

DRAFT

**MINING AND RECLAMATION ADVISORY BOARD (MRAB)
MINUTES**

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

Members/alternates in attendance: Jack Chamberlin (member); Wayne Crawford (alternate); George Ellis (alternate); Duane Feagley (alternate); Richard Fox (alternate); Lisa Mahall (member); Dave Mankamyer (member); Dan Snowden (alternate); David Strong (member); Margaret Urban (member); Burt Waite (member); Sue Wilson (alternate); Fred Wolfe (chair); Mike Young (alternate).

Others in attendance: Bill Achor (Wenger's Feed Mill); Bob Agnew (DEP/BMR); Chris Allen (DEP/OPC); Brian Bradley (DEP/BAMR); Keith Brady (DEP/BMR); Joseph Brennan (Waste Management & Processors); Sam Faith (DEP/DMO); Marylinda Freyermuth (DEP/MRM); David Hogeman (DEP/BES); Roger Hornberger (DEP/Pottsville DMO); Dan Koury (DEP/Pottsville DMO); Todd Lawton (Scrubgrass Power Plant); Paul Linnan (DEP/MRM); Billie Ramsey (ARIPPA); Scott Roberts (DEP/MRM); Joe Sieber (DEP/OPC); Deb Simko (WPCAMR); Nevin Strock (DEP/BMR); William Toffey (Philadelphia Water Dept.); Kurt Weist (Penn Future).

Meeting Called to Order

The meeting was called to order at 10:05 a.m. Chairman Wolf opened the meeting by welcoming everyone and asking them to introduce themselves. The first order of business was a request to adopt the January 3 minutes. Sue Wilson questioned a letter to be written by Dave Strong to Chris Yeakle but could not remember what it was in reference to. Chairman Wolf stated that we would start listing the obligations at the end of each meeting. That will ensure that nothing is forgotten for the next meeting. Dave Strong made the motion, seconded by Richard Fox. 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.

Committee Reports

Policy Committee – Mark Snyder was absent at the meeting. His alternate, Mike Young stated that the Policy Committee had not met and there was nothing to report. He also stated that, according to Dave Hess, the Regulation, Legislation and Technical Committee had not met either.

Reclamation Committee – David Strong mentioned that two guest speakers were invited for later in the meeting. He then turned the meeting over to Paul Linnan to discuss Bark

Camp. Paul stated that everything was still moving along well. There wasn't any dredge coming in now and some contracts are finished with CTI.

As far as the Tamaqua situation, everything is moving along there as well. The Delaware River Port Authority continues to work with the boro and the department on their agreement and hopefully will be underway by the end of May.

Dave Strong pointed out that there had been a meeting with the Organic Recycling Task Force. There will be a draft presented to Secretary Hess in approximately two weeks. There will also be a conference in October on manufactured soil.

Regulation, Legislation and Technical Committee – As earlier noted by Mike Young, the committee did not meet.

Communications -Chairman Wolf stated that we had received a letter from Governor's Green Government Council, Catherine Brownlee. Basically, she was concerned about the statements that were made at the previous meeting regarding clean energy. A copy of the letter was handed out to the board members. It was suggested that she be invited to the next meeting to and discuss issues so that we can work together.

Other communications received was a letter received from CAC electing Walter Heine and Margaret Urban as members of the MRAB. John Ford agreed to serve as an alternate.

Chairman Wolf advised that he had sent a letter to Secretary Hess in reference to our government finance highway construction reclamation. This summarized the amendment of Chapter 86 and that the board approved that it be sent to the EQB for approval. Dave Strong stated that it had, in fact, been given to the EQB and passed.

Draft Revisions to Technical Guidance Document – Insurance Requirements and Water Supply Replacement Assurance (TDG # 562-2500-702)

(Keith Brady, Hydrogeologist 2, Bureau of Mining & Reclamation)

Mr. Brady passed out impact analysis paperwork and questions arose as to why this was not with the packets sent out to the board members. Marylinda Freyermuth stated that Barb Sexton, OPC, had denied the use of the hand out, as it was an internal document. Mike Young expressed concerned that it was hard to understand what the changes were if people didn't have the proper information to go over before hand. This particular information was available on the web.

The main purpose of the changes were to make sure there was adequate insurance and that additional insurance was required for public water supply replacements. Most of the time mining companies take care of this on their own but this was a way to insure it.

Since the initial printing in May 1997, the requirements have changed which is why there was a need to update the document. Also, it was pointed out by Mr. Brady that this was for surface mining only and that specifics for underground mining was started but not a

part of this document. Scott Roberts pointed out that this was just a draft and it was presented to the board to get feedback. There is no time line or urgency. Mike Young suggested that this be deferred to the next meeting as to have more time to go over it and ask questions. Motion made by Mike Young and seconded by Jack Chamberlin.

A second motion was initiated by Mike Young as far as getting information from the Departments sooner. Referencing the regulations on the incidental coal removal, it was stated that because of the lateness in bringing the issue to the board, a special meeting needed to be held. The motion was requested so that the board could have a forecast of what was coming up as far as Technical Guidance issues and address them appropriately. Margaret Urban seconded the motion.

Update on Full Cost Bonding

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

Mr. Faith discussed the Full Cost Bonding issue and brought everyone up to date on the figures as of the end of March. He gave specific breakdowns on the amount of sites for each District Mining Office. With the information he has at this time and the progress made so far, Mr. Faith believes that the program will be completed by the June 30 deadline.

Additional Comments from the Chairman

(Fred Wolf, Chairman, P.E., Penn Equipment Corp.)

Mr. Wolf introduced Deb Simco from the Western Coalition. She shared information on the annual conference being held June 14 and June 15, which will also have speakers from Australia and Canada. She also advised that they had received a technical assistance grant for a web site (ARRCClearinghouse.org) that would provide all information on AMD.

During this presentation information was relayed on the LTV Fuel bankruptcy and that they plan on turning off pumps to four mines in September. Scott Roberts explained that the discharges flow to the Monongahela River. The Banning and Clyde Mines will be noticeable but not huge. On the average, the volume of discharge, per day, is several million gallons. Mr. Roberts also reported that they are looking into the ability to use Title IV grants and that orders have been issued against LTV. With the bankruptcy, they are hopeful to receive some monies at disbursement.

Given the scale of the situation and that a total of 43 steel companies filed bankruptcy in the last year, it was noted that the committee should attempt to come up with possible solutions for the problem. Some ideas were the possibility of using more Growing Greener Funds and contacting the Legislature to see what the committee can do. Dave Strong suggested that the committee look into submitting a letter but to check with Mr. Fox and Mr. Crawford to make sure we know how to go about it.

Obligations: Draft letter with help of Mr. Fox and Mr. Crawford

Update on DEP Growing Greener Program/Process

(Dave Hogeman, Bureau of Environmental Sustainability)

Mr. Hogeman provided information on the program and how grants were broken down to different departments. He also explained the situation on the moneys that were award at the beginning of the year. The Growing Greener Program had allotted money to different departments when the Governor announced that \$50 million was deferred out of the fund due to the slowing economics. Of that amount, \$18 million was for DEP. Since the Secretary said that we would honor all amounts promised a system was devised to enable that to happen.

Basically, instead of giving the total amount of the grant up front, departments were asked to volunteer to have the payment deferred until after the first year. This was done since most do not spend more than 20% during that first year. BAMR and BOGM found other sources for their funds.

One of the problems that arise is that most applicants want at least 37% the first year. The department is asking for them to spread money over a three-year period since the budget can only handle giving 20%.

BAMR Reclamation Funding

(Brian Bradley, Bureau of Abandoned Mine Reclamation)

Mr. Bradley explained the AML Reclamation Funds and how Title IV Grants are broken down into several sub-accounts. Specific figures for the last four years were talked about through a power point presentation. The amounts were broken down to completed projects, projects currently under construction and projects in the final stages of design. Since 1994 \$280 million has been given in reclamation. It was noted that this was all in the ground construction.

Chairman Wolf asked Mr. Bradley if it would be possible for to get a list of projects currently underway in BAMR. He wanted a basic summary of the specific projects, where in the state they are located and how much they are costing. The information was requested for the next meeting and Mr. Bradley said that would not be a problem.

Obligations: Mr. Bradley to have list of projects from BAMR for next meeting.

Pottsville Cropfalls Growing Greener Project to Eliminate Mine Subsidence Hazards Using Coal Ash

(Roger Hornberger/Dan Koury, Pottsville District Mining Office)

Mr. Hornberger started the power point presentation giving an overview of the geographics and specific locations of the different crop fall areas. The presentation included pictures of the problem at different stages of progression.

Mr. Koury gave a slide presentation of actual crop falls showing how quickly they form. There are new holes all the time and roads that are swallowed up by the holes. OSM started claiming emergencies in 1999.

One method of attempting to repair the holes is to permanently fill with discarded materials. They have plugged the holes with solid wedge and sound panels from PennDot. Trusses with beams were then put into place. Drought mixtures of fly ash and cement kiln dust were put into cement mixers and poured like cement. Several corporations have donated their services and/or products to help make this occur.

Organic Recycling (including Biosolids) and Mine Reclamation

(Bill Achor, Environmental Coordinator, Wenger's Feed Mill, Inc.)

(Bill Toffey, Biosolids Management Unit, City of Philadelphia water Department)

Mr. Achor spoke first on Organic Recycling, which included coalash, minerals and manure. Delaware was the first to try this. This theory is being looked at for reclamation. PennDot is also looking at it for the median strips on the highway. The transportation of this product will be the most challenging. Hauling this in trucks will require hazmat permitting and control but it could be done. The ends certainly justify the means. Right now it is important to find demonstration sites and, more importantly, educate the people. They have used this product at specific sites and set up stands for the general public to become more knowledgeable on the system itself.

Mr. Toffey discussed the wastewater management issue in his area of expertise. He discussed the research that is underway. He explained a NAIOSH created report that they proved wrong. The problem that occurred was that millions of tons of biosolids were used for reclamation but there was no education to the people until after the fact. Mr. Toffey stated there was a need for more biosolids but it was pointed out to him that there would have to be more education and that, at this point in time, it will be harder.

Mr. Wolf stated that, in Schuylkill County, people were upset that the land was disturbed. Now, basically, everyone has to start over and show them how to make it work. All they saw was a before and after photograph and how land was disturbed and equipment was destroyed.

Scott Roberts suggested that we show the difference between dredge and biosolids, making sure the distinct differences are pointed out. Along those same lines, Dave Strong said that a database should be created to show where these products are made and how to use them. He felt that we need to start now in fixing the problem.

Obligations

(Chairman Wolf, board)

Nevin Strock stated that, once again, there was a scheduling conflict for today's meeting involving Jim Lamont (UMW) and Sharon Hogan (Synagro, Inc.). They were to give a presentation that had been postponed from the January meeting.

A handout was given that showed a map denoting areas that are suitable for mining. This had been discussed at earlier meetings. The department is working on adding this as a GIS feature.

Mr. Strock also advised the board that there was now a new OSM director. Ms. Beverly Brock is no longer with them. Mr. Bob McKenzie is now the acting director. Chairman Wolf suggested that he be invited to the next meeting to meet the board members.

New Business

The 21st Century Task Force

Election of Chairperson and Vice Chairperson

In Mark Snyder's absence, Mike Young stated that Mr. Snyder was still interested in serving as Vice Chairman. Mr. Young also invited Chairman Wolf to stay on as Chairman. Other members were in agreement. Chairman Wolf stated that, with the help of Nevin Strock, the board and Marylinda, he would stay on as long as he could.

Next Meeting Date and Location

The next meeting will be the field tour, which will be set up at a latter time. The tour will be July 11 with the regular meeting on July 12.

A note was also made by Chairman Wolf and Scott Roberts that all agenda items are to be given to the secretary six weeks in advance of the meeting date. This is requested to allot enough time for materials to be put together and given to the Policy Office for approval.

Adjournment

There being no other business, Chair Wolf thanked everyone for coming and ended the meeting. The meeting closed at 1:55 p.m.