing Committees

Coal Environmental Affairs

he Coal Section of the Environmental Affairs Committee met several times throughout the year directly following the meetings between the IMCC member states and the Office of Surface Mining Reclamation and Enforcement (OSMRE). The committee met on June 10 as well as November 3 and 10 to follow up on topics discussed as with the OSMRE representatives. Topics discussed at the meetings were: the new administration's priorities in rulemaking and policy developments, UAS policy, the BiOp rollout and other BiOp concerns, and the status of the Unplanned Subsidence workgroup and Program Finance workgroup.

Abandoned Mine Lands

The Abandoned Mine Lands (AML) Committee met jointly with the Coal Section of the Environmental Affairs Committee on June 10 following a meeting with the IMCC member states and OSMRE. Topics discussed at the meeting were: AML reauthorization, the status of infrastructure legislation, the Community and Reclamation Partnerships Act, and updates from the AMLER workgroup. as well as November 3 and 10

Awards

he Awards Committee met via conference call on February 10 to select winners of the 2021 Kenes C. Bowling National Reclamation Awards. On February 9 members of the Mine Safety & Health Committee met via conference call to select the winners of the 2021 Mine Safety and Health Training Awards.

Resolutions Committee

wo resolutions of appreciation were discussed and approved at the IMCC Business Meeting on June 15. (See *Resolutions* section of this Annual Report.)

Hardrock/Noncoal Environmental Affairs

IMCC

he Hardrock/Noncoal Environmental Affairs Committee did not hold a face-toface meeting in 2021, however opportunities that arose in 2021 made this an historic year for IMCC in the hardrock/non-coal environmental arena. Beginning in August 2021, this Committee held multiple meetings with representatives of many other states who are interested in the development of the federal hardrock Abandoned Mine Lands (AML) program contemplated by the Infrastructure Investment and Jobs Act. Many of these meetings also included leadership of the Interior Department's Office of Environmental Policy and Compliance, which has been charged with developing this program.

Mine Safety & Health

he IMCC Executive Director met the Mine Safety & Health Committee Chair via conference call on June 10 to discuss concerns of the states and a potential alternate meeting with the Mine Safety and Health Administration in light of COVID-based travel restrictions.

Finance and Administrative Committee

he committee met on June 11 via conference call to review IMCC's unaudited financial statement and discuss updating the IMCC Strategic Plan and the Compact's dues structure. IMCC's financial status was also discussed, along with the FY 2021 independent audit report, during the Compact's December 14, 2021 Business Meeting.

Committee Chairs and Vice Chairs for 2022

Environmental Affairs Committe	e
Coal Section	
John Stefanko, Pennsylvania, Chair	Jonathan Rorrer, West Virginia, Vice Chair
Hardrock/Noncoal Section	
Brent Goodrum, Alaska, Chair	Dana Dean, Utah, Vice Chair
Abandoned Mine Lands Commit	ttee
Jerry Schoeppner, 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 Con	nmittee
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

Officers Elected for 2022

Chair: *Governor Asa Hutchinson* Arkansas

Vice Chair: Governor John Bel Edwards Louisiana

Treasurer: Governor Andy Beshear Kentucky

Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Lanny Erdos served the American people as Director of the Office of Surface Mining Reclamation and Enforcement (OSMRE) through January, 2021;

WHEREAS, Lanny Erdos previously served the people of the State of Ohio as Chief of the Division of Mineral Resources Management of the Ohio Department of Natural Resources;

WHEREAS, Lanny's drive, leadership skills, and dedicated public service through his years with the State of Ohio and then as OSMRE Director have contributed greatly to the effective regulation, reclamation, and restoration of mined lands in America;

WHEREAS, Lanny shared valuable insights and information with the IMCC member states regarding mining programs and policies, particularly as they affect state governments;

NOW THEREFORE BE IT RESOLVED:

That the member states of the Interstate Mining Compact Commission warmly thank Lanny Erdos for a job well done during his service as Director of the Office of Surface Mining Reclamation and Enforcement and as Chief of the Division of Mineral Resources Management of the Ohio Department of Natural Resources and express their appreciation for all he has done on behalf of the states and IMCC; and

That the states of the Interstate Mining Compact Commission sincerely wish Lanny much success in his future endeavors.

Issued this 15th day of June, 2021

ATTEST:

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Thomas L. Clarke Executive Director

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Resolution

Interstate Mining Compact Commission

BE IT KNOWN THAT:

WHEREAS, Eric Cavazza has participated in the work of the Interstate Mining Compact Commission (IMCC) on behalf of the state of Pennsylvania for many years; and

WHEREAS, Eric's leadership skills and advocacy on behalf of the states during these years have contributed greatly to the advancement of natural resource and environmental protection in the State of Pennsylvania and nationwide;

WHEREAS, Eric's positive personality and dedication to government service have been appreciated by all those who have had privilege of knowing and working with him;

NOW THEREFORE BE IT RESOLVED:

That the member states of the Interstate Mining Compact Commission, who have had the honor and privilege of working closely with Eric Cavazza over the years, express their sincere appreciation and heartfelt thanks to him for all he has done on behalf of the states and IMCC and wish him all the best in his new position with the Office of Surface Mining Reclamation and Enforcement.

Issued this 15th day of June, 2021

ATTEST:

- Lon

Thomas L. Clarke Executive Director

Financial Reports

Interstate Mining Compact Commission Statement of Financial Position for the Year Ended June 30, 2021

ASSETS

Cash	\$ 576,245
Certificates of deposit	300,000
Interest receivable	2,278
Prepaid expenses and deposits	7,026
Property and equipment, net	 1,363
Total assets	\$ 886,912

LIABILITIES AND NET ASSETS

Liabilities:	
Accounts payable and accrued expenses	11,133
Deferred assessments revenue	68,619
Deferred rent	587
Total liabilities	80,339
Net assets:	
Unrestricted	806,573
Total net assets	806,573
Total liabilities and net assets	\$ 886,912

Financial Reports

Interstate Mining Compact Commission Statement of Activities For the Year Ended June 30, 2021

Unrestricted revenue and support	
Assessments	\$567,751
Government grants and contracts	30,000
Conferences and meetings	975
Interest income	4,112
Other income	1,227
Total revenue and support	604,065
Expenses	
Government programs	335,044
Administrative and general	96,211
Total expenses	431,255
Change in net assets	172,810
Net assets, beginning of year	633,763
Net assets, end of year	\$806,573

Financial Reports

Interstate Mining Compact Commission Schedule of Comparison of Expenses and Budget For the Year Ended June 30, 2021

Description	Government Programs	Administrative & General	Totals	Budget	Variance Over (Under)
Salaries	\$195,010	\$48,753	\$243,763	\$250,000	\$(6,237)
Employee Benefits	42,832	10,708	53,540	60,000	(6,460)
Rent	20,607	5,152	25,759	26,000	(241)
Moving Conference and Meetings	- 1,776	-	- 1,776	4,000 40,000	(4,000) (38,224)
Travel Contractual Services	68,775	-	68,775	25,000 110,000	(38,224) (25,000) (41,225)
Legal	-	-	-	50,000	(50,000)
Publications	-	-	-	2,500	(2,500)
Telephone	2,280	2,279	4,559	7,500	(2,941)
Accounting	-	9,769	9,769	9,000	769
Auditing	-	6,507	6,507	6,500	7
Postage Equipment Expenses	126 21	- 62	126 83	2,000 1,500	(1,874) (1,417)
Office Supplies	464	1,390	1,854	5,000	(3,146)
Other Expenses	1,233	3,697	4,930	3,500	1,430
Insurance	-	4,773	4,773	5,000	(227)
Printing Registration Fees and Subscriptions	- 816	- 816	- 1,632	1,000 1,500	(1,000) 132
Utilities	1,104	276	1,380	2,000	(620)
Depreciation		2,029	2,029		2,029
Total Expenses	\$335,044	\$96,211	\$431,255	\$612,000	\$(180,745)

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED JANUARY 1 - DECEMBER 31, 2021 FOR COAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	# Acres Disturbed	# Acres Reclaimed
Alabama Surface Mining Commission	2	460	682	2512
Alaska Dept. of Natural Resources ¹	1	0	27	367
Arkansas Dept. of Energy and Environment	0	0	0	0
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	12.09 ²	143	1,563
Indiana Dept. of Natural Resources, Division of Reclamation	0	34.8	1,896	2,341.95
Kentucky Dept. for Natural Resources, Division of Mine Permits	195 ³	3,998.97 4	172,849.81	123,199
Louisiana Dept. of Natural Resources	0	37,555	27,331	1,798
Maryland Bureau of Mines	3	235	918	179
Mississippi Dept. of Environmental Quality, Office of Geology, Mining and Reclamation Div.	1	13,891	4,888	2,151
Missouri Land Reclamation Program	0	0	80	376
Montana Dept. of Environmental Quality, Coal Section/Mining Bureau	12	75,560	586.56 ⁵	10,300
New Mexico Energy, Minerals & Natural Res. Dept., Coal Mine Reclamation Program ⁶	0	0	355	0
North Dakota Public Service Commission ⁷	1 8	0	1,341	1,789
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	1 (new) ⁹	275	17,837 10	1,396 11
Oklahoma Dept. of Mines	0 12	15,633	9,642	652.6 ¹³
Pennsylvania Dept. of Environmental Protection	10	2,422	877	1,247
Texas Railroad Commission	3	299,804.1	167,272.3	2,624.88
Utah Division of Oil, Gas and Mining	23	91,076	2,660	0
Virginia Dept. of Energy, Division of Mined Land Repurposing	16 ¹⁴	69,952 ¹⁵	51,068	31,754
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	19	8,093.52 16	136,429.67 ¹⁷	2,328.43 18
Wyoming Dept. of Environmental Quality, Land Quality Division	0 19	0 20	2,091.9	1,855

See footnotes on following page ...

- ¹ One permit renewal authorized during this process. Areas reclaimed are for Phase III bond release.
- ² No new mine permits were issued in 2021. The acreage included here is incidental boundary revisions to previously issued permits.
- ³ NW-11; AM-15; MA-15; MI-154.
- ⁴ Acres in 2021. 1,206,071.58 cumulative.
- ⁵ Per the 2021 Annual Mine Report.
- ⁶ The numbers shown are for permitting and mining/reclamation activity taking place during calendar year 2021. These numbers do not represent cumulative acreage. Reclaimed lands mean that full bond release has been approved.
- ⁷ No revisions added acres in 2021. Acres Disturbed is the amount of acres from which coal removal was completed in 2021. Sand & gravel mining is unregulated in ND & other non-coal mining is minimal.
- ⁸ The permit issued in 2021 was a consolidation of five permits into a single electronic permit so no acres were added.
- ⁹ 1 adjacent area; 6 incidental boundary revisions.
- ¹⁰ Sum of "reclamation due" plus "to be affected" through 12/31/2021 (326 acres bonded during 2021 only).
- ¹¹ Phase III acres released.
- 12 Permits Issued 0; Permits on IUL 50; Revisions Approved 4; Pending Permits 1.
- 13 Phase III Complete 652.6; Undisturbed Release 0.
- ¹⁴ 16 Permits Issued (3 New & 13 Transfers).
- ¹⁵ 58,726 Total Bonded.
- ¹⁶ 8,093.52 (2021); 329,049.62 (Total).
- ¹⁷ Means the total number of disturbed areas, including acreage disturbed and reclaimed but not yet receiving final bond release, associated with permits that as of 12/31/2021 were not final released or revoked.
- ¹⁸ Phase 3 Released in 2021.
- ¹⁹ 0 new permits added, 1 existing permits added new acres.
- ²⁰ 0 for new permits; 963.4 acres added to 1 existing permit.

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IMCC

Member State Permitting Data

PERMITS ISSUED AND ACRES OF LAND DISTURBED AND RECLAIMED JANUARY 1 - DECEMBER 31, 2021 FOR NONCOAL SURFACE MINING

State/Enforcement Agency	# Permits Issued	# Acres Permitted	# Acres Disturbed	# Acres Reclaimed
Alabama Dept. of Labor, Non-Fuel Surface Mining	302	10,785	8,948	125
Alaska Dept. of Natural Resources	4	1,163	1,163	0
Arkansas Dept. of Energy and Environment	251	28,745	8,464	207
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.	12	267.5	424.7	40
Indiana Dept. of Natural Resources, Division of Reclamation	6	711.05	26.24	0
Kentucky Dept. for Natural Resources, Division of Mine Reclamation and Enforcement, Non-Coal Review Branch ²	50	89.48 ³	21,306.8987	395.38
Maryland Dept. of the Environment, Division of Mineral, Oil, and Gas	61	25,081.15	2,346.86	5,042.95
Mississippi Dept. of Environmental Quality, Office of Geology, Mining and Reclamation Div.	27	34,345	N/A	1,625
Missouri Land Reclamation Program, Industrial and Metallic Minerals Mining Unit ⁴	393	34,799	34,799	792
New Mexico Energy, Minerals and Natural Resources Dept., Mined Act Reclamation Prog ⁵	46	70	41	37.5
New York State Dept. of Environmental Conservation	17 (2021) 1,765 (total active) ⁶	156,709 (total) 7	64,007 (total) ⁷	848 (2021) 40,202 (total) ⁷
North Carolina Dept. of Environmental Quality, Div. of Energy, Mineral, and Land Resources	725	138,310	89,022	478
Ohio Dept. of Natural Resources, Division of Mineral Resources Management	8 (new) ⁸	1,421	1,151 9	603 10
Oklahoma Dept. of Mines	22 11	179,880	73,196	2,901
Pennsylvania Dept. of Environmental Protection	37	1,269	1,029	221
South Carolina Dept. of Health and Environmental Control	37	6,471.5	2,134.9	406.8
Tennessee Division of Water Resources – Mining Section	22	857	4,479	394
Utah Division of Oil, Gas and Mining	561	58,683	58,683	341
Virginia Dept. of Energy, Mineral Mining Program	430	74,682	40,878	644.95
West Virginia Dept. of Environmental Protection, Division of Mining and Reclamation	1	85.87 12	5,423.23 13	55.73 14
Wyoming Dept. of Environmental Quality, Land Quality Division	18 15	23,121.8 16	N/A	N/A

See footnotes on following page ...

- ¹ New approvals: Red Dog PoOA, RPA 2021-2026 no additional disturbance, Amended Approvals: Fort Knox PoOA and RPA 1,163 acres permitted (Amend -Victoria Creek -751.62 acres & Amend Gil – 411.1 acres disturbance), Pogo PoOA minor amendment 8 no additional disturbance, Red Dog RPA minor amendment no additional disturbance.
- 2 248 Permits, of which 192 are active.
- ³ Acres in 2021. 41,922.9386 cumulative.
- ⁴ Noncoal Solid Minerals = water.
- ⁵ Most permits issued represent small acreage exploration or general permits. Non-Coal does not include sand and gravel operations. Acres reclaimed means regrading, cover application, and seeding has occurred, not necessarily bond release. The numbers shown are for permitting and mining/reclamation activity taking place during calendar year 2020. These numbers do not represent cumulative acreage.
- ⁶ Permits issued for new mines in 2021.
- ⁷ Total statewide acreage figures since NYS Mined Land Reclamation Law enacted in 1975.
- ⁸ 15 adjacent areas.
- ⁹ Acres bonded during 2021 only.
- ¹⁰ IM-7 acres released.
- ¹¹ Permits Issued 22; Amendments Issued 36; Transfers Issued 13; Limited Use Permits Issued 35; Permits on IUL 799
- ¹² 85.87 (2021); 12,304.87 (Total).
- ¹³ Means the total number of disturbed areas, including acreage disturbed and reclaimed but not yet receiving final bond release, associated with permits that as of 12/31/2021 were not final released or revoked.
- ¹⁴ Phase 3 Released in 2021.
- ¹⁵ 18 new permits added, 11 existing added new acres.
- ¹⁶ 23,121.8 for 18 new permits; 970.3 acres added to 11 existing permits.

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IMCC

Member State Reclaimed Land Use Data

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama ¹	1.7	1.7	24.6	0.3	71.7
Alaska	N/A	N/A	N/A	N/A	N/A
Arkansas	100	0	0	0	0
Colorado ²	N/A	N/A	N/A	N/A	N/A
Illinois	36	34	0	1	29
Indiana	1.2	27.6	16.6	0.1	54.5
Kentucky	32.69	41.79	20.25	1.19	4.08
Louisiana	20	10	60	10	0
Maryland	10	60	20	10	0
Mississippi	0	50	50	0	0
Missouri	67	11	0	0	11 4
Montana	82	11	0	0.04	7
New Mexico	N/A	100	N/A	N/A	N/A
North Dakota	19	2	1	2	76
Ohio	72	0	0	9	19
Oklahoma	71	0	0	0	29 ⁵
Pennsylvania ⁶	30	5	50	2	13
Texas ⁷	88	0	0	1	11
Utah	N/A	N/A	N/A	N/A	N/A
Virginia ⁸	9.53	0.033	79.95	0.8	0
West Virginia	18.2	9.1	39.4	6.1	27.2 ⁹
Wyoming	0	0	0	0	95 ¹⁰

USE OF LAND FOLLOWING RECLAMATION (PERCENT) JANUARY 1 - DECEMBER 31, 2021 FOR COAL SURFACE MINING

 $^{1\,-}$ Land use percentages based on 2,512 acres that were Phase III released.

² Colorado does not keep land-use numbers/percentages.

³ For Coal "Other" land uses includes: 892.18 acres of Cropland; 347.17 acres of Water; 20.42 acres of Public Road; 8.93 acres of Access Road; 7.66 acres of Residential.

- ⁴ Coal Other includes prime farmland 3% and water 7%.
- ⁵ 0.5% Water Resource; 28.5% Undisturbed.
- ⁶ Land use percentages are estimates based on observations.
- ⁷ 11% of land reclaimed was developed water resources. Use of Land Following Reclamation (Percent) is taken for lands released this year.
- ⁸ Industrial Gas Wells-Pipelines 4.54%; Managed Forest 3.29%; Public Use-Public Roads 1.89%.
- ⁹ Of the 27.2% "Other," 77.8% is a combined use (i.e. two or more land uses on one permit) with the remaining 22.2% being a category not listed.
- ¹⁰ Almost all reclaimed land is rangeland/grazing with wildlife use. The remaining 5% is a mix of commercial, wildlife, and pasture. The data includes all Regular Permits, Small Mine Permits, Limited Mining Operations, Drilling Notifications, License to Explore, and Research & Development. Licenses.

Member State Reclaimed Land Use Data

USE OF LAND FOLLOWING RECLAMATION (PERCENT) JANUARY 1 - DECEMBER 31, 2021 FOR NONCOAL SURFACE MINING

State	Pasture	Wildlife	Forest	Commercial	Other
Alabama	75	1	15	0	9 ¹
Alaska	N/A	N/A	N/A	N/A	N/A
Arkansas	29	38	0	23	10
Colorado	N/A	N/A	N/A	N/A	N/A
Illinois	10	0	0	90	0
Indiana	N/A	N/A	N/A	N/A	N/A
Kentucky	29	9	5	6	51
Maryland	12	67	4	4	13
Mississippi	20	40	40	0	0
Missouri	29	31	0	19	21
New Mexico ³	0	100	0	0	0
New York	0	39	0	13	48 4
North Carolina ⁵	N/A	N/A	N/A	N/A	N/A
Ohio	12	45	0	32	11
Oklahoma	80	0	0	0	5 6
Pennsylvania ⁷	10	5	10	15	60
South Carolina	11	0	9	5	75 ⁸
Tennessee	0	0	0	0	100 ⁹
Utah	0	100	0	0	0
Virginia	45	0.7	0	1	50.9 ¹⁰
West Virginia	0	0	100	0	0
Wyoming	0	0	0	0	95 ¹¹

¹ Ponds, lakes.

² Colorado does not keep land-use numbers/percentages.

³ The percentages for Use of Land Following Reclamation are for mined lands reclaimed in 2020. Permits issued include exploration permits and general permits. No regular or minimal impact mine permits were approved in 2020.

- ⁴ Includes 20% of Agricultural Farmland and 28% Wetland/Lake.
- ⁵ North Carolina does not track use on Reclamation.
- ⁶ Water Reservoir.
- ⁷ Land use percentages are estimates based on observations.
- ⁸ 300.5 acres reclaimed as lakes/ponds; 5 acres reclaimed as residential; 2 acres reclaimed as recreation.
- ⁹ Pond/Lake.
- ¹⁰ Recreation.
- ¹¹ Almost all reclaimed land is rangeland/grazing with wildlife use. The remaining 5% is a mix of commercial, wildlife, and pasture. The data includes all Regular Permits, Small Mine Permits, Limited Mining Operations, Drilling Notifications, License to Explore, and Research & Development. Licenses.

2021 Kenes C. Bowling Reclamation Award Winners

2021 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:

Randolph Land Holding Company, LLC – Jordan Grove (Illinois)

Noncoal Category Winner:

Martin Marietta Materials, Inc. – Clinton Quarry (Ohio)

2021 Mine Safety & Health Training Award Winners

2021 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:

Virginia Department of Mines, Minerals and Energy – Division of Mines

Coal Category – Underground Mining:

Virginia Department of Mines, Minerals and Energy – Division of Mines

Industry Award Winners:

Coal Category – Surface Mining:

Navajo Transitional Energy Company, LLC & North American Coal – Bisti Fuels Company, LLC (New Mexico)

Coal Category – Underground Mining: ICG Tygart Valley, LLC – Leer Mine Complex (West Virginia)

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Commissioner's Official Representative

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Dustin Morin Director Mining and Reclamation Division Department of Labor

Alaska

Governor Mike Dunleavy

Brent Goodrum Deputy Commissioner Department of Natural Resources

Governor Asa Hutchinson

Arkansas

Larry Bengal Director Oil and Gas Commission

Illinois

Governor J.B. Pritzker

Indiana

Governor Eric Holcomb

Chris Smith Deputy Director Department of Natural Resources

Vacant

Kentucky

Governor Andy Beshear

Louisiana

Governor John Bel Edwards

Richard Ieyoub Commissioner Department of Natural Resources Office of Conservation

Vacant

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Governor Lawrence J. Hogan, Jr.

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Mississippi

Governor Tate Reeves

James L. Matheny **Division Director** Mining and Reclamation Division, Office of Geology Department of Environmental Quality

Missouri

Dru Buntin Director Department of Natural Resources

New Mexico

Governor Michelle Lujan Grisham

Governor Mike Parson

Sarah Cottrell Propst Cabinet Secretary Dept. of Energy, Minerals and Natural Resources

New York

Governor Kathy Hochul

North Carolina

Governor Roy Cooper

Toby Vinson Section Chief and NCORR Liaison Division of Energy, Mineral, and Land Resources Department of Environmental Quality

North Dakota

Governor Doug Burgum

Dean Moos Director AML & Reclamation Division Public Service Commission

Ohio

Governor Mike DeWine

Mary Mertz Director Department of Natural Resources

Vacant

Oklahoma

Governor Kevin Stitt

Governor Tom Wolf

Pennsylvania John J. Stefanko Deputy Secretary Office of Active and Abandoned Mine Operations Department of Environmental Protection

> Matthew Korn Attorney at Law Fisher Phillips LLP

Vacant

South Carolina

Governor Henry McMaster

Governor Bill Lee

Governor Greg Abbott

Tennessee

David W. Salyers Commissioner Department of Environment and Conservation

Texas

Jim Wright Commissioner Railroad Commission of Texas

Utah

Governor Spencer Cox

John R. Baza Director Division of Oil, Gas & Mining

Governor Ralph Northam

West Virginia

Virginia

Governor Jim Justice

Wyoming

Governor Mark Gordon

Todd Parfitt Director Department of Environmental Quality

Vacant

Vacant

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Commissioner

Commissioner's Official Representative

Colorado

Governor Jared Polis

Virginia Brannon Director Division of Reclamation, Mining and Safety Department of Natural Resources

Montana

Governor Greg Gianforte

Chris Dorrington Director Department of Environmental Quality

2022 Commissioners and Their Representatives

2022 Commissioners

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Louisiana Governor John Bel Edwards – Vice Chair

Kentucky Governor Andy Beshear - Treasurer

Alabama Governor Kay Ivey

Alaska Governor Mike Dunleavy

Illinois Governor J.B. Pritzker

Indiana Governor Eric Holcomb

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Ohio Governor Mike DeWine

Oklahoma Governor Kevin Stitt

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Texas Governor Greg Abbott Utah Governor Spencer Cox

Virginia Governor Glenn Youngkin

West Virginia Governor Jim Justice

Wyoming Governor Mark Gordon

Associate Member States

Colorado Governor Jared Polis

Montana Governor Greg Gianforte

Commissioner's Official Representatives — 2022

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Dustin Morin Director Mining and Reclamation Division Department of Labor

Alaska Brent Goodrum Deputy Commissioner Department of Natural Resources

Arkansas

Larry Bengal Director Arkansas Oil and Gas Commission

Illinois Vacant

Indiana Chris Smith Deputy Director Department of Natural Resources

Kentucky Vacant

Louisiana Richard Ieyoub Commissioner Department of Natural Resources Office of Conservation

Maryland Molly Michaelson Program Manager Department of the Environment

Mississippi James L. Matheny Division Director Mining and Reclamation Division Office of Geology Dept. of Environmental Quality **Missouri** Dru Buntin Director Department of Natural Resources

New Mexico Sarah Cottrell Propst Cabinet Secretary Dept. of Energy, Minerals and Natural Resources

New York Vacant

North Carolina Toby Vinson Section Chief and NCORR Liaison Division of Energy, Mineral and Land Resources Dept. of Environmental Quality

North Dakota Vacant

Ohio

Mary Mertz Director Department of Natural Resources

Oklahoma Vacant

Pennsylvania John J. Stefanko Deputy Secretary Office of Active & Abandoned Mine Operations Dept. of Environmental Protection **South Carolina** Vacant

Tennessee David W. Salyers Commissioner Dept. of Environment and Conservation

Texas Jim Wright Commissioner Railroad Commission of Texas

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

Virginia Vacant

West Virginia Vacant

Wyoming Todd Parfitt Director Dept. of Environmental Quality

Associate Member States

Colorado Virginia Brannon Director Div. Reclamation, Mining & Safety Department of Natural Resources

Montana Chris Dorrington Director Department of Environmental Quality

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Appendix A

2021 Meetings

2021-01-11 National NGO Group re AML Inventory Report 2021-01-13 Congressional Staff 2021-01-13 Congressional Staff 2021-01-15 Congressional Staff 2021-01-15 Congressional Staff 2021-01-19 Unplanned Subsidence Workgroup (with OSMRE) 2021-01-19 National NGO Group re Booker Bill 2021-01-28 IMCC Coal Environmental Committee - Lawsuit on TDN Rule 2021-02-03 Congressional Staff 2021-02-08 Congressional Staff 2021-02-11 BiOp Implementation Issues 2021-02-11 Congressional Staff 2021-02-12 State Coalition – Lawsuit on TDN Rule 2021-02-17 BiOp Implementation Issues 2021-02-22 State Coalition - Lawsuit on TDN Rule 2021-02-23 NAAMLP Winter Meeting 2021-02-24 Senate Energy & Natural Resources Committee - Confirmation of Interior Secretary 2021-02-24 NAAMLP Winter Meeting 2021-03-02 Congressional Staff 2021-03-02 Virtual Training on Pilot Program Issues 2021-03-04 AML Testimony at Congressional Committee Hearing (witness prep) 2021-03-05 Congressional Staff 2021-03-08 AML Testimony at Congressional Committee Hearing (witness prep) 2021-03-08 Unplanned Subsidence Workgroup (with OSMRE) 2021-03-09 NMA re Legislation 2021-03-10 Press Briefing on AML Legislation Introduction 2021-03-15 AML Testimony at Congressional Committee Hearing (with staff) 2021-03-15 AML Testimony at Congressional Committee Hearing (witness prep) 2021-03-16 AML Testimony at Congressional Committee Hearing (witness prep) 2021-03-17 AML Testimony at Congressional Committee Hearing (witness prep) 2021-03-18 Congressional Committee Hearing - AML 2021-03-23 Congressional Staff 2021-03-26 Unplanned Subsidence Workgroup 2021-03-31 Unplanned Subsidence Workgroup 2021-04-05 Congressional Staff 2021-04-07 Group of National NGOs re Legislation 2021-04-08 Congressional Staff 2021-04-12 American Fish and Wildlife Association re Legislation 2021-04-13 Congressional Staff 2021-04-14 Unplanned Subsidence Workgroup 2021-04-16 Group of National NGOs re Legislation 2021-04-19 Hydrologic Issues - Program Implementation 2021-04-20 House Appropriations Subcommittee – Interior Department budget 2021-04-21 House Appropriations Subcommittee – EPA budget 2021-04-22 Unplanned Subsidence Workgroup 2021-05-04 Unplanned Subsidence Workgroup

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2021-05-06 NMA re Legislation 2021-05-11 IMCC Finance Committee 2021-05-12 IMCC AML Committee/NAAMLP - Legislative Briefing 2021-05-13 Unplanned Subsidence Workgroup 2021-05-17 Congressional Staff 2021-05-18 NMA re Legislation 2021-05-18 BiOp Rollout 2021-05-18 Congressional Staff 2021-05-19 BiOp Rollout 2021-05-20 BiOp Rollout 2021-05-21 Congressional Staff 2021-05-26 IMCC Coal Environmental Committee Meeting 2021-06-01 IMCC Finance Committee 2021-06-08 IMCC-OSMRE Annual Meeting 2021-06-15 IMCC Annual Business Meeting 2021-06-15 House Natural Resources Committee, Subcommittee on Mineral & Energy Resources Hearing -"Environmental Justice for Coal Country" 2021-06-16 Unplanned Subsidence Workgroup 2021-06-17 Congressional Staff 2021-06-17 RECLAIM Coalition NGOs 2021-06-18 PA AML Campaign 2021-06-21 Congressional Staff 2021-06-22 Congressional Staff 2021-06-24 Senate Energy & Natural Resources Hearing – Infrastructure Bill 2021-06-25 Congressional Staff 2021-06-25 Congressional Staff 2021-06-29 AMLER Workgroup (States/Tribes Only) 2021-07-02 PA AML Campaign 2021-07-02 Congressional Staff 2021-07-05 Congressional Staff 2021-07-07 Congressional Staff 2021-07-09 PA AML Campaign 2021-07-16 PA AML Campaign 2021-07-21 Congressional Staff 2021-07-22 DOI, OEPC re Hardrock AML 2021-07-22 Congressional Staff 2021-07-30 PA AML Campaign 2021-08-04 OSMRE Western States Meeting 2021-08-04 Congressional Staff 2021-08-04 DOI, OEPC 2021-08-05 Congressional Staff 2021-08-05 PA AML Campaign 2021-08-10 DOI, OEPC, Hardrock States 2021-08-13 PA AML Campaign 2021-08-18 OSMRE Appalachian States Meeting 2021-08-20 PA AML Campaign 2021-08-24 Unplanned Subsidence Workgroup 2021-08-26 AMLER Workgroup (States/Tribes Only) 2021-08-27 State/Tribe Hardrock AML Program Managers 2021-08-31 Congressional Staff

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2021-09-02 State/Tribe Hardrock AML Program Managers 2021-09-03 PA AML Campaign 2021-09-03 Reclaim Coalition NGOs 2021-09-08 Nevada & Colorado Hardrock AML Managers 2021-09-09 IMCC Hardrock Committee 2021-09-09 State/Tribe Hardrock AML Program Managers 2021-09-10 PA AML Campaign 2021-09-13 NAAMLP Conference 2021-09-14 NAAMLP Conference 2021-09-14 Congressional Staff 2021-09-15 NAAMLP Conference 2021-09-16 NAAMLP Conference 2021-09-17 PA AML Campaign call 2021-09-21 DOI OEPC re Hardrock AML 2021-09-22 AMLER Workgroup (States/Tribes Only) 2021-09-23 DOI OEPC State/Tribe Hardrock AML Program Managers 2021-09-24 PA AML Campaign call 2021-09-24 Reclaim Coalition NGOs 2021-09-27 Congressional staff 2021-09-29 OSMRE Midcontinent States Meeting 2021-09-29 National Governor's Association BBB 2021-09-21 OSMRE Midcontinent States Meeting 2021-09-30 Congressional Staff 2021-10-01 PA AML Campaign call 2021-10-08 PA AML Campaign call 2021-10-08 RECLAIM Coalition NGOs 2021-10-08 PA AML Campaign call 2021-10-19 AMLER Workgroup (States/Tribes Only) 2021-10-21 DOI OEPC re. Hardrock AML 2021-10-22 PA AML Campaign call 2021-10-22 Call with RECLAIM coalition NGOs 2021-10-26 EPA EJ community engagement call 2021-10-27 PA AML Virtual Conference Presentation 2021-10-27 House Natural Resources Committee, Subcommittee on Mineral & Energy Resources Hearing "Federal Coal Program" 2021-10-27 AMLER Workgroup (States/Tribes Only) 2021-10-28 Congressional Staff 2021-10-28 Congressional Staff 2021-10-29 PA AML Campaign call 2021-10-29 Congressional Staff 2021-11-01 AEMA re. Hardrock AML and Good Sam 2021-11-02 IMCC-DOI, OSMRE Midyear Meeting 2021-11-03 Midyear Joint Meeting of IMCC's Coal Environmental and AML Committees 2021-11-04 IMCC-OSMRE re UAS 2021-11-05 PA AML Campaign 2021-11-05 OSMRE/USF&WS Appalachian States BiOp Training 2021-11-10 IMCC Coal Environmental Committee 2021-11-11 Idaho Department of Lands 2021-11-12 PA AML Campaign 2021-11-17 Congressional Staff

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2021-11-18 FEMA staff re Justice 40 2021-11-18 AMD Legal Interpretation Research Group 2021-11-19 PA AML Campaign call 2021-11-19 RECLAIM Coalition NGOs 2021-11-23 AMLER-PA 2021-11-29 BIF/BIL Implementation Work Group 2021-12-01 AMLER - KY 2021-12-01 AEMA Hardrock AML 2021-12-01 DOI OEPC re Hardrock AML 2021-12-02 AMLER-VA 2021-12-03 PA AML Campaign 2021-12-03 Congressional Staff 2021-12-06 AEMA 2021-12-07 AEMA 2021-12-08 AEMA - Hardrock AML Presentation/Panel Discussion 2021-12-09 AEMA 2021-12-10 PA AML Campaign 2021-12-13 AMLER-OH 2021-12-14 IMCC Midyear Business Meeting 2021-12-15 AMD Legal Interpretation Research Group 2021-12-15 AMLER - AL 2021-12-15 BIL Implementation - OSMRE Management 2021-12-16 BIF/BIL Implementation Work Group 2021-12-16 AMLER-WV 2021-12-17 PA AML Campaign 2021-12-17 AMD Legal Interpretation Research Group