



**Stephanie R. Timmermeyer**

Cabinet Secretary

[www.wvdep.org](http://www.wvdep.org)

# West Virginia Division of Mining and Reclamation

*Lewis A. Halstead*

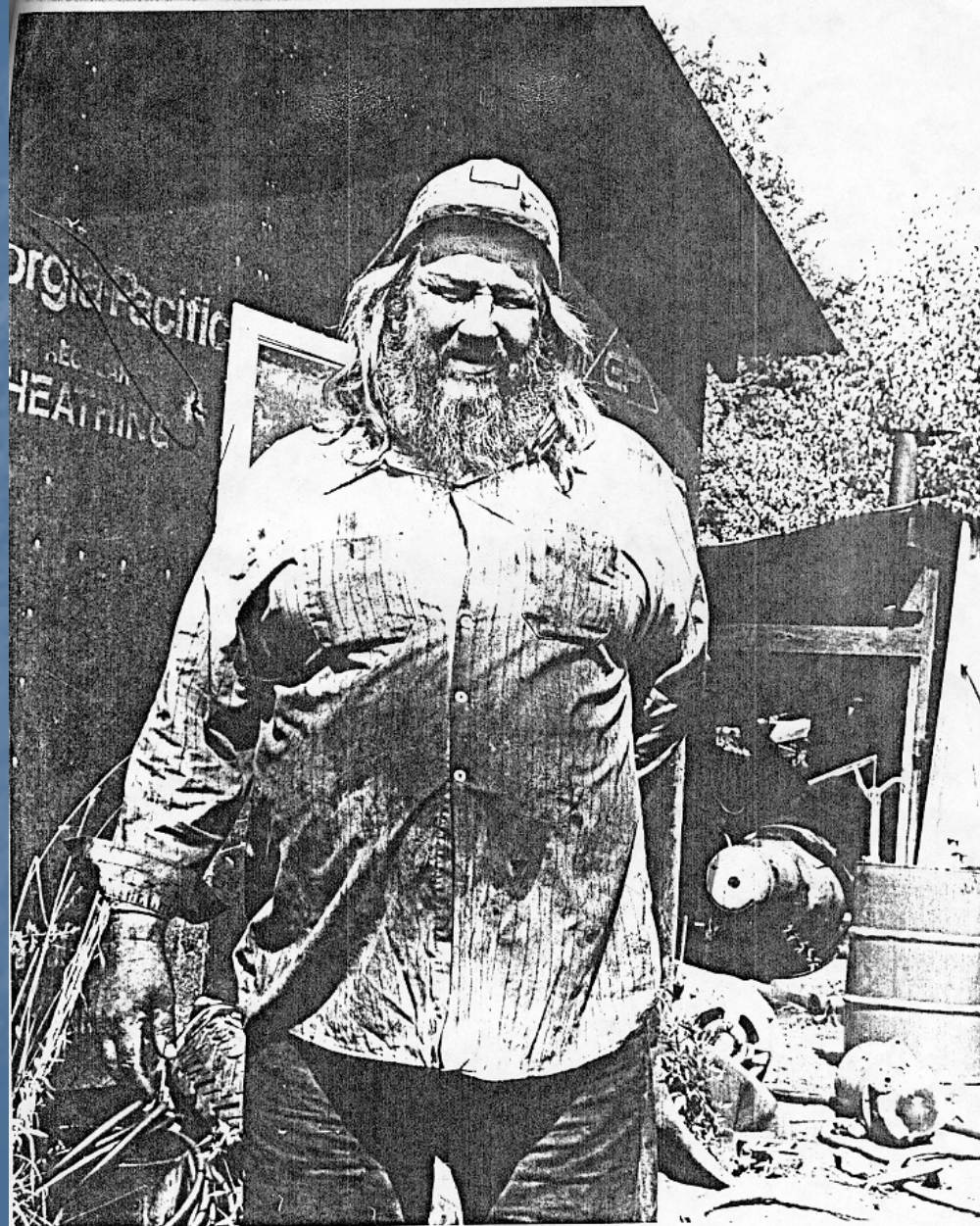
Deputy Director

April 2008





# Historical Perspective









# 30th Anniversary – Surface Mining and Control Act of 1977

Secretary Timmermeyer  
testifies before  
congressional committee

**Web site**

**[www.wvdep.org](http://www.wvdep.org)**

### Calendar of Events

[See Expanded Calendar of Events](#)

**April 20, 2008 - April 26, 2008**

No Events Scheduled

**April 27, 2008 - May 03, 2008**

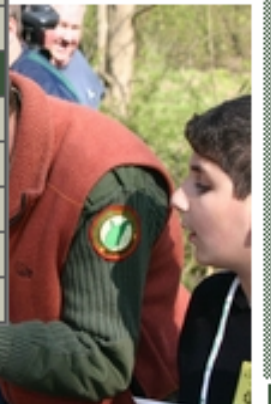
Mon 04/28 10:00am	SRF Advisory Council Meeting DEP Charleston headquarters, 601 57th Street SE, Charleston, third floor, Room 3001 304-926-0485
Mon 04/28 10:00am	SRF Advisory Council Meeting DEP Charleston headquarters, 601 57th Street SE, Charleston, third floor. Room 3001

**DEP to host 2008 Environmental Protection Conference**

CHARLESTON – The West Virginia Department of Environmental Protection is sponsoring its annual Environmental Protection Conference on Tuesday, April 22 at the Charleston Convention Center. The event is scheduled from 8 a.m. until 2 p.m.

Nearly 30 education organizations will be participating in the conference, promoting Earth Day, environmental education, resource conservation and environmental protection.

- 2005 Water Use Survey
- e-Permitting
- EQuIS Document Submission System
- Licensed Remediation Specialist Application
- Monitoring Well Construction
- Coal/Quarry NPDES Application Search
- Coal/Quarry NPDES Permit Search
- Mining Pending Application Search
- Mining Permit Search
- Water Resources Pending Application Search
- Water Resources Permit Search
- Oil and Gas Well Search
- Map Oil and Gas Wells



## Pending Mining Applications Search

Select Application Type: Surface Mine Application

Identify Applicant: (Enter 3 or more characters of Name or \* for all)

starting with Go Reset

Permit Number: Go Reset

County Name: Barbour Go Reset

Quad Name: ADDISON Go Reset



Permits - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Refresh Mail Print Address Bar Links

Address [http://www2.wvdep.org/WebApp/\\_dep/search/Applications/ApQuery.cfm?office=OMR](http://www2.wvdep.org/WebApp/_dep/search/Applications/ApQuery.cfm?office=OMR) Go


**west virginia**  
 Groupwise Web Access  
**dep** department of environmental protection

[Offices](#) | [Mappings, GIS and GPS](#) | [Citizen Information](#) | [E-DEP](#) | [Tips](#) | [Water Use](#) | [REAP](#) | [VISTA](#)

## Pending Applications

(77) Pending Applications for All Applicants

<u>Applicant</u>	<u>Type</u>	<u>Seq #</u>	<u>Permit ID</u>	<u>Region</u>	<u>Submitted Date</u>	<u>Admin Complete</u>	<u>Tech Review Complete</u>	<u>Facility Name</u>	<u>Current Status</u>
ALEX ENERGY INC	Surface Mine Application	1	S300907	Oak Hill	05/02/07	12/13/07		Lonestar Surface Mine	SMA # Issued
ALEX ENERGY INC	Surface Mine Application	1	S301107	Oak Hill	05/14/07	08/13/07		Federal Surface Mine No.1	Tech Corr Received
ALEX ENERGY INC	Surface Mine Application	1	U302307	Oak Hill	08/03/07	10/26/07		Deep Mine 22	Tech Corr Received
APPALACHIAN FUELS, LLC.	Surface Mine Application	1	O302507	Oak Hill	08/17/07	01/22/08		Alloy Dock	Tech Corr Requested
APPALACHIAN FUELS, LLC.	Surface Mine Application	1	U303407	Oak Hill	10/26/07			Eagle No. 2 Deep Mine	Pending
ARACOMA COAL COMPANY INC	Surface Mine Application	1	U500308	Logan	01/24/08			Upper Cedar Grove Deep Mine	Pending
ARGUS ENERGY WV LLC	Surface Mine Application	1	S501107	Logan	08/10/07	11/09/07		Jims Branch Surface Mine	Tech Corr Received
ATLANTIC LEASECO, LLC	Surface Mine Application	1	S300407	Oak Hill	03/19/07	05/09/07		Muddlety Surface Mine No. 1	Tech Corr Received
ATLANTIC LEASECO, LLC	Surface Mine Application	1	S302807	Oak Hill	09/14/07	10/24/07		Clear Fork No. 1 Surface Mine	Tech Corr Received
ATLANTIC LEASECO, LLC	Surface Mine Application	1	U300308	Oak Hill	02/26/08	03/26/08		Black Pearl Underground Mine	SMA # Issued
ATLANTIC LEASECO, LLC	Surface Mine Application	1	U300807	Oak Hill	04/30/07	08/24/07		Peerless No. 1 Deep Mine	Tech Corr Received



# west virginia

Groupwise Web Access

## dep

### department of environmental protection

| Offices | Mappings, GIS and GPS | Citizen Information | E-DEP | Tips | Water Use | REAP | VISTA |

Search DEP:  

## Surface Mine Board

### Our Mission

The Surface Mine Board's mission is to provide a fair and orderly ascertainment of the facts and to promote the ends of justice and fairness.

The function of the Surface Mine Board is to hear appeals regarding the issuance or denial of permits, permit conditions, notices of violations for alleged violation of law or regulations by the West Virginia Department of Environmental Protection, Division of Mining and Reclamation.

**General Information**

- [Our Mission](#)
- [Board Members](#)
- [Contact Us](#)
- [Staff](#)

**Appeal Process**

- [How To File an Appeal](#)

**Calendar**

- [Docket](#)
- [Pending Appeals](#)

**Final Orders**

- [Search Final Orders](#)

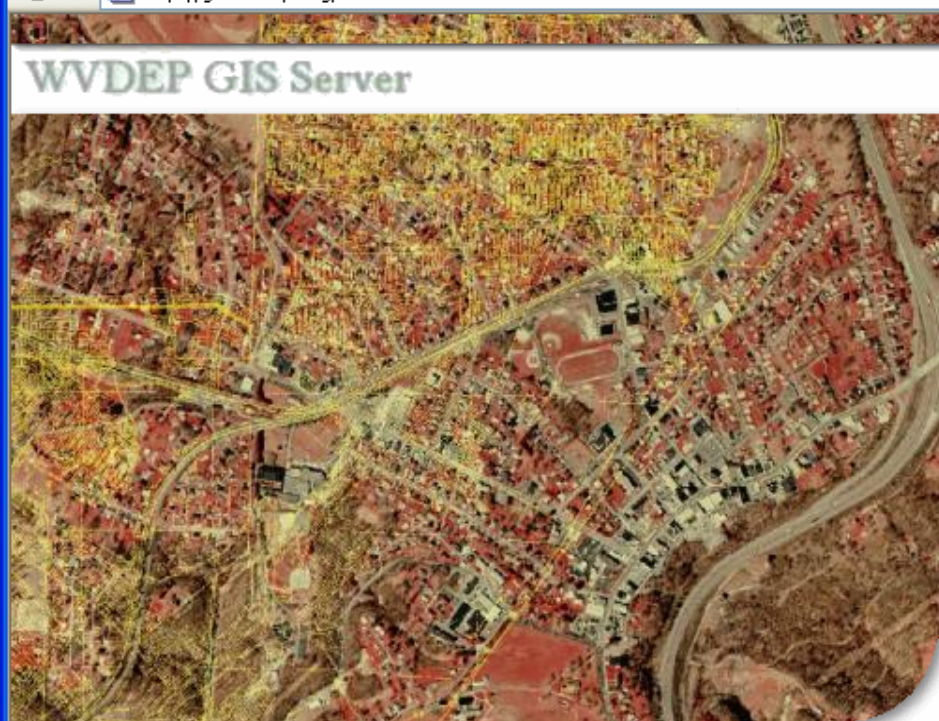
**FOIA**

- [Freedom of Information Act Requests](#)

**Download Documents**

- [View All Documents](#)





- [WVDEP Home](#)
- [Enviromap Explorer--](#)

*Locate mining permits, abandoned mine hazards, dump cleanup projects, toxics release sites, and voluntary remediation sites.*

- [WMS Server](#)
- [KML Files](#)
- [Open Dump Cleanup Projects](#)
- [Landfill Closure Projects](#)
- [Aerial Photo Browser](#)
- [Oil & Gas Well Search](#)
- [GIS Data](#)
- [GPS Basestations](#)
- [Coordinate Conversion](#)
- [Toxics Release Inventory](#)
- [Research Papers & Reports](#)
- [Metadata \(DEP Only\)](#)

Abandoned mine workings, depicted on mine maps over eighty years old, were georeferenced with modern aerial photography to assist investigations of subsidence and other problems associated with past mining near Oak Hill, WV.



▼ Search

Fly To Find Businesses Directions

Fly to e.g., 1600 Pennsylvania Ave, 20006

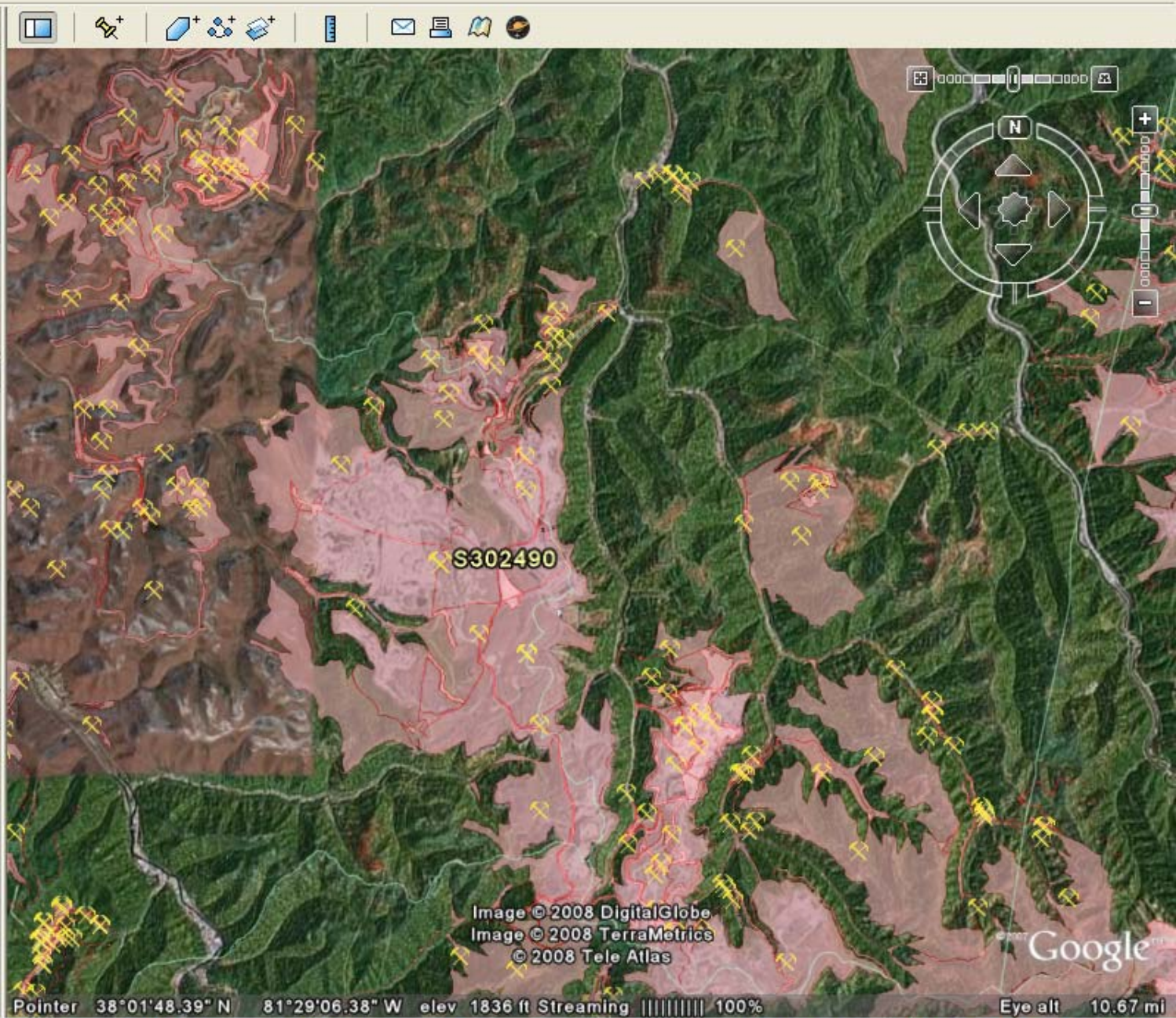
▼ Places Add Content

- ☐ My Places
- ☐ Sightseeing
- Select this folder and click on the 'Play' button below, to start the
- ☒ Temporary Places
- ☒ WV mining markers
- ☒ WV mining permit boundaries

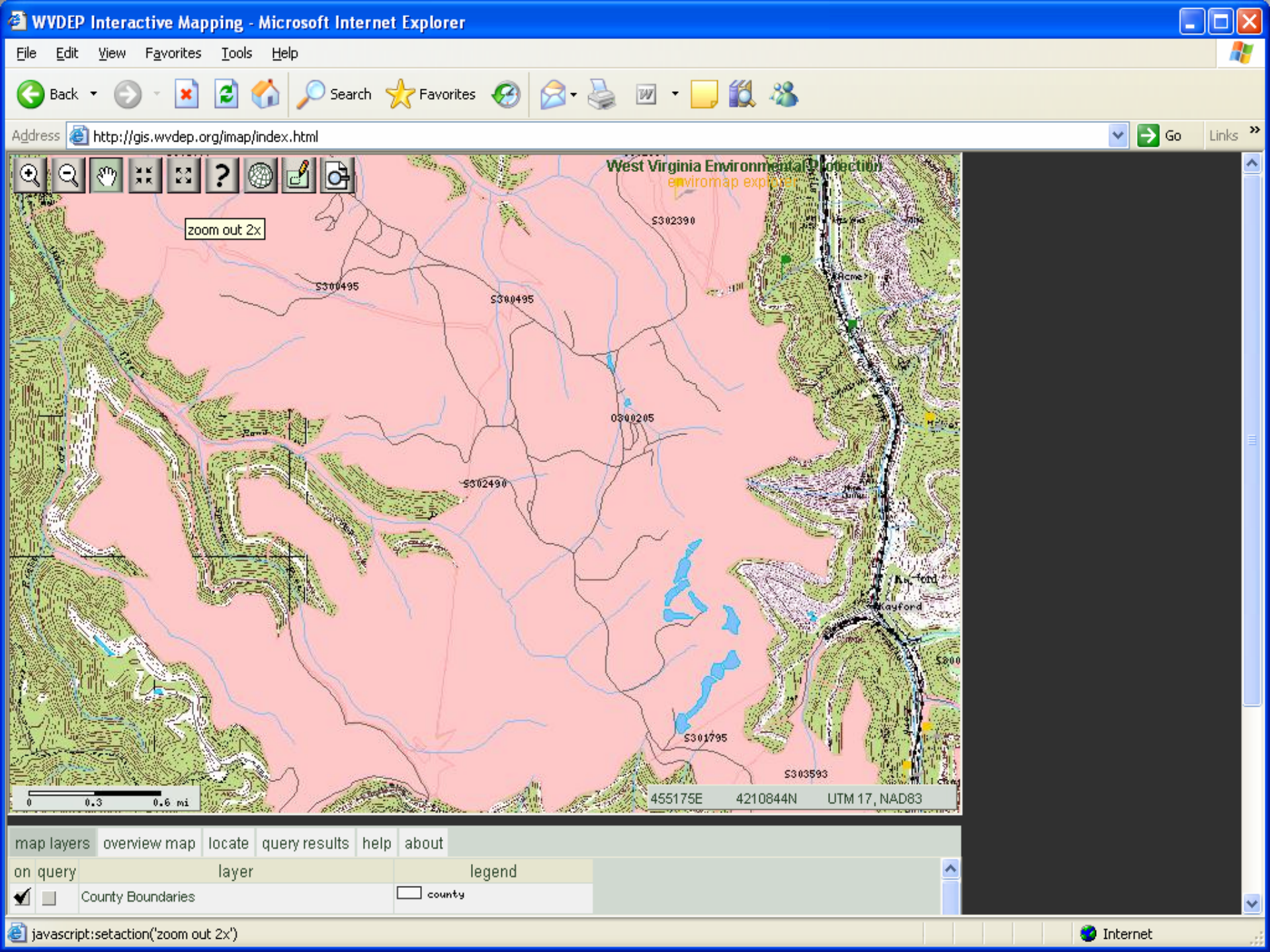
▼ Layers

View: Core

- ☒ Primary Database
- ☒ Geographic Web
- ☐ roads
- ☒ 3D Buildings
- ☒ Borders and Labels
- ☐ Traffic
- ☐ Weather
- ☐ Gallery







# Division of Mining and Reclamation

## Our Mission



**Randy Huffman**  
**Director**

**Phone: (304) 926-0490**

**Fax: (304) 926-0456**

The mission of the Division of Mining and Reclamation (DMR) is to regulate the mining industry in accordance with federal and state law. Activities include issuing and renewing permits for mineral extraction sites and related facilities, inspecting facilities for compliance, monitoring water quality, tracking ownership and control, and issuing and assessing violations.

### Join the DMR Mailing List!

Enter your email address below  
then click the Join List button.

☒ Subscribe ☐ Unsubscribe

#### General Information

- [Our Mission](#)
- [Office Maps and Contact Numbers](#)
- [Organizational Structure](#)
- [Public Involvement](#)
- [Mailing List Archives](#)

#### Other Information

- [Anti-Degradation](#)
- [Codes and Regulations](#)
- [New Policies](#)
- [Congressional Report](#)
- [DMR Forms](#)
- [Documents for Review](#)
- [Geologic Handbook](#)
- [Permit Handbook](#)
- [Quarry Handbook](#)
- [OSM Technical Guides](#)
- [Flood Advisory Findings](#)
- [NPDES Translator Study](#)
- [Monthly Status Reports](#)
- [Legislative Changes](#)
- [Technical Releases](#)
- [Reclamation Award Nominations](#)
- [NEW - Indiana Bat Guidelines](#)
- [CHIA QA/QC Final Report Feb. 2007](#)
- [Alkaline Mine Drainage General Permit](#)
- [401 Certification of NWP 21,49, & 50](#)

#### Download Documents

- [View All Documents](#)



# DMR Mailing List

- Lists updates and policies.
- The latest being the fact that the AOC workshop proceedings are on our web site.

# DMR Web Site Content

[Codes and Regulations](#)

[New Policies](#)

[DMR Forms](#)

[Geologic Handbook](#)

[Permit Handbook](#)

[Quarry Handbook](#)

[OSM Technical Guides](#)

[Legislative Changes](#)


[CHIA QA/QC Final Report Feb. 2007](#)

[Alkaline Mine Drainage General Permit](#) [401](#)

# Electronic Permitting

## News:

The following ePermitting application types are now available:



Released	Office	Application
01/27/2004	Division of Mining and Reclamation, Hydrologic Protection Unit	NPDES Permit Transfer
01/26/2004	Division of Mining and Reclamation	Permit Amendment
01/26/2004	Division of Mining and Reclamation	Operator Assignment
01/26/2004	Division of Mining and Reclamation	Merger or Name Change
	Division of Mining and Reclamation	

Electronic permitting (ePermitting) is the preparation, delivery, review, correction, approval, and publication of permit application data by using web-based technologies to integrate industry, regulators and the public with a common interface. Information requirements are the same as the paper application counterparts.

The only technical requirements are an Internet connection, an email account, and Microsoft's Internet Explorer (Version 4.0 or later)

**NOTE:** You do not have to be signed up to access the Public Query.

- If you have never signed up for a log in and password, do so now by clicking [here](#) or the 'Sign Up' button.
- Once your information has been verified, an account will be set up for you in the system.
- You will be notified of your user id and password by email, usually within 24 hours.
- You will then have access to complete your ePermitting Applications online.

**Please Note:** ePermitting will not be available Saturday mornings (2:30 am though 3:45 am) for backup.

## ePermitting

- Log on
- Sign Up

## Information

- Tour
- FAQ
- Maps
- Litho
- Samples
- Overview
- Payment
- eSignatures
- Security

## Public

- Query



# ePermitting

- All applications submitted electronically 1/1/09!
- 33% of all pending New Applications and Amendments were submitted electronically

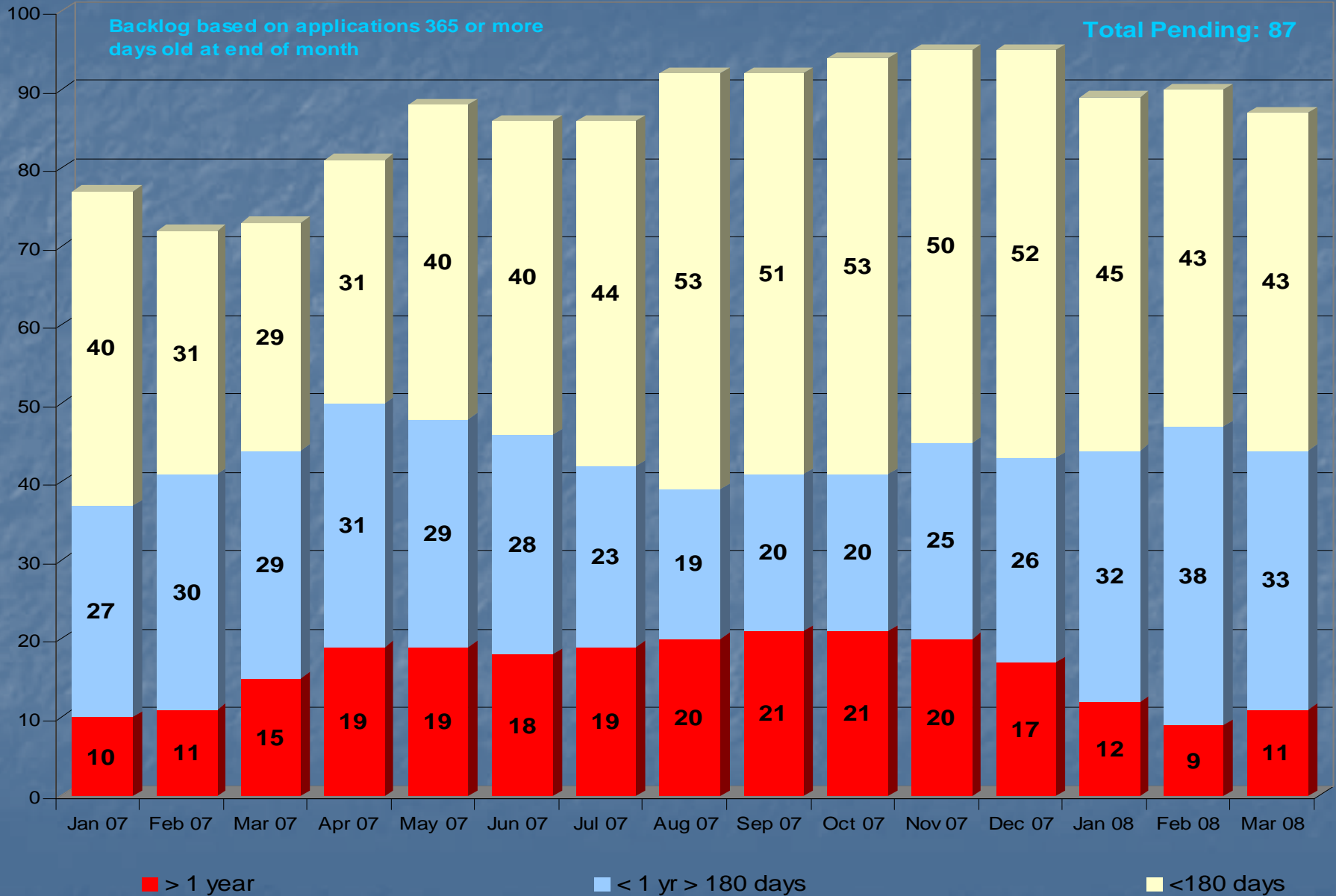
# eInspections

- HQ inspectors are currently testing

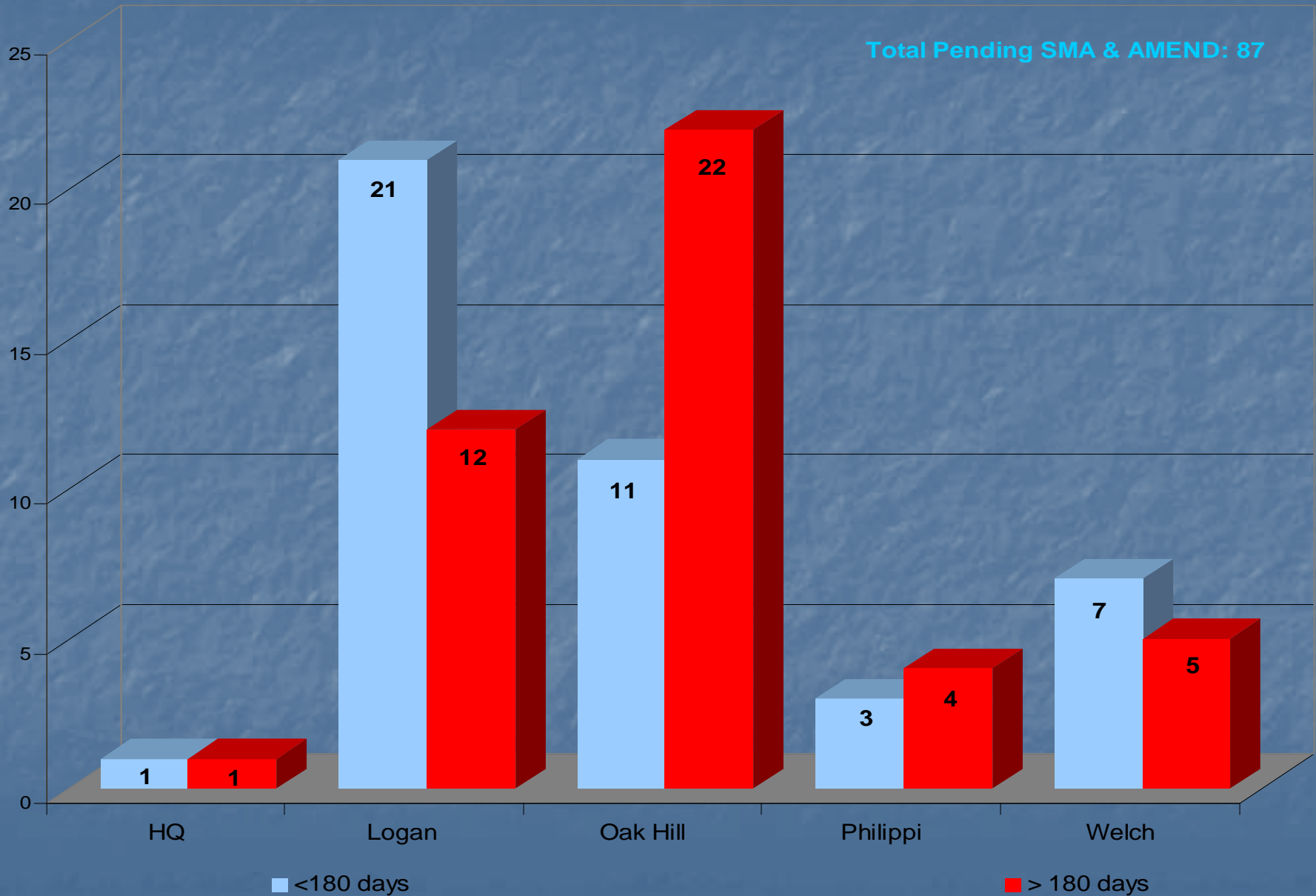
# FOIA Requests

- DEP processed 880+ FOIA request in 2007!

## 2007 - March 2008 DMR Pending Applications New Permit/Amendment



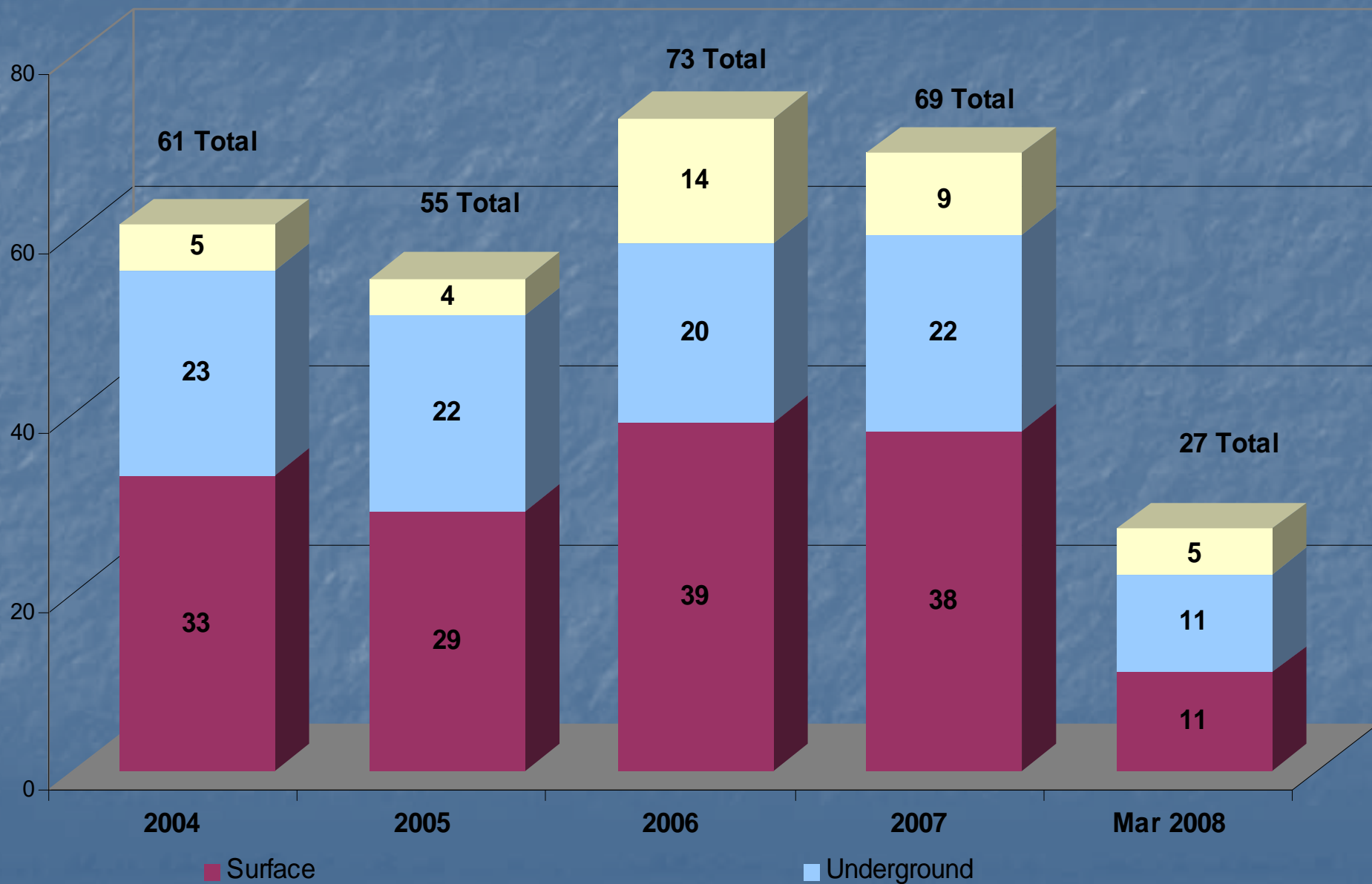
## Pending New (SMA) & Amendment (AMEND) Applications by Region as of March 31, 2008



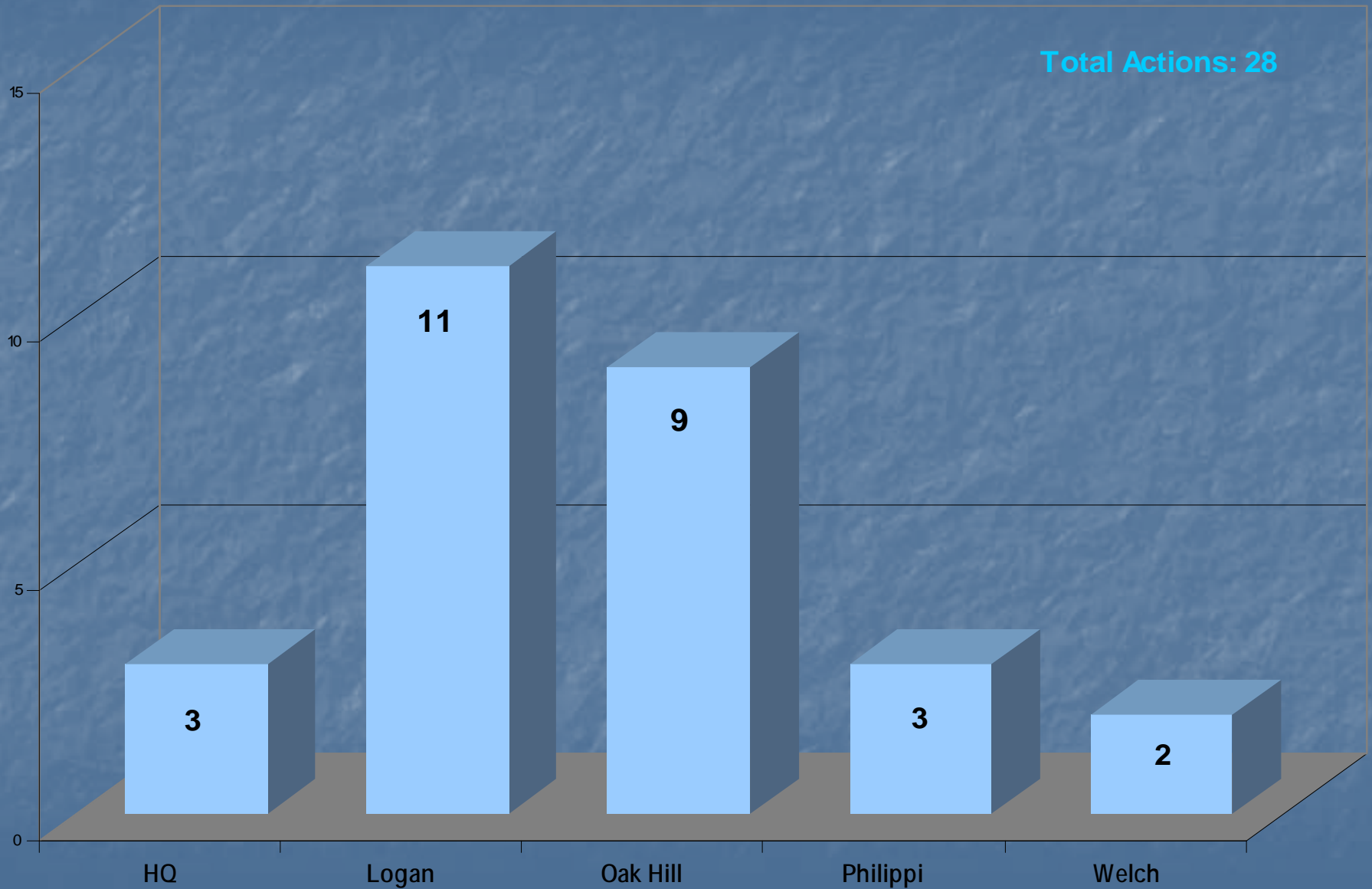


# DMR Permits Issued 2004 - March 2008

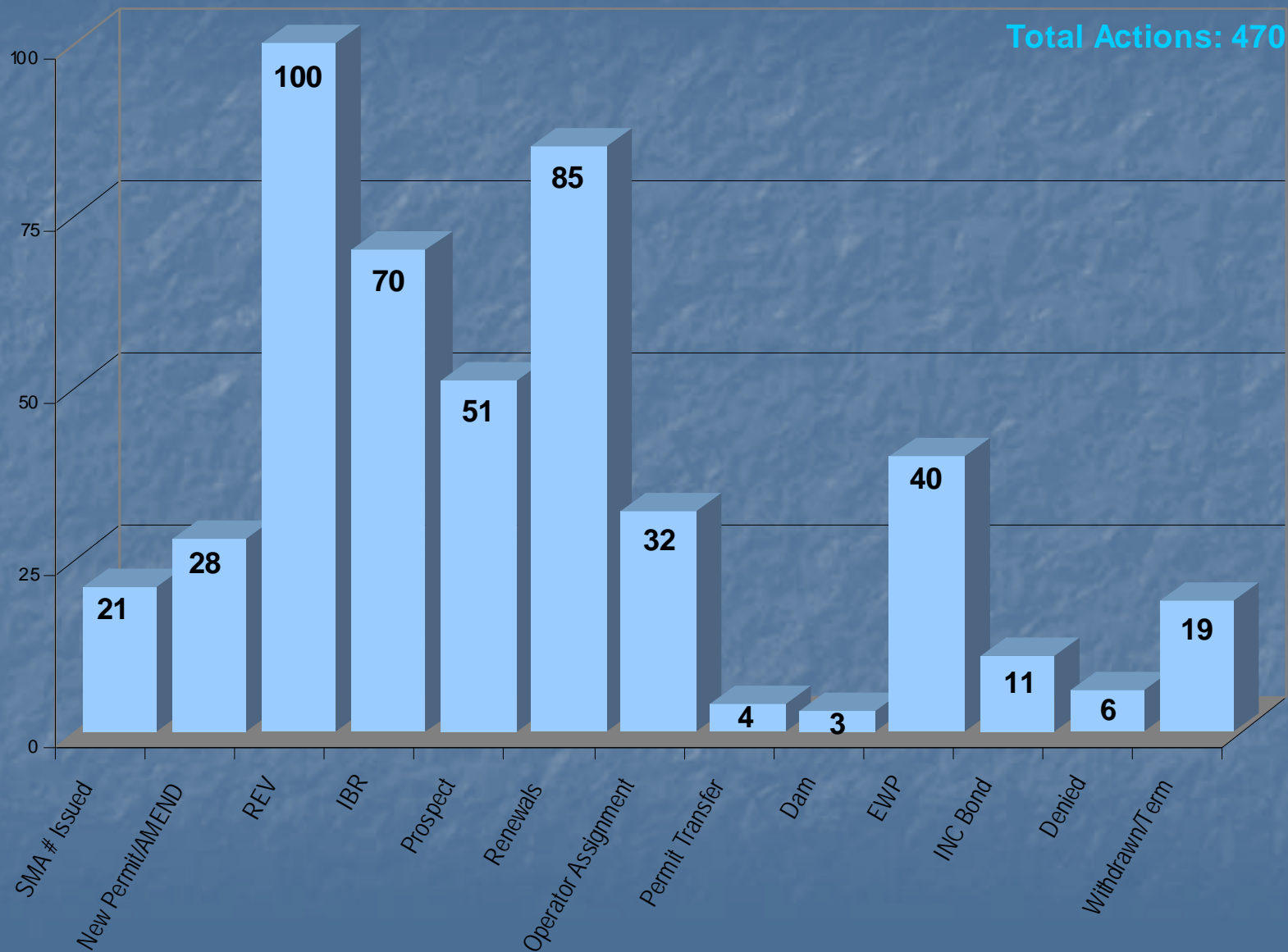
## New Permit/Amendment



## 2008 New Permit/Amendment Applications Issued Per Regional Office as of 03-31-2008

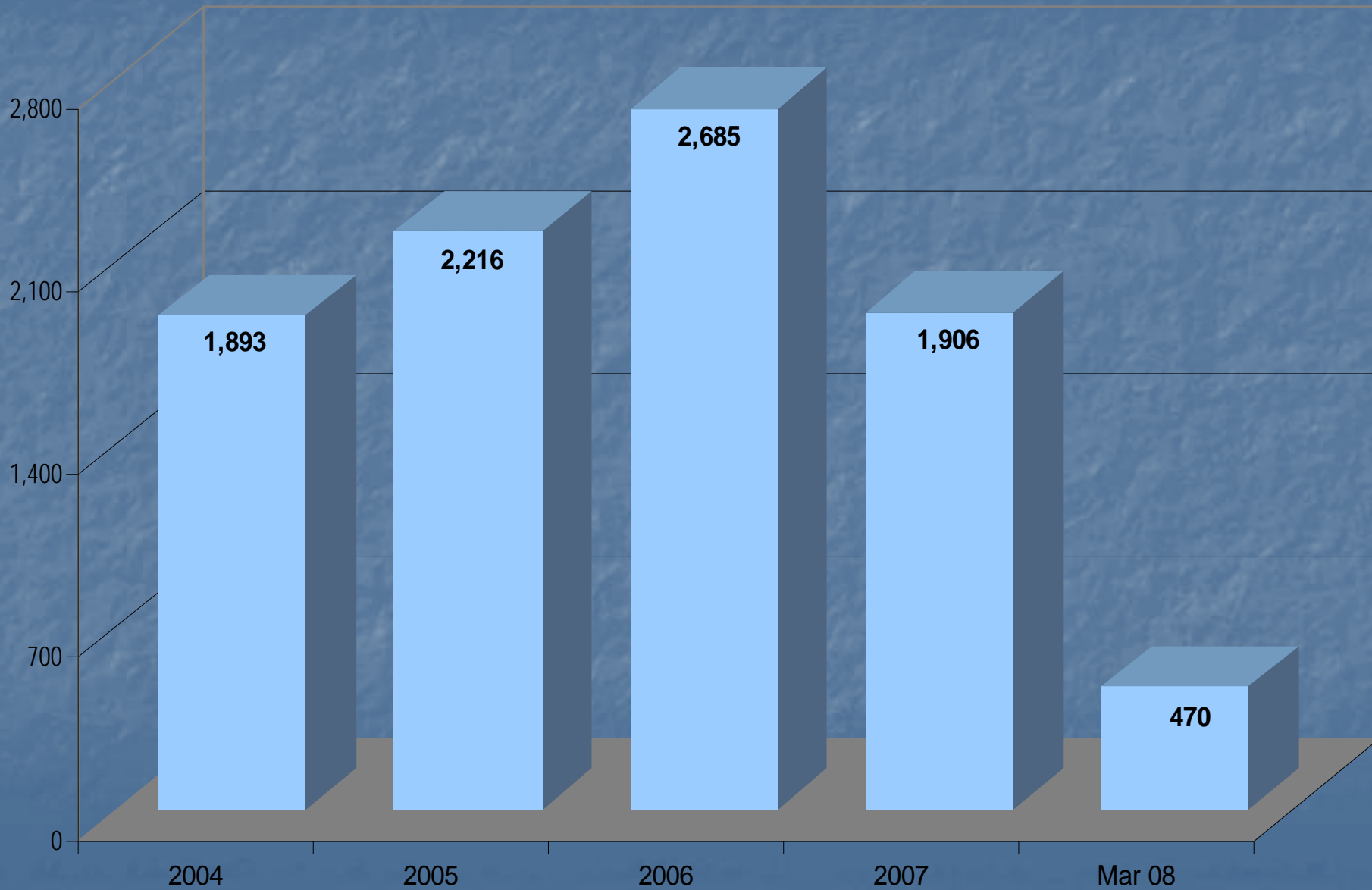


## 2008 DMR Actions by Type

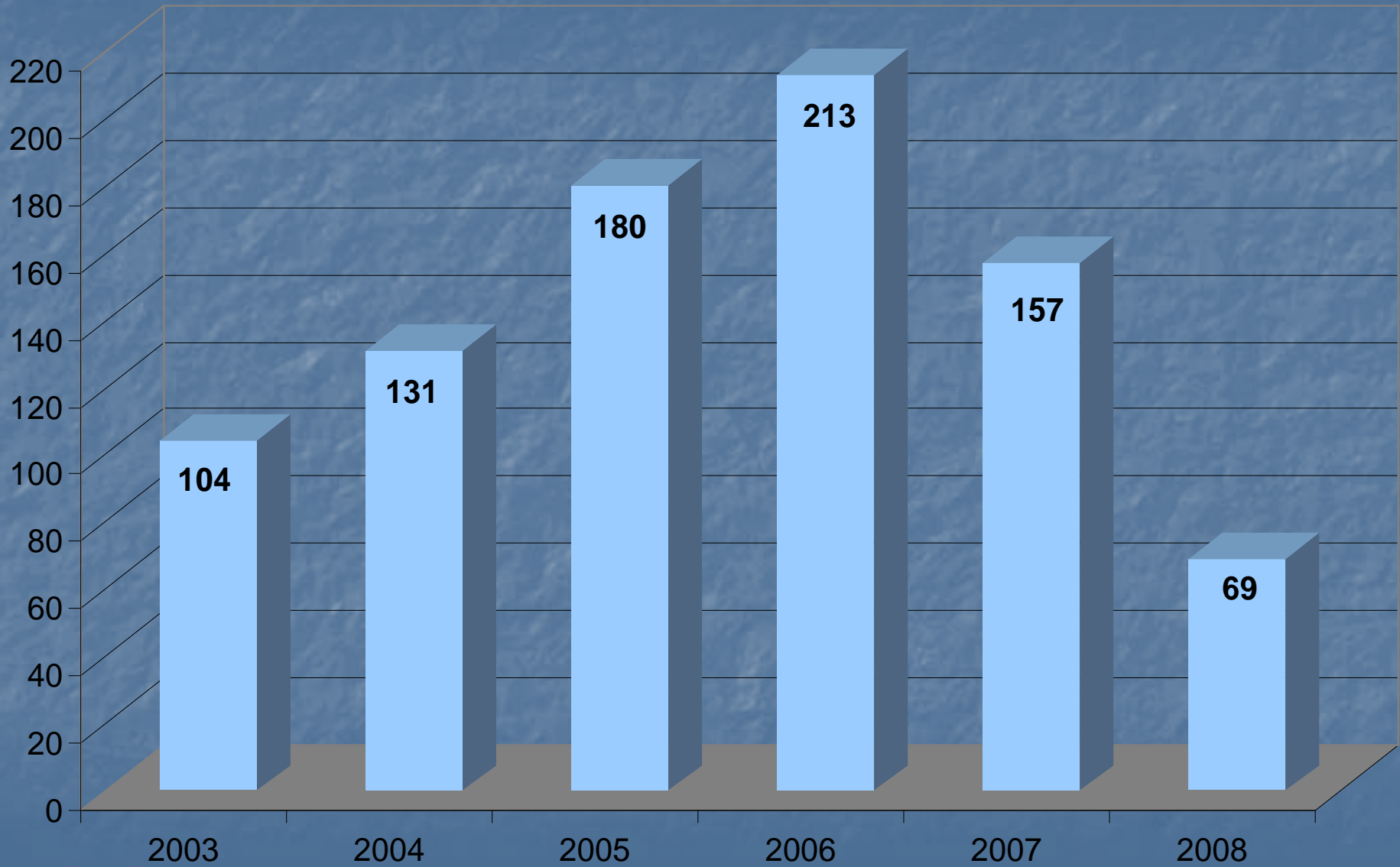




## DMR Permitting Actions by Year 2004 - 2008

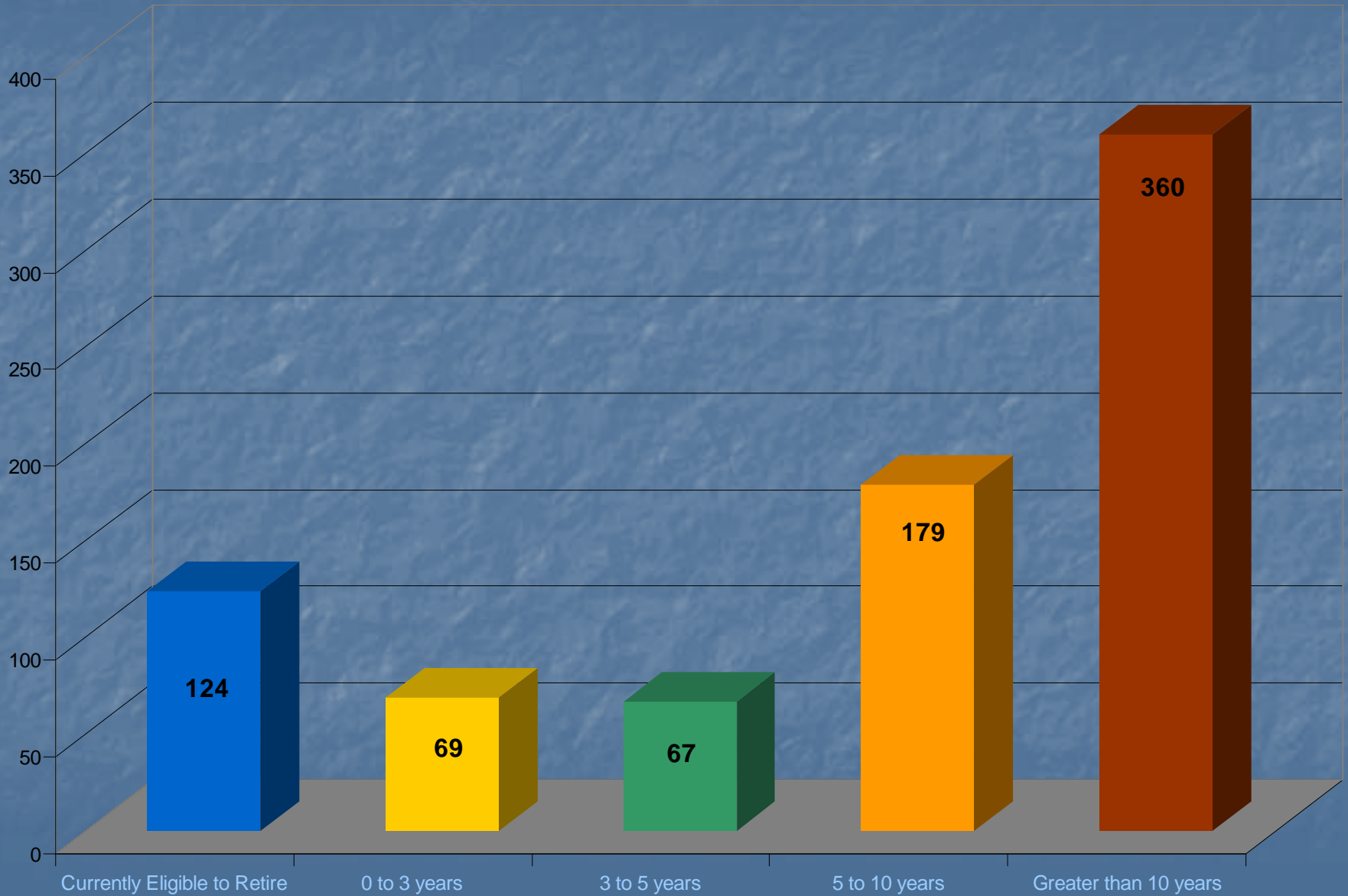


**Prospect Applications Received 2003 - 2008**

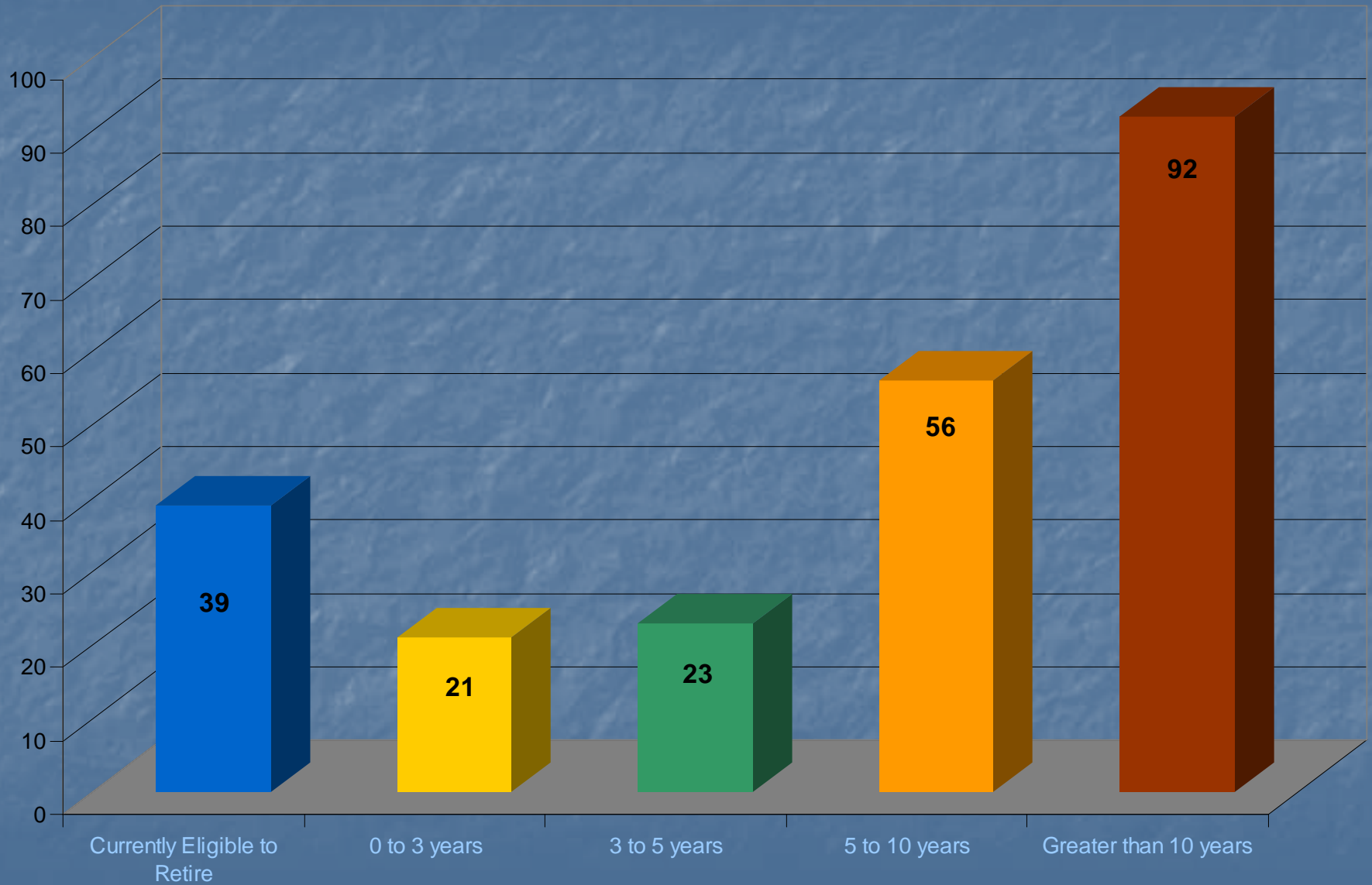




# All DEP Employees Eligible to Retire



## Division of Mining & Reclamation Employees Eligible to Retire



# Coal Permitting Quality Control Panel

"QA/QC"

- ❑ Panel components are DEP, Environmental and Industry; coordinated by DEP
- ❑ Evaluated post-Bragg AOC-Plus Permit population
- ❑ Supported removal of regulatory disincentives to re-mining
- ❑ Continued with statewide Application Reviews and Site Visits; makes recommendations to DEP
- ❑ Conducted AOC Workshop on February 27, 2008



# **Summary of 2008 LEGISLATIVE CHANGES**

# Surface Coal Mining and Reclamation Act

## §22-3-11- Special Reclamation Tax and bonding

- ❑ Establish Special Reclamation Water Trust Fund
- ❑ 14.4 cent tax on clean coal including coal from refuse pile and slurry pond recovery
- ❑ Requiring the secretary to look at alternative bonding programs

# Surface Mining Reclamation Rule

- ❑ One time 15 day Readvertisement of a SMA if technically complete after 90 days of end of comment or informal conference.
- ❑ When toe up constructed fills can be counted as reclaimed area for contemporaneous reclamation.
- ❑ Remove duplication of rules for Blasting.
- ❑ Made the mining rule consistent with the changes in the State's NPDES Mining Rules.



# Surface Mine Blasting Rule

- ❑ Recommends blasting plans include seismic monitoring when within 1000 ft of a protected structure.
- ❑ When blasting for shaft and slope development will be regulated.
- ❑ Adopts accepted guidelines for monitoring of airblast and ground vibrations.
- ❑ Sets minimum qualifications and continuing education requirements for pre blast surveyor.
- ❑ Detonators and initiation systems are not considered in the calculation of fees.

# WV/NPDES for Coal Mining Facilities Rule

## □ Permit by Rule

Certain Revisions and IBRs will not require a NPDES modification at the time of submittal of the Revision or IBR. The NPDES permitting action will be required at reissuance of the NPDES Permit.

- Storm-water coverage

## □ **Advanced approval** of transfer of a WV/NPDES

## □ Remining

Water quality standard variance for any parameter of concern being exceeded. Now allows alternative water quality criteria for ANY pollutant that is being exceeded in the stream, this includes aluminum, selenium and anyium.

# Other Updates

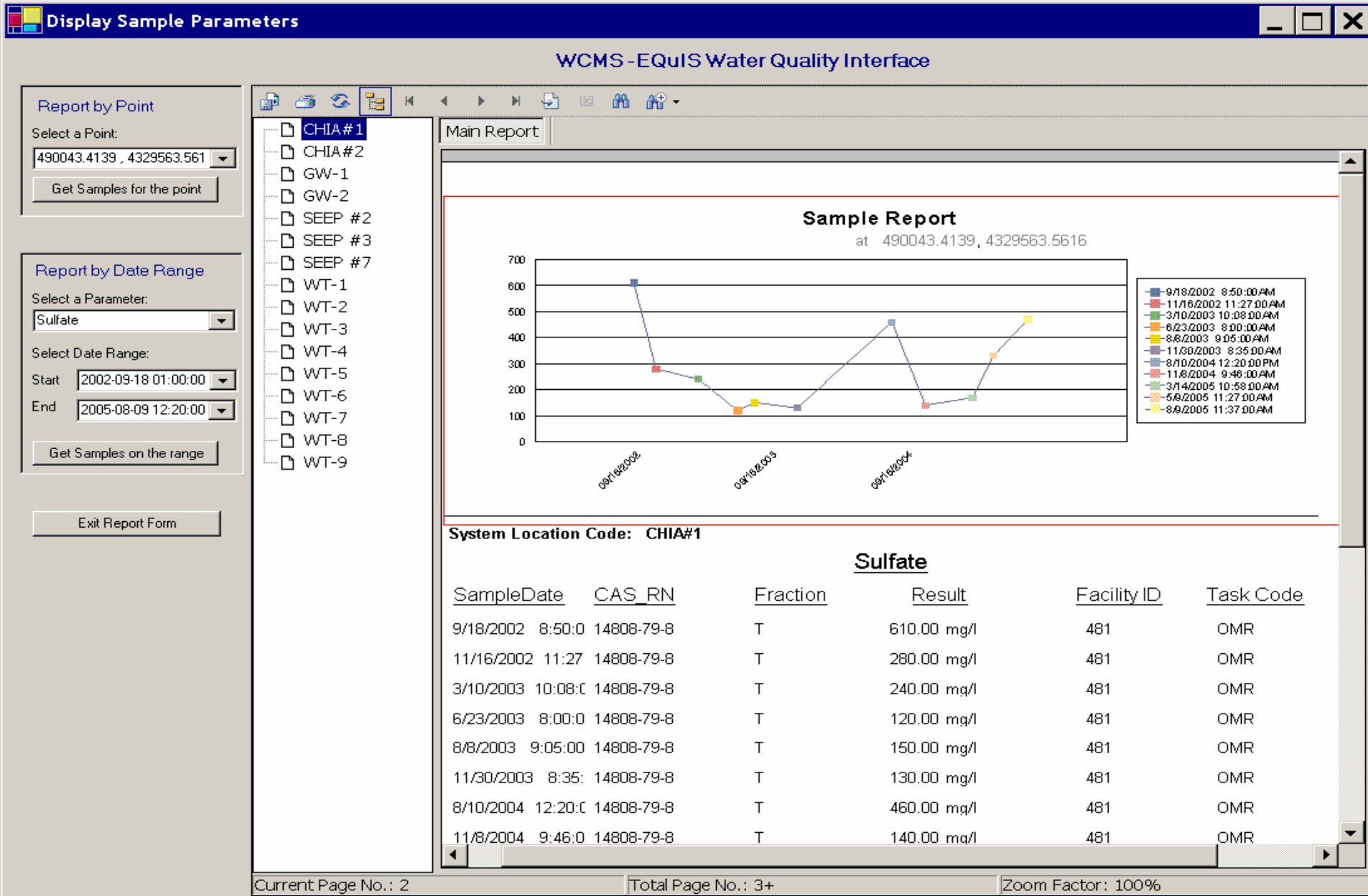
- ❑ Selenium Compliance 4/5/07 Order – update
  - ❑ To date no decision from EQB.
  - ❑ April 5, 2008 treatment plans were required to be submitted.
  - ❑ October 5, 2008 commencement construction/installation of the treatment plan.
  - ❑ Be aware, every April 5th and October 5th of every year provide 6 month status report to the inspector.
  - ❑ Have your Reasonable Potential (RP) assessment submitted to the regional offices as soon as possible
- ❑ Mitigation



# DEP is conducting Coal Slurry Injection Study (SCR15) with OSM and DHHR



# Digital Water Quality Data





# 2007 OSM Annual Report for WV

- [www.osmre.gov](http://www.osmre.gov)
- Customer Service-Water Replacement- Overall OK, but found that replacement water supplies were not proven in the permitting process
- Off-Site Impacts - 94 percent of the currently bonded permits were off-site impact free
  - Of those, 99.5 percent were considered minor and 65% were hydrology related
- Reclamation Success-83 Phase III releases totaling 5,210 acres.



# Ongoing OSM Oversight/Technical Assistance

- ❑ Remote Sensing for evaluating success of reclamation and land cover change over time
- ❑ SWORA effectiveness
- ❑ AOC compliance
- ❑ Flyrock
- ❑ AMD inventory





black alder  
black alder  
goldenrod  
goldenrod  
goldenrod  
cattail  
cattail

autumn olive  
cedar  
cedar

autumn olive  
pine  
pine  
grasses  
va pine

autumn olive  
bristly locust  
overview  
bristly locust  
bristly locust  
overview  
autumn olive block  
pine 2  
pine 2

blackberry  
cailanthus  
sycamore  
bristly locust  
cattail  
cattail  
va pine  
va pine  
sycamore  
goldenrod  
black willow  
goldenrod  
cattail  
va pine  
va pine  
blackberry

autumn olive  
autumn olive



# APPALACHIAN REGIONAL REFORESTATION INITIATIVE



**TREES FOR  
APPALACHIA'S FUTURE**



## GOALS OF ARRI:

PLANT MORE HIGH-VALUE  
HARDWOOD TREES ON RECLAIMED  
COAL MINED LANDS IN  
APPALACHIA

INCREASE THE SURVIVAL AND  
GROWTH RATES OF PLANTED  
TREES

EXPEDITE THE ESTABLISHMENT OF  
FOREST  
HABITAT THROUGH NATURAL  
SUCCESSION



**2008 ARRI Conference scheduled for  
August 5-7 at Chief Logan State Park**

# Regional Indiana Bat Work Group

- ❑ FWS, OSM, IMCC and State RA's to develop
- ❑ Regional (multi-state) approach to Species Specific Protective Measures per '96 BO
- ❑ Consistent with Recovery Plan, best science and across the range of the bat
- ❑ Eliminate inconsistencies, reduce fairness and free trade related concerns

**THANKS!**