



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

Aggregate Advisory Board

August 12, 2015

Technical Guidance

New Guidance on Development of Guidance
Includes Interaction with Advisory Boards

Technical Guidance

Non Regulatory Agenda

Guidance Documents in process

- Pre-applications
- Engineering Manual
- Blaster's License Suspension
- Coal Ash
- GP Materials
- Civil Penalties
- GFCCs
- Reclamation Fill

Regulatory Update

- Regulatory Agenda
 - Chapter 210/211
 - Fee Update
 - Noncoal Program (Chapter 77)

NPDES Permitting Update

- As of July 31, 598 (30 noncoal) Draft Permits have been sent to EPA
- EPA has commented or objected on 345 (8 noncoal)

NPDES Permitting Statistics-Noncoal

| | Issued | Could be Issued | Pending |
|--|--------|-----------------|-------------------------|
| Comments | 6 | 2 | 0 |
| No Comments (15 No Comment Letters) | 19 | 3 | 0 (Awaiting 30 Days) |

NPDES Permitting Issues

June 11, 2015 Letter from EPA

- Identifying Parameters of Concern
- Conducting appropriate RPA
- Appropriate use of WQSS
- Effluent Characterization
- WQBELs for sed ponds and non-tmdl
- Alternate Precip limits
- Flow Schematic
- Fact Sheet
- TMDLs

NPDES Permitting Issues

June 11, 2015 Letter from EPA

Also included the checklist with a timeline

- One year both checklist and current data
- Just the checklist after “successful consistency determination”
- Review selected Draft permits

▶ Historical Applications (Noncoal)

- As of July 31
 - 408 of 444 have been disposed
 - All are out of Pottsville DMO
 - 36 (8%) Remaining for action
 - 17 Renewals

PDG Applications (Noncoal) June 30

| DMO (On time %) | RECEIVED | ISSUED | WITHDRAWN | RETURNED or DENIED |
|------------------------|----------|--------|-----------|-----------------------|
| POTTSVILLE (62.6%) | 559 | 372 | 16 | 10 |
| MOSHANNON (88.4%) | 209 | 173 | 10 | 10 |
| NEW STANTON (68.7%) | 108 | 83 | 2 | 2 |
| CAMBRIA (80%) | 142 | 110 | 1 | 4 |
| KNOX (92.8%) | 345 | 305 | 7 | 4 |

PDG Applications (Noncoal) July 31

| DMO (On time %) | RECEIVED | ISSUED | WITHDRAWN | RETURNED or DENIED |
|------------------------|----------|--------|-----------|-----------------------|
| POTTSVILLE (62.3%) | 581 | 379 | 17 | 10 |
| MOSHANNON (88.2%) | 217 | 178 | 10 | 10 |
| NEW STANTON (66.7%) | 113 | 87 | 2 | 2 |
| CAMBRIA (80%) | 145 | 113 | 1 | 4 |
| KNOX (92.3%) | 353 | 311 | 7 | 4 |

PDG Applications (Noncoal)

- As of July 31 [June 29]
 - 276 [253] Pending
 - 24 [22] Small
 - 61 [53] Large
 - 129 [125] NPDES
 - Others (Blast Plan, Completion Report, BI, GP)
 - 173 [173] Average Elapsed Days

▶ PDG Applications (Noncoal) Overdue

- As of July 31 [June 29]
 - 144 [132] Total
 - 8 [6] Small
 - 25 [23] Large
 - 82 [72] NPDES
 - 288 [284] Average Elapsed Days

PDG By Office-June 30, 2015

| Office | Pending | Overdue |
|-------------|----------------|----------------|
| Pottsville | 161 (274 days) | 101 (307 days) |
| Moshannon | 16 (89 days) | 6 (157 days) |
| New Stanton | 20 (144 days) | 11 (227 days) |
| Cambria | 27 (108 days) | 7 (225 days) |
| Knox | 29 (78 days) | 7 (210 days) |

Fee Revenue-2nd Quarter 2015

| Month | Annual Admin | Permit |
|----------|----------------|--------------|
| April | \$96,100.00 | \$30,170.00 |
| May | \$77,900.00 | \$29,020.00 |
| June | \$106,800.00 | \$19,295.00 |
| FY Total | \$1,427,850.00 | \$319,785.00 |
| | | |

NCSMCRA Fund-June 30, 2014

20101-General Operations

\$7.7 Million

40048-Collateral Guarantees

\$1.8 Million

60084-Forfeiture of Bond Restricted Account

\$600 K

NCSMCRA Fund-General Ops

Revenue

Fees (License/Permit/Admin)

Penalties

Interest

PILB

Expenditures

Mostly personnel

NCSMCRA Fund Revenue

Other Revenue (through June)

| | |
|--------------|--------------|
| Interest | \$395,782.73 |
| Penalties | \$93,605.26 |
| License Fees | \$211,617.20 |
| PILB | \$127,886.22 |

Fees Revenue

| <u>Year</u> | <u>Admin Fees</u> | <u>Permit Fees</u> |
|-------------|-------------------|--------------------|
| FY 12-13 | \$589,925 | \$229,755 |
| FY 13-14 | \$1,367,950 | \$410,525 |
| FY 14-15 | \$1,427,850 | \$319,785 |

CWF Mining Fee Revenue

Coal and Noncoal

Includes NPDES and Chapter 105 fees

| | |
|----------|--------------|
| FY 12-13 | \$247,800.00 |
| FY 13-14 | \$523,296.00 |
| FY 14-15 | \$474,729.00 |

Program Overview-Facilities

| | | |
|--------------------------|---------------|----------------|
| <u>Inspectable Units</u> | <u>(2191)</u> | <u>Current</u> |
| Small (<2000 Ton) | (1027) | 1026 |
| Small (<10,000 Ton) | (313) | 317 |
| Large | (783) | 778 |
| GP105 | (49) | 52 |
| GP103 | (10) | 9 |
| Underground | (9) | 9 |

Program Overview-Applications

| <u>Applications</u> | <u>CY 2015-to August 3</u> |
|---------------------|----------------------------|
| Licenses | 781 (12 of which new) |
| New-Large | 8 |
| New-Small | 23 |
| NPDES-new | 10 (+ 25 GP104) |
| NPDES-Renewal | 39 |
| Pre-apps | 3 |

Program Overview-Bonding

| <u>Type of bond</u> | <u>Total</u> |
|---------------------|------------------|
| Surety | \$217,046,759.92 |
| LOC | \$33,641,901.82 |
| CDs | \$4,999,986.01 |
| Cash | \$1,959,681.27 |
| Negotiable Sec. | \$141,579.44 |
| | \$257,783,908.46 |
| PILB | \$2,160,537.05 |

▶ Program Overview-Bond Forfeitures

| Year | Small | Large |
|------|-------|-------|
| 2015 | 29 | 3 |
| 2014 | 32 | 1 |
| 2013 | 15 | 0 |
| 2012 | 11 | 2 |
| 2011 | 1 | 0 |
| 2010 | 8 | 0 |

Program Overview-Bond Forfeitures

In 2004 DEP did an evaluation of estimated reclamation costs

51 BF sites

\$393,314 collected bond

\$4,313,349 estimated costs



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