

Meeting Minutes

EEC / ACEC – KY

Natural Resources Partnering Subcommittee Meeting

September 20, 2012

(This document has been reviewed for distribution by the groups involved)

The meeting began at 9:00 at DNR's office at Hudson Hollow in Frankfort, KY.

1. Present at Meeting

Steve Hohmann	David Rasnick
Wes Jones	George Binder
Linda Fisher	Tracy Goff
Gary Gilliam	Randy Scott
Mark Stinnett	Steve Gardner
James McKenzie	Dwayne Clemons
	Michael Munday

2. Sub-Committee Issues

George Binder was asked to explain the partnership ACEC – KY has with EEC since this was the initial meeting with some of those at the meeting.

a. **REAME –Acceptable Strength Parameters – Getting Word Out**

It had come to the attention of EEC that there was a concern with stability analysis being performed on hollow fills that had the toes moved up into the hollows on steeper slopes on more instances than ever before. They are being pushed up due to reasons of spoil balance and trying to keep them out of jurisdictional reaches of the watershed. This has caused stability analysis to be conducted as a composite of cylindrical and non-cylindrical types of failures near the toe of these fills. A concern became evident that though there are acceptable stability programs to analyze such failure, there was not data supporting the strength parameters that were being used in the past analysis since the toes of the fills are now up the hollow on steeper slopes with different types of soils than further down in the valleys.

EEC and ACEC-KY gathered actual soil strengths data throughout Eastern Kentucky and calculated an arithmetic average of all strength parameters to determine acceptable values for soils in the upland reaches of a valley as compared with the acceptable values in the flatter reaches. They are as follows:

	<u>Flatter Valley Floor</u>	<u>Upland Valley Floor</u>
Friction Angle	24°	31°
Cohesion	160 psf	0 psf
Unit Weight	125 pcf	115 pcf
Pore Pressure Ratio	0.1	0.1

As always, site specific soil analysis can be collected at the toes of the fills, then that data will also be accepted in the stability analysis. The location of the fills will determine if a composite analysis will be required or if separate runs for both cylindrical and non-cylindrical analysis will be acceptable. (See <http://minepermits.ky.gov/Pages/Training.aspx> for a power point presentation by Gary Gilliam, PE – DNR for additional information on this and on other Engineering topics associated with mine permitting)

b. Access Seminar in Madisonville

There will be ACEC-KY sponsored seminar in Madisonville on October 25, 2012.

This will include topics such as:

- Access based electronic permitting
- Thick overburden
- Sediment trenches
- Composite stability analysis
- CHIA data available at DNR
- Coarse Refuse Storage and design
- Final Pit Impoundments
- Maps/Data available on SMIS and kygoenet.ky.gov

c. Paper Violations on DMR's

It was stated that there are a lot of "paper violations" on DMR's due to typos or small amount of information missing. It was asked if this could be curtailed?

The answer was no as there has been sufficient time given to get them correct so the violations will continue. DNR stated in the first of the year, DOW may be receiving these instead of DNR.

d. Electronic Certification in Field Offices

DNR stated they are working on all certifications to be electronic. Most field offices have a majority of them in progress.

e. Coal Market Deferment – Not Tracked in SMIS

There is an issue as to when Coal Market Deferment renewals has to be submitted, 30 days prior to expiration of last issued deferment or that it has to be approved prior to expiration. The concern is if it goes to a different reviewer from the previous one, more items may come up making it difficult to get approved on time. Linda Fisher said she would talk to Jim Adamson about SMIS and Steve Hohmann said he would look into it as far as timing of submittal for renewal.

f. Incremental Bond Revisions

It was asked if an Increment could be revised without kicking in the new bond rate. DNR stated as long as we were not adding new acreage we could. Any new acreage will have new rate and at Mid Term, all increments that are not Phase I eligible will get new rate. We were told Allen will have his reviewers talk to inspectors come Mid Term to see which increments need to have new rates.

Tracy asked when will Revisions or Amendments require new bond rate and Steve said only the new area will require the new rate then at Mid Term, all the increments that are not Phase I eligible will require the new rates. It was asked if we can revise the increments at the Mid Term review and the answer was yes. Linda Fisher said if all increments are active, then probably all increments will get new rate. If it makes dollar sense to combine increments to get a lessor total bond, then that can be done at Mid Term.

g. Non-Coal Mining Issues – Rock Quarries

- 1) Steve Gardner stated that rock quarry regulations require the use of USGS mapping. He stated there is much better mapping available to use that would be more accurate. Steve Hohmann stated he would check on regulation language but may need to get a regulation change to help on this. (This is now being revised with regulations)

- 2) Removing Rock from Stream Beds - Steve Hohmann stated there is a problem with private and public officials putting equipment into the creeks and removing rock for commercial use. He has sent word out to all County Judges to discontinue this process. He stated there has to be a permit to do this no matter how much material is taken.

h. Blasting Maps – Houses Shown

Wes Jones stated there is a concern that mapping is not getting updated prior to blasting with new homes coming into the ½ mile radius and especially 1,000 of blasting prior to the shot. (This is also problem on houses overlying underground works). He said a simple house count shows missing structures, not to mention new ownership on homes. In addition, there has been an issue with underground mines (both active and abandoned) within 500' of the blast area not being shown on the MRP Map. (This needs to be shown at the time of blasting based on the best available information). It was discussed to have a new map requested at Mid Term to show accurate locations of structures. A new SMP 61 could be requested by the inspector or the operator could submit one if it is discovered the houses or underground mines are not shown correctly on the approved mapping in the application. Then, the Mid Term could request all the updated structures be shown. That way, DNR will have a map on file prior to blasting within ½ mile of a structure or within 500' of an underground mine.

3. Special Topics -

- a. RAMS with Engineering Issues that are Being Developed. Gary said there were none in the works at this time but there are a few engineering issues that need to be looked into.

- b. Tracy asked what makes the difference where backfill becomes hollow fill storage. Gary said they need to look at this on a case by case basis. It relates to the fill depth relative to the original contour.

- c. Wes Jones said there is a problem with hollow fills not being final certified and permits expiring with outstanding active fills at 98% ± complete.
- d. Tracy mentioned though sediment cells are being reviewed and issued, there are quite a few questions that get repeated from reviewers. Gary stated he would have a round table discussion with them.

4. Next Meeting Date

The next meeting date is planned for May 2013 at Hudson Hollow.

These minutes are prepared by David Rasnick, PE, PLS – Chairman of ACEC-KY Mining Subcommittee. Please forward any topics that needs to be discussed under this format to me at drasnick@summit-engr.com. You can also contact me at 606-432-1447 ext 330.