

MINING AND RECLAMATION ADVISORY BOARD (BOARD)

**Thursday, April 28, 2011
Rachel Carson State Office Building
Harrisburg, PA
10:00 AM**

Voting Members/Alternates: Jack Chamberlin (Member), George Ellis (Alternate), Ed Helfrick (Member), Bob Hughes (Alternate), Josie Gaskey (Alternate), Mark Killar (Alternate), Michael Kishbaugh (Alternate), Darrel Lewis (Alternate), Tara Smith (Alternate), David Strong (Member), Sue Wilson (Alternate),

Other Attendees: Bill Allen (DEP), Tom Callaghan (DEP), Bruce Carl (DEP), Jim Charowsky (DEP), Duane Feagley (Alternate), Rod Fletcher (DEP), Dave Hamilton (OSM), Mike Hewitt (EPCAMR), Steve Hoffman (IRRC), Richard Morrison (DEP), George Rieger (OSM), Mike Terretti (DEP)

Meeting Called to Order

Mr. Strong served as chair for this meeting and called the meeting to order at approximately 10:00 AM. He welcomed everyone and asked that they introduce themselves.

Adoption of Minutes

The minutes from the January meeting were voted on and approved with minor corrections.

Correspondence

Appointment and reappointment letters were reviewed.

Committee Reports

Policy

No Report

Reclamation

No Report

Regulation, Legislation and Technical

Mr. Strong brought up funding concerns for past and future acid mine drainage treatment systems. Suggested the committee have a meeting with the Department to discuss this matter.

13th Annual PA Conference on Abandoned Mine Reclamation

Mr. Hughes gave a summary of preparations for the upcoming conference. He spoke at length about possible methods for water treatment methods, mine mapping, and funding sources.

OSM's 2010 National Priority Review

Mr. Rieger gave a summary of the Bonding Program Study. He discussed the history and methodology of the study as well as the results. OSM found that the Department consistently adheres to the Bonding Program with only minor adjustments being needed.

EPA NPDES Permitting Update

Mr. Allen gave an update on the ongoing dialogue between the Department and EPA pertaining to NPDES permitting. As of April 2011, 73 draft permits were sent to the EPA and they have provided comments or objections to 24 of them. If no comments are received from the EPA in the allotted time, permits are issued. Processing NPDES permit applications through the EPA has caused an additional workload to the permitting process and increased the time it takes to issue a permit application. The Department continues to coordinate the process with the EPA and is working on a strategy to streamline it.

Rulemaking Packages Update

Mr. Allen gave an update on the rulemaking packages the Department has in progress. The Coal Fees package was published on December 15, 2010 but may have to be republished. The Program Deficiencies and Remaining Financial Guarantee package was approved by the EQB and was reviewed and approved by the IRRC. It will continue through the regulatory process to the Attorney General's office for approval. The Coal Ash regulations were finalized and letters have been distributed to operators.

ABS Legacy Trust Account Update

As of April 2011, out of the 132 agreements required, 109 are in place. Total funds in bonds and fully or partially funded trusts are over \$269 million. The Reclamation Fee Account revenue for the first quarter was \$77,400. Total for the fiscal year was \$256,115. Interest earned in the account was showing a negative because an adjustment is being made because of a math error in the interest earned calculation. The balance in the account is about 3.6 million dollars. \$300,000 was transferred to the ABS Legacy Account. The Conversion Assistance revenue for the first quarter was about \$50,000 and the total for the fiscal year was over \$200,000.

2011 Bond Rate Guideline Update

The 2011 Bond Rate Guidelines were published in the Pa Bulletin and became effective on April 1st. For this year there are nine abandoned mine reclamation projects bid out with three more proposed for bids

Electronic Licensing

The mine operator license renewal web application is near completion. There is some additional testing and setup to complete. A July rollout is anticipated.

2010 Reclamation & Remining Incentive Report

A summary of the 2010 report was presented. The board was asked to provide any comments by May 13th. Sue Wilson requested a copy of previous comments of the board be provided to the board members for review.

BAMR Status Report

BAMR was not present to update the Board on their reclamation projects but did provide them a spreadsheet with said information.

Adjourn

With no further questions or comments, Mr. Strong called for the meeting to be adjourned. The motion was seconded and the meeting was concluded.