

DIVISION OF MINED LAND RECLAMATION		PROCEDURE NO.	1.2.02
PROCEDURES MANUAL		ISSUE DATE	September 25, 2006
SUBJECT	Hazardous/Toxic Waste Reporting	Section	All
		Last Revised	4-17-06

OBJECTIVE AND INTENT:

To ensure the Division coordinates the reporting of hazardous waste materials, spills, and underground storage tanks to the appropriate State agency(ies) responsible for cleanup - as required by the Resource Conservation and Recovery Act (RCRA), the Environmental Protection Act, and the applicable laws, regulations, and programs administered by the Virginia Departments of Emergency Management (DEM) and Environmental Quality (DEQ).

GENERAL:

For the purpose of this procedure, hazardous/toxic waste shall mean:

Any substance, which can pose a health and/or safety problem to the public and/or the environment. Substances which could be considered hazardous/toxic waste include, but are not limited to: transformers, oil, gasoline, diesel fuel, kerosene, motor oil, hydraulic fluid, etc.

PROCEDURES:

Whenever Division field personnel observe or have reason to believe that there may be a hazardous or toxic waste spill or leak on an active or abandoned mine site (including bond forfeiture sites), the employee shall immediately contact the Big Stone Gap or **Lebanon** Office to report the situation. AML, Reclamation Services, Technical, and other field personnel shall report the incident to the Reclamation Services Office Services Specialist (OSS).

The OSS shall immediately inform the company’s representative/owner (if known) and the following offices of the situation and site location:

- DEQ’s Abingdon office at **(276) 676-4800** or other DEQ regional office, as appropriate.
- DEM’s emergency HOTLINE - Notification should be made to the local hazardous materials coordinator and the appropriate Hazardous Materials Officer for DEM. Contact with a HAZMAT Officer can be made through the Virginia Emergency Operations Center at (800) 468-8892. Additional information may be obtained from DEM's “Resource Guide for the Investigation of Environmental Crimes” at http://www.vaemergency.com/library/techhaz/ECTF_resourceguide0105.pdf

The OSS shall inform the appropriate Area Supervisor and Reclamation Services Manager by computer note.

Division personnel shall not attempt clean-up efforts, but should defer such action to properly trained personnel of the DEM, DEQ, or Environmental Protection Agency.

The Division employee shall also prepare a written report describing the situation (with Digital photos documented on the photo documentation form). The electronic form shall be promptly submitted

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to the Big Stone Gap office, in order that a copy may be forwarded to DEQ within 5 working days from the time the Division became aware of the situation. Upon receipt of the report, the OSS shall forward a copy to DEM or DEQ. A copy shall also be forwarded to the mining company and property owner (if known).

Division personnel certified by DEM in hazardous or toxic material handling may be called upon to assist the DEM or DEQ in collecting pertinent information and investigating the situation.

In addition to hazardous and toxic spills and leaks, Division personnel shall notify the DEQ of any abandoned:

- underground storage tanks discovered on an abandoned mine site.
- transformers found on mined lands. However, any transformers that are still attached to electrical poles or platforms shall be reported to the local power company office (to determine ownership). If the power company owns the transformers, then the power company will be requested (in writing) to remove the transformers from the site. If the power company removes the transformers, the Division does not need to notify DEQ. However, if the power company elects to leave the transformers in place, the Division shall notify DEQ (copying DEQ with the agency's and power company's correspondence).
- leaking transformers (should be **immediately** reported to DEQ). The Division shall also notify the company which last operated on the property, if known.

RECLAMATION - CLEAN-UP:

DEM and DEQ are the lead State agencies responsible for the clean-up of areas contaminated by hazardous or toxic waste materials. Due to the potential severity of the situation, DEQ's clean-up efforts could delay the final reclamation of the particular mine site.

The Division must coordinate the reclamation of the specific areas, which have hazardous or toxic waste problems (including underground storage tanks) with DEQ and other appropriate State and Federal agencies. While the Division will take into consideration the impact the hazardous or toxic waste clean-up may have upon the reclamation of the entire mine or project site, the Field Inspector should work to ensure that the remaining areas are reclaimed in a timely fashion per the approved detailed plans or contract specifications. **If the spill is on a permitted mine site, the inspector shall evaluate the situation and take any necessary enforcement action to correct the problem and insure compliance with all applicable regulations and approved detailed plans.**