

**DMLR Permit Streamline/Standardization
Work Group
Meeting Minutes
February 16, 2005
Oxbow Center, St. Paul, VA**

Attendees

Ed Asbury	Bob Brendlinger	Mark Wooten	Beth Clendenon
David Mullins	Larry Ratliff	Buddy Hamilton	Mark Sproles
Greg Clark	Danny Shortt	Bob Blackstock	Greg Baker
Gary Egan	Lynn Haynes	Joe Buchanan	John Jones
Tom Mackey	Butch Lambert	Daniel Dotten	Gavin Bledsoe
Terry Collier	Bob Penn	Dave Sanders	Tim Browning
David Slack	Gerald Collins	Harve Mooney	Annette Poore
Les Vincent	Benny Wampler	Richard Bailey	Keith Mohn
Anthony Sturgill	Ott Mullins	Daniel Kestner	Stephen Maxfield

Les Vincent, Division of Mined Land Reclamation (DMLR) – Les Vincent opened the permit streamline/standardization work group. Copies of the meeting agenda were passed around as well as a sign in sheet.

Les Vincent gave a brief presentation on a proposed Department of Mines, Minerals and Energy (DMME) e-mail and mailing distribution lists. DMLR is soliciting updated information from industry to be used to develop a new computer database to allow more efficient e-mailings and hard copy mailings. Companies should submit contact information to either Les Vincent or Gavin Bledsoe. Their e-mail addresses are les.vincent@dmme.virginia.gov and gavin.bledsoe@dmme.virginia.gov respectively.

House Bill 2573 was discussed. This bill was signed into law by Governor Warner on February 10, 2005 and became effective immediately. The law contains significant changes to Virginia's mine safety and environmental laws and regulations. The bill also requires that DMME promulgate emergency regulations within 280 days to address seismic monitoring of blasting within 1,000 feet of residents and occupied buildings and to require coal mine permit boundary markers located on steep slopes above private dwellings or other occupied buildings to be made or marked with fluorescent or reflective paint or material. DMME will form a regulatory work group as soon as possible. Volunteers for the work group were solicited. The regulatory work group will be announced on the Virginia Town Hall web site as well as the meeting date.

Roads were discussed by Les. DMLR is finalizing a guidance document that will detail the procedures for incorporating primary roads into existing and future permits. Road construction will need to be updated on renewals, mid-term reviews and upon anniversary reports with the appropriate construction certifications submitted as well as maps and drawings. DMLR Inspectors will review existing roads and on a priority basis issue Revision Order Notices if required to ensure they are addressed as primary roads.

The status of the pending program amendment for phased release of reclamation fund cost bonds was discussed. The federal Office of Surface Mining (OSM) submitted a request for clarification of certain portions of the proposed amendment. DMLR submitted a draft response to OSM, which has been reviewed and OSM has concurred with the draft response. A final response will be prepared and sent to OSM by the 17th. Once OSM receives the response they will begin the process to publish the program amendment approval in the federal register. Once it is published the rule will become effective after 30 days.

Les presented and update on the TMDL progress for coalfield streams on the impaired stream list. Four coalfield TMDLs have been approved by the Virginia State Water Control; Board and EPA. These are for Black Creek and the Guest River in Wise County and Dumps Creek and Lewis Creek in Russell County. Three coalfield TMDLs are currently under development. These are Straight Creek in Lee County, Callahan Creek in Wise County and Russell Prater Creek in Buchanan and Dickenson Counties. They are scheduled to be submitted to EPA by summer of 2005. Three more TMDLs will begin in 2005, Indian Creek in Tazewell County, Paw Paw Creek and Knox Creek in Buchanan County. DMLR will continue to coordinate with the Virginia Department of Environmental Quality during the TMDL development process for these coalfield streams.

Greg Baker (DMLR) – Greg updated the group on the anniversary reports and the anniversary maps that will be required beginning in April. A standard map legend will be required. As noted previously, any road construction must be noted on the map. Operations that have not had any changes since previous anniversary map(s) were turned in will not be required to submit a map. For now DMLR will develop a folder to allow the electronic maps certifications and reports to be submitted and attached to electronic permits. There will be no need for data dumps to prepare and submit anniversary reports. The electronic permits will be updated on renewals and mid-terms.

Gerald Collins (DMLR) – DMLR is currently working on a guidance document to address water quality and pond removals at final bond release. DMLR would like to have a small work group assist in developing this guidance. Mark Sproles, Maxxim Shared Services, LLC, volunteered to work on this work group.

Butch Lambert (DMLR) - Butch discussed the OSM Appalachian Regional Reforestation Initiative (ARRI) and passed out brochures prepared by the ARRI team. The brochure has a list of reforestation practices that should be followed in preparing the revegetation plan for a permit. DMLR reviewers will be using these suggested practices to prepare review comments.

Les Vincent (DMLR) – Les discussed development of slurry injection guidelines. DMLR has received some applications proposing to utilize slurry injection for slurry disposal and storage. DMLR proposes to develop guidelines to be used by DMLR and industry. The guidelines will address issues such as:

- Containment issues;
- Quality issues;
- Monitoring issues;

- Ground water user monitoring;
- List of approved chemicals that can be used;
- EPA notification; and
- MSHA concurrence.

DMLR will be finalizing a working document in a week or so. At that time DMLR will be forming a work group to finalize the guidelines and would like volunteers to work on the guidelines. John Jones, Alpha Natural Resources, agreed to work on the guidelines. DMLR will solicit others to assist in this effort.

Black water discharges were discussed. DMLR will be developing procedures to use the Virginia color standards for potential violations involving black water discharges. DMLR will be requiring companies to develop contingency plans to ensure black water spills are contained onsite and not released into streams.

There was no further business and the meeting was adjourned.