**AGGREGATE ADVISORY BOARD (BOARD)**

**Thursday February 8, 2018**

**Rachel Carson State Office Building**

**12th Floor Conference Room, 400 Market St,**

**Harrisburg, PA 17101**

**VOTING MEMBERS OR ALTERNATES PRESENT:**

John Stefanko (DEP – Active and Abandoned Mining Operations (AAMO); Alternate/Chair)

Joanne Manganello (Alternate)

Leda Lipton (Alternate)

D. Michael Hawbaker (Alternate)

William Fink (Citizen’s Advisory Council, (CAC))

R. Timothy Weston (CAC)

Rep. Ryan Mackenzie (PA House, via Web-ex)

Rep. Bryan Barbin (PA House, via Web-ex)

**Other Attendees:**

Bill Allen (DEP – Bureau of Mining Programs (BMP))

Tom Callaghan (DEP – BMP)

Abbey Cadden (DEP – Policy)

Tyler McCarthy (DEP – Policy)

Josie Gaskey (PA Aggregates and Concrete Associate (PACA))

Bruce Carl (DEP – BMP)

Eric Oliver (DEP – BMP)

Jennifer Gulden (DEP – BMP)

Sharon Hill (DEP – BMP)

Michael Plazek (DEP – BMP)

Christopher Whiteash (DEP – BMP)

Daniel E. Snowden, D.Ed. (DEP – BMP/Board Liaison)

Rodney Martin (Martin Stone Quarries, via Web-ex)

**Call to Order/Introductions**

The meeting was called to order at approximately 10:00 a.m. Board members introduced themselves, as did all DEP personnel and other guests in the audience.

**PACA ANTI-TRUST STATEMENT**

The Board reaffirmed its adherence to PACA’s anti-trust statement, both in letter and spirit. This requirement extends to industry members and alternates on the Board.

**Approval of Minutes**

The minutes from the December 21, 2017 were approved without changes.

**Correspondence**

The Board received no correspondence.

**Committee Reports:**

A subcommittee of the RLT committee met on December 17, 2017 to discuss karst-related issues.

**BUREAU OF MINING PROGRAMS UPDATES**

Mr. Allen provided updates on the following topics:

* **Non-Regulatory Agenda**: Several technical guidance documents are moving forward towards completion. The *Completion Report* and *Direct Submittal of Bonds* documents are both entering the finalization stage. The *Engineering Manual* is scheduled to be published as a draft document ready for comment in 2018. The *Blaster’s Manual* has been successfully posted to the E-library.
* **Regulatory Agenda:**  The Chapter 210 and Chapter 211 Regulations on explosives are scheduled to be brought to the February meeting of the Environmental Quality Board (EQB).

The Fee Update has been published for comment through March 5, 2018.

* **National Pollutant Discharge Elimination System (NPDES) Permitting:**
* As of December 31, 2017, 825 Draft NPDES Permits (fifty of which were non-coal) were sent to the United States Environmental Protection Agency (US EPA). The US EPA has commented or objected on 392 of these permits, of which ten were non-coal. There have been no comments since the last report.
* Whole Effluent Toxicity Testing (WETT): The Department has prepared a draft and is working with the US EPA to further define the situations where testing involving WETT methods would be required.
* Between FY 2012-2013 and FY 2017-2018 (to date), Clean Water Fund mining fee revenues ranged from a low of $247,800.00 (FY 2012-2013) to a high of $646,950.00 (FY 2015-2016), with $184,950.00 collected so far for FY 2017-2018, as of December.
* **Program Overview (Facilities and Applications):**
* Between March 2016 and January 2018, the numbers of inspectable units fell slightly for small facilities (both < 2,000 tons/year and < 10,000 tons/year) and large facilities. GP103 and GP105 Operator permits increased slightly, as well as a slight increase in the number of underground facilities.
* Between 2012 and 2017 the ranges for various application types included the following:
* Licenses: between 1,278 (2012) and 1,159 (2014), with 1135 for 2017.
* Large Facilities (New): between 25 (2012) and 4 (2014), with 7 for 2017.
* Small Facilities (New): between 51 (2016) and 25 (2013), with 43 for 2017.
* NPDES (New): between 32 (2017) and 11 (2013).
* NPDES (Renewal): between 88 (2016) and 50 (2014), with 82 for 2017.
* Pre-Applications: between (15) 2013) and 2 (2016), with 3 for 2017.
* **Non-Coal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations:**
* As of December 31, 2017, the NCSMCRA fund obligations include over $2 million in cash collateral, underwriting $3.7 million in payment in lieu of bond coverage and, over $4.3 million in bond fund reclamation.
* The NCSMCRA fiscal report showed about $4.4 million in general operations monies, with about $2.1 million in collateral and, over $852,000.00 in restricted bond monies.
* **Bonding and Bond Forfeitures:**
* Between 2010 and 2017, the number of bond forfeitures for large operators ranged from a low of 0 (2010, 2011, 2013) to a high of 3 (2015).
* Between 2010 and 2017, the number of bond forfeitures for small operators ranged from a low of 1 (2011) to a high of 34 (2015).

**NEW BUSINESS**

There was no new business.

**ADJOURNMENT/NEXT MEETING**

The meeting was adjourned at approximately 11:15 a.m. The Board will meet again on May 9, 2018 in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market St., Harrisburg PA 17101.