

SECTION 9

REVEGETATION

**Subject: Municipal Waste Sewage Sludge as Soil
Amendment on Mined Lands**

1. Purpose: To establish procedures for allowing sewage sludge to be placed on mine sites.
2. Definitions:
3. Legal Authority: 38-2-9.2(i)(1)
4. Policy/Procedures: No sewage sludge disposal is allowed on any mining operation unless the permittee submits and obtains approval of a permit revision from the Office of Mining and Reclamation and the producing facility is permitted by the Office of Water Resources. The revision application for sludge disposal must contain a copy of a permit and approved sludge disposal plan issued by the Division of Environmental Protection, Office of Water Resources. The revision required for sludge use as a soil amendment or additive will be in the form of a non-significant revision to the revegetation plan.

The following procedures shall apply to non-significant permit revisions for use of sewage sludge:

1. Each request for a permit revision will be submitted on forms prescribed by the Director, signed by an accountable official of the applicant and notarized.
2. The applicant shall submit five (5) copies of the revision proposal.
3. A map must be submitted which shows all of the original permit area and the area proposed for sludge disposal/use.
4. Maps must be signed by the inspector, if he/she recommends approval. The revision must also be reviewed by the permit review team.

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5. The applicant must submit a cover letter describing the type and purpose of the proposed revision.
6. The revision package must include a copy of the approval issued by the Office of Water Resources for land application project, i.e. sewage sludge disposal.
7. The information submitted must include the sewage sludge application rate as approved by the Office of Water Resources, and copies of all analyses of the sewage sludge as required by the Office of Water Resources.
8. The final decision to approve or deny the permit revision will be made by the Division of Environmental Protection regional permit supervisor in consultation with the I & E supervisor.

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Subject: Final Planting Plan MR-8

1. Purpose: Procedures for filing a final planting plan report.
2. Definition:
3. Legal Authority/Reference: 38-2-9.3(b)
4. Policy/Procedure:
 - A. Operator submits MR-8 to inspector
 - B. Inspector reviews MR-8 and vegetation for compliance.
 - C. Inspector submits MR-8 to the Bond Release Specialist for approval.

Subject: Spring and Fall Seeding Deadlines

1. Purpose: To establish deadlines for completion of required seeding of regraded areas in the appropriate seasons.
2. Definitions:
3. Legal Authority/Reference: 22-3-13(b); 38-2-9.3(c) & 38-2-14.15(e)
4. Policy/Procedure: The spring seeding deadline is May 15th of each year except that seedlings must be planted prior to April 1. The fall seeding deadline is October 15th of each year.

Inspectors should notify permittee of the spring and fall deadlines at least 60 days prior to these deadlines on an MR-6.

Extensions of seeding deadlines may be granted by the I & E Supervisor based upon weather conditions.

Subject: Revegetation

1. Purpose: Define when trees must be planted
2. Definitions: N/A
3. Legal Authority: 22-3-13(b)(19); 38-2-9.1
4. Policy/Procedures:

Due to the unspecific nature of the revegetation section of the regulations as it relates to when trees are to be planted, the following policy will immediately be placed into effect.

Trees must be planted during the first appropriate planting season after completion of backfilling and regrading. (For most tree species this will be spring)

Trees must be alive and healthy when the permit area is evaluated for Phase II release.

If trees have to be restocked after Phase II release has been approved, the applicable time frames from 38-2-9.3 (g)(h) will apply.