

D R A F T

MINING AND RECLAMATION ADVISORY BOARD (MRAB) MINUTES

Thursday, January 3, 2002
Rachel Carson State Office Building
Harrisburg, PA

Members/alternates in attendance: Jack Chamberlin (member); Duane Fegley (member); Richard Fox (alternate); Sue Germanio (Alternate); Walter Heine (member); Dave Mankamyer (member); Dan Snowden (alternate); David Strong (member); Bruce Tetroskie (alternate); Margaret Urban (member); Sue Wilson (alternate); Fred Wolf (chair); and Mike Young (alternate).

Others in attendance: James Brahosky (DEP/BDMO); Sam Faith (DEP/BDMO); Roderick Fletcher (DEP/BAMR); Marylinda Freyermuth (DEP/MRM); Stu Gansell (DEP/BWM); Robert Hughes (EPCAMR); Todd Lawton (PG&E, NEG-Scrubgrass); Paul Linnan (DEP/BAMR); Joe Pizarchik (DEP/OCC); Billie Ramsey (ARIPPA); Bo Reiley (DEP/OCC); Marc Roda (DEP/OCC); Scott Roberts (DEP/MRM); Joe Schueck (DEP/BAMR); Joe Sieber (DEP/OPC); Nevin Strock (DEP/BMR); Evan Shuster (DEP/BMR); Denise Uzupis (DEP/BWSWM); and Kurt Weist (Penn Future).

Meeting Called to Order

The meeting was called to order at 10:00 a.m. Chairman Wolf opened the meeting by introducing Marylinda Freyermuth as the new secretary for the MRAB. All members then introduced themselves. The first order of business was a request to adopt the October 25 minutes. Jack Chamberlin made the motion, seconded by Dave Mankamyer. The minutes were unanimously approved. Mr. Wolf stated that a sign-in sheet was being passed around and that it was important to fill it out completely. This included noting alternates, members and what committees each were serving on. This information was stressed so that records could be updated.

Committee Reports

Policy Committee - Mark Snyder was not present at the meeting. In his absence, Mike Young reported that the committee had not met since the last meeting.

Regulation, Legislation and Technical Committee – David Strong stated that due to his visit to Bark Camp with Paul Linnan he would turn the meeting over to him for a report. Paul stated that all was going well with Bark Camp and the project was well received with the community. CTI has scheduled a meeting with the Waste Management group to begin discussions of a general permit. There is still more to do in Phase 2 of the plan.

The Tamaqua situation was also discussed and is also successful. During a town meeting, the project was well received and everyone is looking forward to moving ahead. Joe Schueck has been involved with new technology and making progress there.

Mr. Strong related his experience with a group of students from Penn State in which he spoke about economic development. The group traveled to Bark Camp and looked at the situation from a standpoint of what it did for the local economy. Everything was very impressive.

Regulation, Legislation and Technical Committee – Chairman Wolf reported on this committee in the absence of David Osikowicz. The committee met on November 19 to adopt Coal Mining Chapter 86 Highway Exemption. The group unanimously voted to recommend that the Board approve the amendments to proceed to the EQB. A motion was proposed to accept. Dave Strong made the motion to accept and Mike Young seconded it. The proposal was unanimously approved.

Annual Report Committee – Mike Young was to give a report but stated there were some problems. The report was completed on the draft and he would try to get it out to the members before the next meeting.

Chair Wolf stressed that he liked to get this finalized. He offered his assistance, if needed.
Obligations: *Mike Young to get report completed by next meeting.*

DEP Permits in Areas Unsuitable for Mining (UFM)

(Evan Shuster, Environmental Program Manager, Bureau of Mining & Reclamation)

Mr. Shuster introduced Ebby Abraham and Ron Hermány from the Office of Information Technology. A presentation was given on eFacts Spatial and how it applies to permits in Areas Unsuitable for Mining (UFM). He had spoken with Karen Bassett who suggested that the department create a data layer on eFacts Spatial to enable an easier method of obtaining information.

Mr. Hermány then gave a demonstration of the computer system and explained how “layers” of information could be incorporated. He also explained coloring of maps, identifying of state gameland, surface geology, etc. Mr. Shuster expressed that they were going to proceed with utilizing the eFacts Spatial as a GIS layer.

After some further discussion, it was noted that eventually this program could be put in public libraries as an educational tool for the private citizen. Special training would have to be given for instructions for the public but that is also available. Townships and

counties would probably pay a fee for detailed maps and that would enable us to recover some of the expenses. There are still issues of the regional offices implementing this program and the knowledge of Department employees in availability, as well as use.

Update on Full Cost Bonding

(Jim Brahosky, Director, Bureau of District Mining Operations, Mineral Resources Management)

Mr. Brahosky reported on the letters requesting Full Cost Bonding (FCB) that were sent from the various District Mining Offices to 704 active surface mining operations. By December 31, 2001, the Districts had received 363 (52%) responses. Of the responses, he broke the numbers down as to the different districts and the amounts reported. Of the sites reported, 110 are scheduled for backfilling to Stage I standards by July 1, 2002. The District Mining Offices are increasing their efforts in reviewing the remaining calculations and also to follow-up on the sites with no responses.

Trust Funds for Postmining Discharges

(Sam Faith, Mining Permit & Compliance Specialist, Mineral Resources Management)

Mr. Faith discussed bond rate values and guidelines. Some monies are shown as an asset to the Commonwealth since they are being invested at Commonwealth Treasury values. This is a conservative low rate of return investments. He also discussed how the 50-year trust funds don't actually last for fifty years. A solution to these problems is trying to privatize the trust and allow them to be invested outside the State Treasury in the private market which would give us a much greater rate of return. This is still in the beginning stages and he will be working closely with Jim Brahosky to improve the program.

Water Resources Legislation Updates

(Stu Gansell, Director, Bureau of Watershed Management)

Mr. Gansell spoke about the Water Resources Conservation and Protection Act currently before the Senate and the House. He explained the differences between the two bills, i.e., Senate Bill 1230 and House Bill 2230. He reviewed the registration and reporting process along with the responsibilities of the Water Resources Advisory Committee. The bills also include information on water planning areas, establishment of a testing program for water well drillers and penalties for any violations.

Update on Reed-Strattanville Mine Reclamation Project

(Joe Schueck, Civil Engineer Manager, Bureau of Abandoned Mine Reclamation)

Mr. Schueck gave a Power Point presentation giving an update on the project. He showed the different pH levels of the discharges and explained the difference in acidity. Because of an existing sedimentation pond, they felt it could be used for their treatment system. Due to the different elevations and problems involving economic issues they decided to try something different. A system of pipes was installed with perforated pipes on the bottom allowing water to pass through the pipes. It then bubbles up to the top and discharges to

the surface. So far it appears to be working fine. Any future flushing of the lines is being discussed as possibly getting the local township to do this and take care of any problems that may arise.

Feedback on Environmental Futures Planning

(Doug Brennan, Attorney 3, Bureau of Regulatory Counsel)

Mr. Brennan wanted comments from the different deputates on the presentation that Chris Yeakle gave at the October 25 meeting. He went over the fine points to get everyone up to speed. It is broken down into two levels; one level is in the 34 watersheds while the second level is for the bureaus and deputates. He explained the importance of getting the feedback since during the current month everyone was taking the public input and utilizing it to draft a detailed action plan. It was discussed how everyone should input and trade information.

Obligation: David Strong to draft letter to Chris Yeakle

Remining Incentives Discussion

(Fred Wolf, PE, Penn Equipment Corp.)

Mr. Wolf commented that he and Scott Roberts have had many lengthy discussions on how to encourage people to remine. Roger Hornberger and Mike Smith worked closely with EPA staff and contractors in designing a particular regulatory package. This package is also on a federal level and is a companion of remining regulations contained in the latter parts of Chapter 87 and 88. Another contributor was Greg Conrad from the Interstate Mining Compact Commission, who believes that the EPA was swayed to include best management practices as part of the regulations. Giving credit for monies invested instead of having to obtain a bond was also discussed.

Land Application of Biosolids & Surface Mine Reclamation

(Jim Lamont (UMW) and Sharon Hogan (Synagro, Inc.)

Chair Wolf announced that the day before he received a call that Mr. Lamont would be unable to attend the meeting. The presentation was canceled since it was felt that it would be better if both Mr. Lamont and Ms. Hogan attended together. It was decided to try to get them for the April agenda.

Obligations: Nevin Strock to invite Mr. Lamont and Ms. Hogan to April meeting.

New Business

Chair Wolf noted that Ms. Beverly Brock was invited to attend but had schedule conflicts.

Sue Wilson brought up what seems to be a continuing problem. There are items that she is not sure that were followed up from one meeting to the next. The growing concern involves obligation reports that are in the minutes for the current meeting but by the next meeting no one is sure if anything was done.

It was suggested that, at the next meeting if items could be pulled out so that they could see what was completed versus what wasn't. Nevin Strock has been assigned by Scott to help oversee this. Also, at the next meeting, Mr. Wolf suggested an update on past obligations be added to the agenda for future meetings.

An AML Conference was also mentioned in as no one was sure exactly what was going on with that. It was stated that that needs to be looked into as no one had a follow through, or even knew anything about it.

The 4th Annual Abandoned Mine Conference is being held June 14 and 15 at the Penn Stater Conference Center, State College. Curt Pieper, Mineral Resources Management is a contact.

Walter Heine indicated he heard that the Growing Greener Grants were being turned back because of logistical problems. The Growing Greener program is a two year clock, so to speak. Usually it is a three to four year process to do a reclamation project if you run into PNDI and wetland issues. He suggested that maybe they could assist the Bureau of Water Quality find a waiver process and ask that Growing Greener extend their timing to three years. Scott Roberts suggested that this be researched and put on the agenda for the next meeting.

Billie Ramsey, ARIPPA, expressed concerns regarding elimination of waste coal in the Commonwealth Green Plan. Ms. Ramsey stated that the Office of Pollution Prevention and Catherine Brownlee are considering only air emissions. She feels waste coal is a significant asset.

Next Meeting Date and Location

April 25, 2002, Rachel Carson State Office Building, Harrisburg

Adjournment

There being no other business, Chair Wolf thanked everyone for coming and ended the meeting. The meeting closed at 2:01 p.m.