

DRAFT

MINING AND RECLAMATION ADVISORY BOARD (MRAB)

**Thursday, January 6, 2005
Rachel Carson State Office Building
1st Floor, Room 105
11:00 a.m.**

Members/Alternates in attendance: David Osikowicz (Chair), Jack Chamberlin (Member), Sue Wilson (Alternate), Stan Geary (Alternate), George Ellis (Alternate), Sue Germanio (Alternate), David Mankamyer (Member), Walter Heine (Member), Joe Deklinski (Alternate), Margaret Urban (Member), Burt Waite (Member), Fred Wolf (Member) and Richard Fox (Alternate)

Others in attendance: Joe Pizarchik (DEP), Nevin Strock (DEP), John Meehan (DEP), Mike Steiner (DEP), Mick McCommons (DEP), Jeff Kost (Pa. Game Commission), Keith Brady (DEP), Mike Terretti (DEP), George Rieger (OSM), Bruce Golden (Eastern Pennsylvania Coalition for Abandoned Mine Reclamation), Deb Simko (Western Pennsylvania Coalition for Abandoned Mine Reclamation), Scott Roberts (DEP), Brian Bradley (DEP), Joe Schueck (DEP), Shane McDonald (Malcolm Pirnie, Inc.), Sgt. Vince Babich (PA State Police), John Slade (DEP) and Lara Logan (DEP).

Meeting Called to Order

Chairman David Osikowicz called the meeting to order at 11:00 a.m. He welcomed everyone and asked them to introduce themselves.

Committee Reports

- No Policy Committee report.
- No Reclamation Committee report.
- The Regulation, Legislation and Technical Committee met before the Board meeting, discussing DEP's water supply replacement issues and resolutions. Using Pennsylvania Coal Association's response to the issues as a guideline, the Committee made some recommendations, which are attached to these minutes. Joe Deklinski moved to adopt the recommendations as given by the Committee. Jack Chamberlin seconded the motion. The Board, with David Mankamyer voting against the recommendations, approved the motion. Committee Chair Osikowicz also recommended Jack Chamberlin to take his place as Committee Chair, as Mr. Osikowicz is now the Board Chair. Mr. Chamberlin accepted.

Water Supply Replacement Issues/Resolutions

- Joe Pizarchik said DEP will look at the recommendations made by the Regulation, Legislation and Technical Committee, and develop changes to the rulemaking. DEP will return to the Board with the rulemaking changes before going to the Environmental Quality Board.

District Mining Office Workload Analysis

- Michael Terretti, Director, District Mining Operations, gave an update on the workload of the District Mining Offices.

Explosive Storage Magazine Security

- Sgt. Vincent Babich of the Pennsylvania State Police gave a short power point presentation on the changes to the storage magazine security regulations. Storage magazine permittees will have to heighten security at magazine sites, have regular site inspections, and notify local police and fire departments, as well as DEP, of all personnel and site locations.
- Stan Geary moved that compliance with an approved plan does indeed meet the standard to prevent to the greatest extent possible access through the inner/outer perimeter. Burt Waite seconded the motion, and the Board unanimously approved it.

Primacy Bond Forfeiture Reclamation Program Update

BAMR Projects/Status Report

- Brian Bradley spoke on behalf of BAMR. He gave the status of BAMR projects over the last quarter, and noted that all abandoned mine land data is now on eFACTS.

Stage 2 Bond rate Study

- At the special meeting of the Board on August 24, members suggested that the bonding rate of \$500/acre for mine sites complete achieving Stage 2 bond release was excessive. John Meehan and Bill Allen of DEP conducted a study of Stage 2 approved coal mining sites during September and October 2004. After carefully reviewing 45 sites and the data for this study, the reviewing team recommended that the rate be lowered to \$300/acre.

Blanket Bonds

EPA Proposed Rulemaking/Mercury Standards

- John Slade, Bureau of Air Quality, gave a power point presentation on the new mercury control requirements and regulation of emissions from power plants, as required by EPA proposed rulemaking.

New Business

- Chairman Osikowicz recommended that Jack Chamberlin take his place as Regulation, Legislation and Technical Committee Chair, as Mr. Osikowicz is now Board Chair. Mr. Chamberlin accepted the recommendation.
- Joe Pizarchik gave a brief overview of the final amendment to § 86.152, Bond Adjustments. George Ellis made a motion to accept the amendment as revised, with Richard Fox seconding the motion. The Board voted and the motion passed unanimously.

A motion was made at 3:30 p.m. to adjourn the meeting. The motion was seconded and unanimously approved.