

MINUTES OF THE PUBLIC MEETING ON THE  
FY2006 ABANDONED MINE LAND CONSOLIDATED GRANT

The Virginia Department of Mines, Minerals and Energy (DMME), Division of Mined Land Reclamation (DMLR), Abandoned Mine Land (AML) Section, held a public meeting concerning the FY2006 AML consolidated Grant submittal on February 10, 2006 at 1:00 p.m. The purpose of the meeting was to allow public comment on the grant. The meeting was conducted at the DMME office in Big Stone Gap, Virginia.

The meeting convened on schedule. Present at the meeting were:

Carl "Pete" Ramey	President of Appalachia Mountain Stewards, Big Stone Gap, Virginia
Mary Ellen Kelley	Wise, Virginia
Charlene Greene	Wise, Virginia
Kathy R. Selvage	Wise, Virginia
Dorothy Taulbee	Stonega, Virginia
Bill McCabe	Eidson, Tennessee
Kathy Still	Bristol Herald Courier
Butch Lambert	DMLR, Director
Roger Williams	DMLR, AML Services Manager
Les Vincent	DMLR, Customer Services Manager
Jan Zentmeyer	DMLR, Grants Officer, <b>Moderator</b>
Donna Puckett	DMLR, Customer Services, Office Services Specialist, <b>Recorder</b>

The moderator read an opening statement explaining that the purpose of the meeting is to give people an opportunity to be heard in regard to the Virginia Abandoned Mine Land Consolidated Grant. The grant is being submitted to the U. S. Department of the Interior, Office of Surface Mining, for administration of Virginia's Abandoned Mine Land Program as listed in the public notice published in local regional newspapers on January 21<sup>st</sup>, 22<sup>nd</sup>, and 24<sup>th</sup>, 2006.

Mr. Ramey, president of Appalachia Mountain Stewards, a local environmental group, spoke first about his concern for public health and safety from surface mining. He asked about AML's role in remining on active coal mine sites. Mr. Vincent explained the relationship between active mines and the AML program. He discussed the benefits of AML remining projects including reducing the need for valley fills, improving water quality by reducing sediment in runoff, and the health and safety benefits of removing hazardous highwalls.

Ms. Kelley's concerns are primarily related to the Kodiak Mining Co. permit in her neighborhood, and its potential to be remined. She is particularly concerned about the continued use of old, erroneous topographic maps.

Mr. McCabe, an environmental justice organizer who came with Mr. Ramey today, also focussed his comments on the remining project proposed in the AML application. Mr. Vincent answered questions about exceptions to reclamation performance standards on remining sites and current standards. He further explained the Title IV and Title V programs and that some AML sites can be reclaimed as a benefit of remining, but that remining is not the result of AML and much remining takes place with no AML involvement. DMLR staff further explained that remining could only take place if there is no cost to the AML program.

Mr. Ramey asked for further clarification on AML's role in reclaiming old highwalls and if DMLR conducts the reclamation for free. Mr. Vincent reiterated that coal operators perform reclamation at no cost to AML/DMLR. Mr. Lambert clarified that the coal operators pay for the haulage and placement of spoil material on the abandoned site. Mr. Ramey suggested that the wording of the advertisement is confusing.

Mr. McCabe then asked about the AML enhancement projects. Mr. Williams explained that such sites have been previously mined and, as a result of the mining that has already taken place, there is little to no possibility that it would ever be mined again. He added that the AML program does not have unlimited monies. Such agreements allow a coal operator to come in and to reclaim an area while using the proceeds from remnant coal removal to offset the cost of reclamation. The group discussed the Wise Fairgrounds as an example.

Mr. McCabe expressed concern about disturbing additional surface area for these projects and doubt about the value of enhancement projects. Mr. Williams pointed out that the focus of the projects is on reclamation and the benefit is elimination of an AML hazard that would otherwise not be achieved. Mr. Lambert discussed that the land surface has already been disturbed on these sites and Mr. Williams explained that all AML reclamation projects disturb the land. Mr. Vincent noted that many of these projects are gob piles and refuse piles.

Ms. Selvage had several questions about the financial advantages of remining to a coal company. Mr. Williams explained that in AML enhancement areas, remnant coal removal is incidental to the primary objective of generating enough material to totally backfill AML highwall areas. He and Mr. Vincent added that federal regulations limit the volume of the disturbance to the amount needed for reclamation. Anything more than that would have to have a mine permit. DMLR limits the extent of the AML projects but does not calculate the potential coal reserve. Contractors are obligated by a contract to complete the work whether they make money or not.

Mr. McCabe asked several questions about the boundaries of AML enhancement projects and mining permits. DMLR staff explained that, in these cases, there was no mining permit. If there were a post 1977 permit, these areas would not qualify as AML projects. Mr. Williams reiterated the AML goal of eliminating highwalls.

Ms. Taulbee expressed her concern about sludge ponds near the Stonega and Roda communities. DMLR representatives noted this is not AML issue, which is the purpose of the public meeting.

Mr. Ramey reiterated his concern that the AML grant is promoting remining by offering incentives and asked if DMLR understood their concerns and would communicate its position.

Ms. Greene then spoke about a pond on her sister's property that may have acid problems as a result of mining conducted in the 1960's. The name and address of the owner was taken by DMLR so that an investigation could begin to see if the pond is on the AML inventory or would qualify for the AML program.

Mr. McCabe asked if the grant is all federal money, the Virginia allocation last year, and Virginia's role in the reauthorization (of the AML program) legislation. DMLR staff provided available information.

The meeting was adjourned at approximately 2 p.m.