

Outline of New TGD: Implementation of Remining Regulations

Draft TGD is being prepared and will be made available for a future MRAB meeting.

The regulations provide protection for surface coal mine operators to remine lands previously affected by mining activities that have pre-existing polluttional discharges. For a permit to be issued, the proposed mining and reclamation activities must exhibit a significant potential to abate or reduce the polluttional load from the pre-existing discharges. The permittee is held to standards that verify the remining activity is not further degrading the surface and/or groundwater.

The purpose of this guidance is to identify and explain conditions that must be met to qualify for Subchapter F/G authorizations as well as the obligations of a mine operator during the mining activity under permit. This guidance will also address procedures to be followed to modify the permit to account for changes in groundwater flow patterns and/or new discharges and to qualify for bond release. This guidance also reflects the current Subchapter F/G regulations.

October 22, 2016 *Pennsylvania Bulletin* (46 Pa. B. 6780) - Subchapter F/G regulations which incorporated the requirements of the Federal remining rules found in 40 CFR Part 434 Subpart B and Appendix B. This rulemaking incorporated many requirements which were previously included in each remining permit.

This guidance will replace three existing technical guidance documents:

- Determining Eligibility of Pre-existing Polluttional Discharges under Subchapter F or G Permits (563-2112-610)
- Permitting Pre-existing Polluttional Discharges under Subchapter F & Subchapter G (563-2112-611)
- Monitoring, Compliance & Bond Release for Subchapter F or G Permits (563-2504-612)

Potential Format:

A. BACKGROUND

B. ELIGIBILITY AND APPLICATION FOR REMINING PROTECTION

Determining Eligibility

Legal Responsibility

Water Quality

Origination

Hydrologic Connection

Information for Authorization

Encountered Discharges
Pollution Abatement Plan
Baseline and Triggers
Hydrologic Units
Combining discharges
Baseline data collection
Calculating the Pollution Load
Substitution in Baseline Calculations
Method 1 vs Method 2

C. PERMITTING AND MONITORING

Three-tier Approach
Tier 1: Individual points and HU
Tier 2: In-stream
Tier 3: BMP only

TMDL Watersheds
Effluent Limits
Exceeding triggers and accelerated sampling
Treatment
Permit revisions

D. BOND RELEASE