

Industry Bond Release Review

- ▶ DAN BAYS- BOND RELEASE SUPERVISOR
- ▶ MALINDA TONEY- ENVIRONMENTAL RESOURCE ASSOCIATE
- ▶ DAN STOWERS- BOND RELEASE SPECIALIST- FAYETTEVILLE
- ▶ BRET STUTLER- BOND RELEASE SPECIALIST- LOGAN
- ▶ ANDY COLEMAN- BOND RELEASE SPECIALIST- PHILIPPI



Class Overview

1. Release Application Overview
2. Phase Release Requirements and Post Mining Land Uses
3. New/Updated Policies and Common Mistakes



Release Application Overview

Current User: COLEMAN, ANDREW
Ref. Id: U-1007-96 Phase 3 Release (01/17/2019)
Status: ERIS - Tech Corr Requested

Applicant: THE SYCAMORE GROUP, LLC
Type: Phase 3 Release (Final) #2
Permit No.: U100796

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- MR-12:
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- MR-13:
 - MR-13:
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- MR-7-AD:
 - MR-7-AD:
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- eMaps:
 -
 - MR-7CK:
 - MR-7SCK:
 - MR-7A:
 - MR-7B:
 - MR-7C:
 - MR-7Q:
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 - Certification of Drainage System
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- Height Measurement Tally Sheet
 - Maps and eMap Data Section
 - DEP Only Section
 - Inspector
 - Supervisor
 - Phase I Release (Backfilling and Regrading)
 - Phase II Release (Vegetation)
 - Phase III Release (Final)
 - Quarry Release
 - Revegetation Calculation Form
 - Height Measurement Tally Sheet



Guidelines

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REQUIREMENTS	TYPE OF RELEASE							
	Phase I	Phase II	Phase III	Quarry	Prospect	*** Not Started	*** Totally (100%) Over Bonded	Increment PH I, II, III
Inspector Checklist	X	X	X	X	X	X	X	X
Legal Advertisement	X	X	X	X				X
Water Data	1 raw water sample from each drainage (outlet) area X	1 year (12 months) raw water data (ie. inlet to structure, ponded, wet seal, etc.) X		1 year (12 months) raw water data (ie. inlet to structure, ponded, wet seal, etc.) X				X
Land-Owner Notification	Include list of current surface owners X	Include list of current surface owners X	Include list of current surface owners X		X			X
Seal Certification	Deep mine or auger X				Grouting of bore holes X			X
Sediment Control Removal		2 years after **LAS with 1 year raw water data X	2 years prior to Phase III X	X				X
MR-8 (Final Planting Report)	Recommended X	X	X	X				X
Final Maps	Must be signed by inspector, and must use standard color code X	Revised if bonded area altered after original (ie. overbonded, re-permitted) X	Same as Phase II X		Must accurately reflect reclaimed or not disturbed X			X
** MR-12 (Request for Special Use)	Roads / Buildings X	Ponds / Gas Wells X	Copies of signed previous approved MR-12's X					X

NOTE: MR-12's must accompany a release application. You now have the capability to complete the MR-12 and MR-13 as part of the application, by selecting the 'ADD' button to the right of their menu item.

**LAS - Last augmented seeding
 ***Notarized letter from company officer stating "Not Started" or "Totally Overbonded"
 X - Required
 Blank - Not required



General Information

<input checked="" type="checkbox"/>		<input type="checkbox"/> Guidelines
<input checked="" type="checkbox"/>		<input type="checkbox"/> General Information  
<input checked="" type="checkbox"/>		Phase 1 Attachments
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Raw Water Data 
		Phase 2 Attachments
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Phase 2 Attachments  
<input checked="" type="checkbox"/>		<input type="checkbox"/> Current Surface Owners
<input checked="" type="checkbox"/>		<input type="checkbox"/> Copies of Letters and Return Receipts 
<input checked="" type="checkbox"/>		<input type="checkbox"/> Final Map 
<input checked="" type="checkbox"/>		<input type="checkbox"/> Copy of MR-12 (Request for Special Use) 
<input checked="" type="checkbox"/>	MR-12:	Request for Special Use
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Request for Special Use 
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Request for Special Use 
<input checked="" type="checkbox"/>		<input type="checkbox"/> Demonstration - Chemical Treatment
<input checked="" type="checkbox"/>		<input type="checkbox"/> Copy of MR-13 (Certification of Drainage System) 
<input checked="" type="checkbox"/>	MR-13:	Certification of Drainage System
<input checked="" type="checkbox"/>		<input type="checkbox"/> Notarized Statement 
<input checked="" type="checkbox"/>	MR-7-AD:	Advertisement
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Advertisement  
<input checked="" type="checkbox"/>		Height Measurement Tally Sheet
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Height Measurement Tally Sheet 
<input checked="" type="checkbox"/>	eMaps:	<input type="checkbox"/> Maps and eMap Data Section 



General Information Section: Check Boxes

Select Phase(s):
 Phase 1 Phase 2 Phase 3

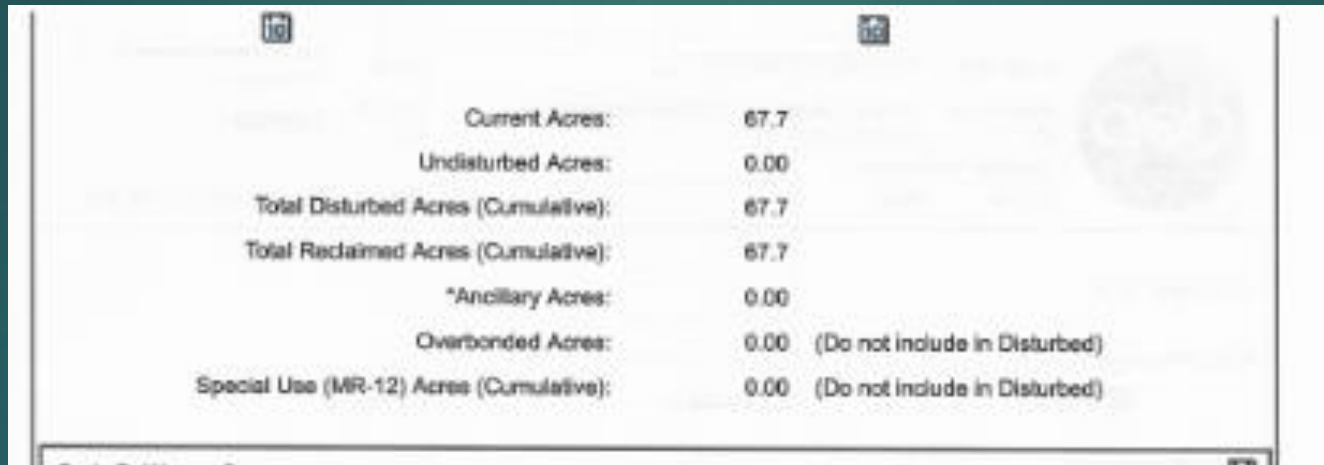
Select if applicable:
 Quarry* Prospect* Not Started Totally Overbonded Mountaintop Removal*

* Denotes the item was automatically set from data in the DEP ERIS system. Contact Permit Reviewer if incorrect.









Acreege Table Consistency

► General Information Table



Current Acres:	67.7
Undisturbed Acres:	0.00
Total Disturbed Acres (Cumulative):	67.7
Total Reclaimed Acres (Cumulative):	67.7
*Ancillary Acres:	0.00
Overbonded Acres:	0.00 (Do not include in Disturbed)
Special Use (MR-12) Acres (Cumulative):	0.00 (Do not include in Disturbed)

► Incremental Bonding Map

INCREMENT #1		61.73 ACRES
INCREMENT #2		103.12 ACRES
INCREMENT #3		133.12 ACRES
INCREMENT #4		68.36 ACRES
INCREMENT #5		96.87 ACRES
INCREMENT #6 (HAULROAD)		4.22 ACRES



Additional Permit Release Recommendations:

This permit poses minimal potential for blowout or poor-quality vertical barrier seepage. However, due to the evidence that the Sycamore Creek mine pool is still rising, it is recommended that this permit not be granted final bond release until the permit holder provides

12/5/2018

7

PUMA Evaluation Narrative

The Sycamore Group, LLC – Sycamore Creek Mine – Permit No. U-1007-96

evidence that the mine pool has reached an equilibrium state within the local hydrologic regime and that no deleterious effects to surface and/or groundwater resources have been reported, particularly in the low elevation areas mentioned above (see Map 3).

A reasonable estimate for the time to total inundation has been established, with a minimum estimate of 1.7 years (applicant – based on 94 gpm inflow to the Sycamore Creek mine workings) and a maximum estimate of 2.6 to 3.8 years (WVDEP – based on linear regression modeling of the available pool elevation data – see Figures 1 through 5). The monitoring wells, that are currently being monitored monthly, will continue to be monitored and the pool elevation data reported to the assigned WVDEP Environmental Inspector, as is outlined in the currently approved *Groundwater Monitoring Plan*. This monitoring should continue until it has been established that the Sycamore Creek mine pool has reached its equilibrium elevation (example: six months of similar pool elevation measurements from both monitoring wells (without an increasing trend), or twelve months of +/- fluctuations around a static pool elevation (showing seasonal variability)).

As the pool elevation is currently rising, one of two possible scenarios is expected, (1) the mine pool continues to rise and reaches equilibrium at, or slightly above, the elevation of the lowest dry seal (1885.8'), within the timeframe mentioned above or (2) the mine pool reaches steady-state equilibrium (vertical inflow = outflow to overburden/adjacent mining) at some elevation below the lowest dry seal elevation prior to the maximum estimated time to inundation. Either way, the permit holder should provide data that shows an equilibrium state has been reached and that, at its equilibrium elevation, the Sycamore Creek mine pool is not negatively impacting water quality of (1) the unnamed tributaries off/and Tenmile Creek, (2) and/or the groundwater wells noted in the SCP Revision No. 2 PHC narrative, (3) and/or the noted roadside seep along Jarvisville Road at the time of final bond release.

PUMA: Additional Permit Release Recommendations



Conclusion

It is my determination that, at this time, the Sycamore Group, LLC. Sycamore Creek mine – Revision No. 16 application provides sufficient information to detail the current hydrologic conditions present in the mine and that the predictions of the original PHC narrative, and the PHC narratives provided with all subsequent SCP revision applications, remain valid. Therefore, this application will not require updates to the PHC or HRP documentation provided with the original SMA and the subsequent SCP revisions. Providing the permit holder meets the criteria described in the previous section, this permit should be considered for final bond release without any additional changes to the Article 3 permit (U-1007-96).















Conclusions



Phase I Attachments

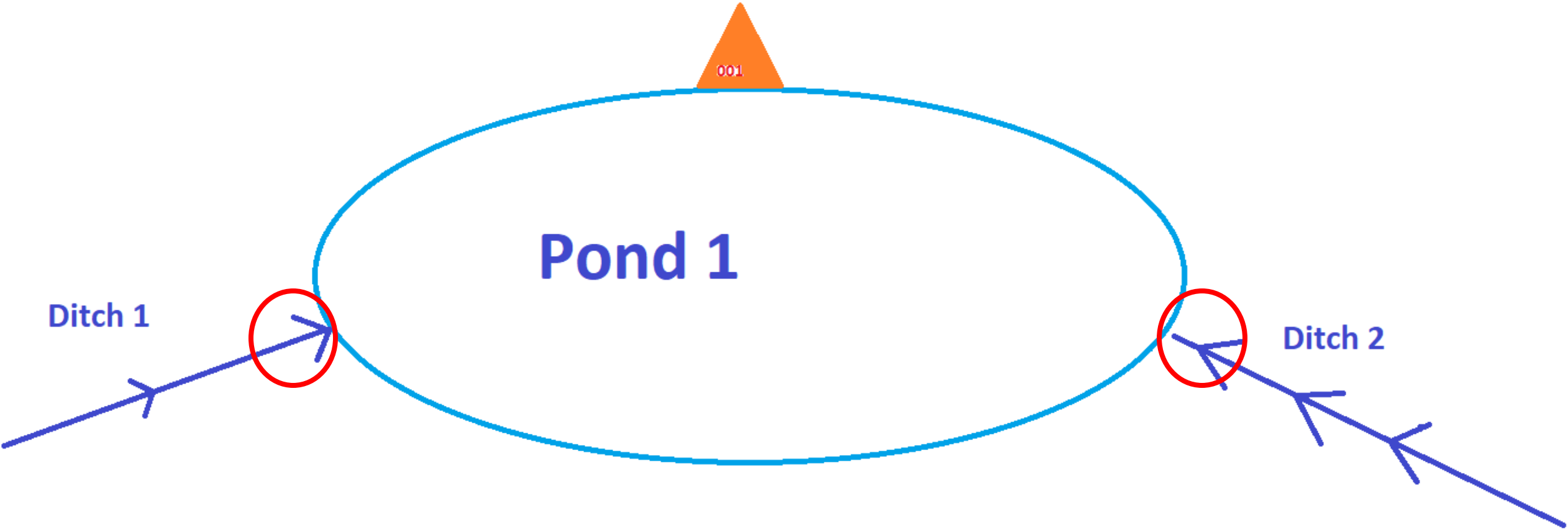
- ▶ 1 Raw Water sample at each drainage area
 - ▶ Inlet to pond, seeps along outcrops, wet seals, rock fill toes, ponded water etc..
- ▶ Sample for the parameters in the NPDES permit for the associated outlet.
 - ▶ This includes Report Only parameters



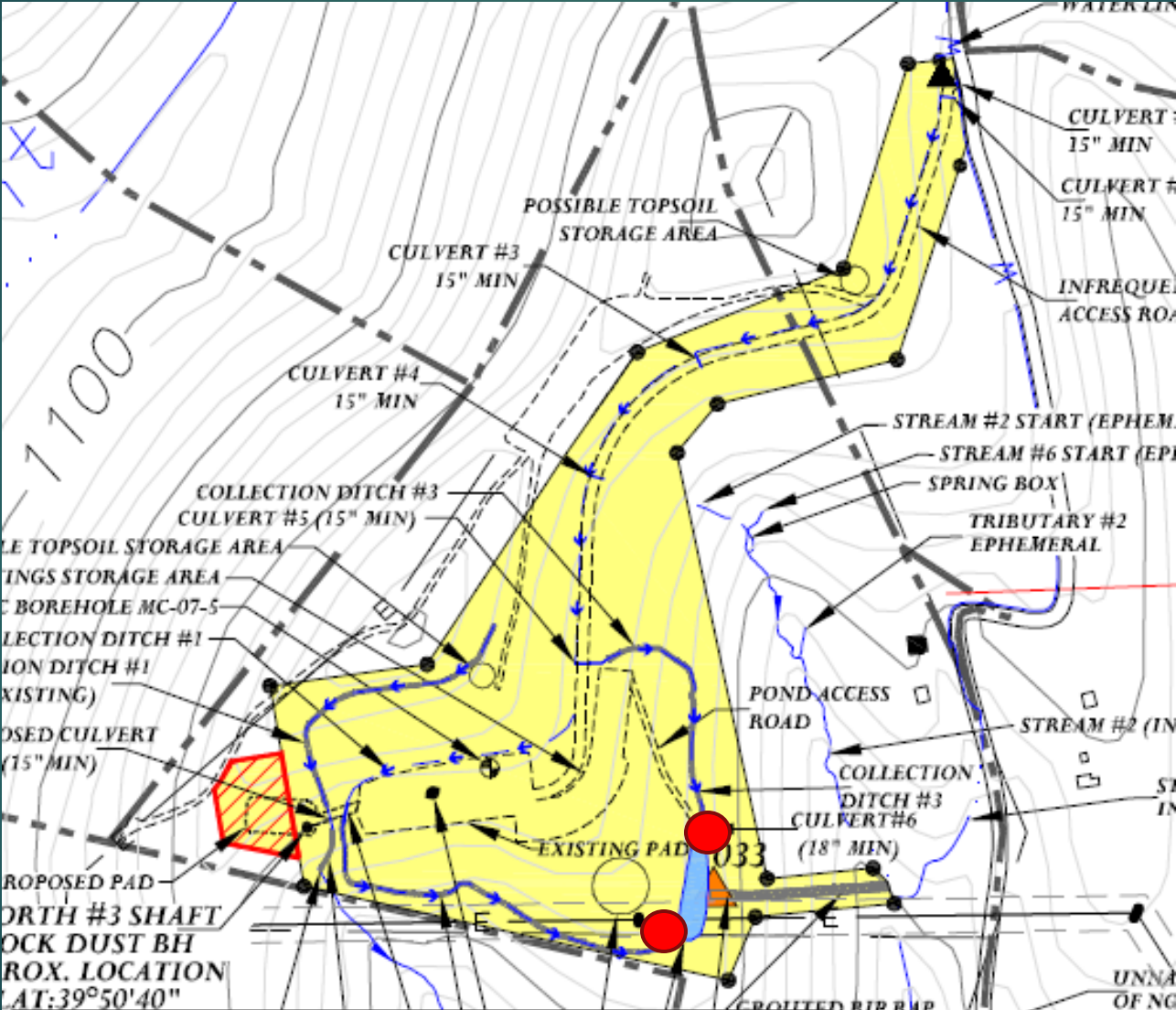
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Where is the Raw Water Sampled?

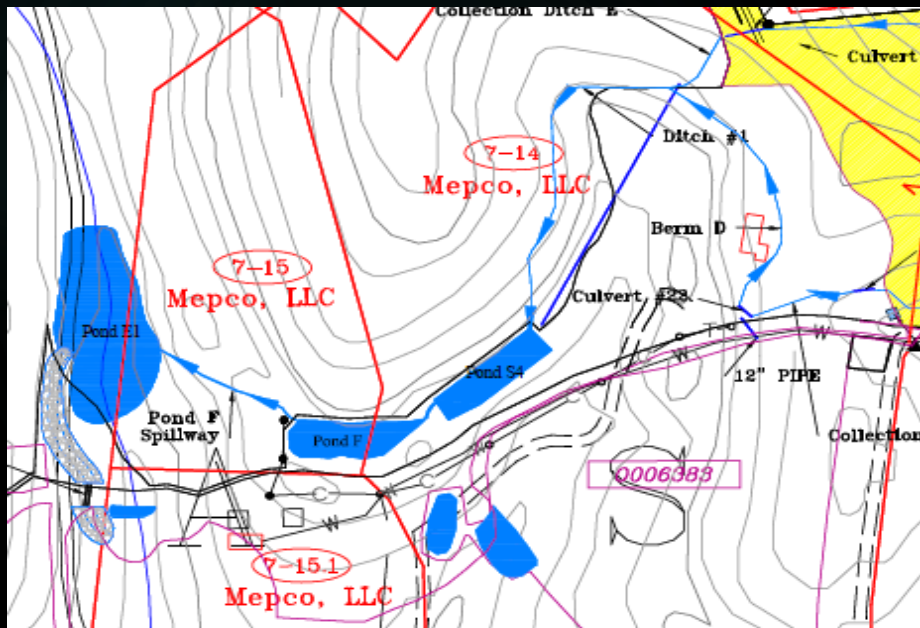
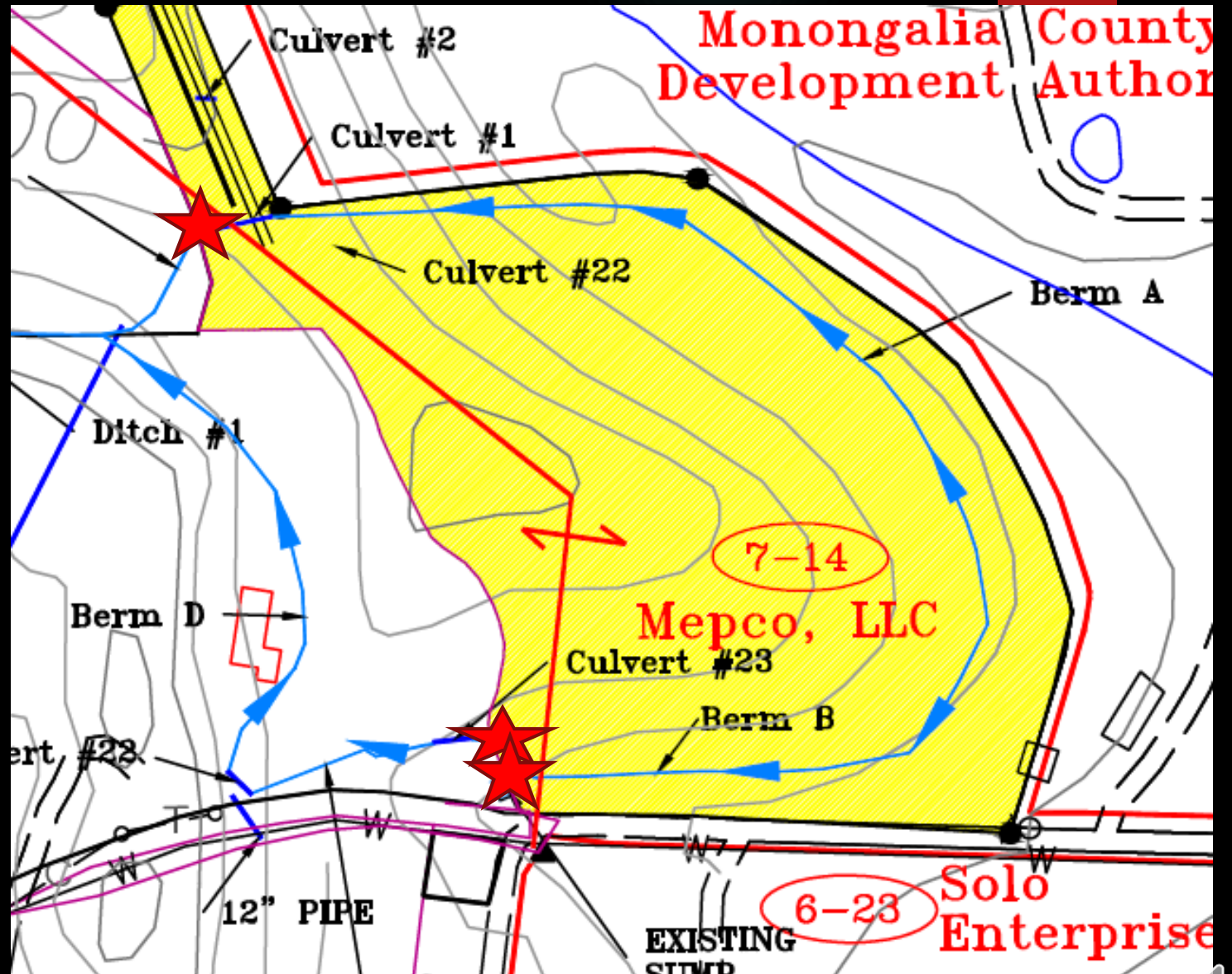


Where is the Raw Water Sampled?



Where are the water samples taken?

- ▶ Where the water leaves the site
- ▶ Possibly at the sump in the lower corner. If it is on the site and there is water from the permit that flows into it.



Permits with BAS and WET

- ▶ If WET parameters or BAS stations are still on the permit, then that permit can't receive a release until they are removed.
- ▶ For Incremental Releases, a procedure is in place to release an increment provided that
 1. The increment being released is hydrologically unconnected to the BAS stations and outlet with WET parameters.
 2. The increment containing the WET and BAS is totally reclaimed
 3. There is enough data to show that the BAS and WET could be removed from the NPDES permit. It is recommended that the company immediately apply for the removal of the BAS and WET
 4. Is there a reasonable expectation that compliance will continue
 5. There are no other water quality issues on the site
 6. The DEP regional Biologist reviews the data and confirms that permit has been in compliance with BAS and WET. Please note that failure to submit any data means that the permit is not in compliance.



Phase I Attachments

- ▶ Planting Plan (MR-8)
 - ▶ Can and should be submitted at Phase I but is not required
 - ▶ Signed by Power of Attorney or Principal Officer
 - ▶ Electronic copy should match signed copy
 - ▶ Needs to be signed by Inspector and Release Specialist
 - ▶ 38 CSR 2-9.3.b: “A final planting plan report shall be submitted to the Secretary with in sixty (60) days after Phase I bond reduction”
 - ▶ When trees are part of the planting plan, the report can only include grasses and legumes with a subsequent and separate report to be filed after the tree plantings are completed during the appropriate planting season



















Phase II Attachments

- ▶ 1 Year Raw Water Data
- ▶ MR-8



12:
12:

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7-AD:

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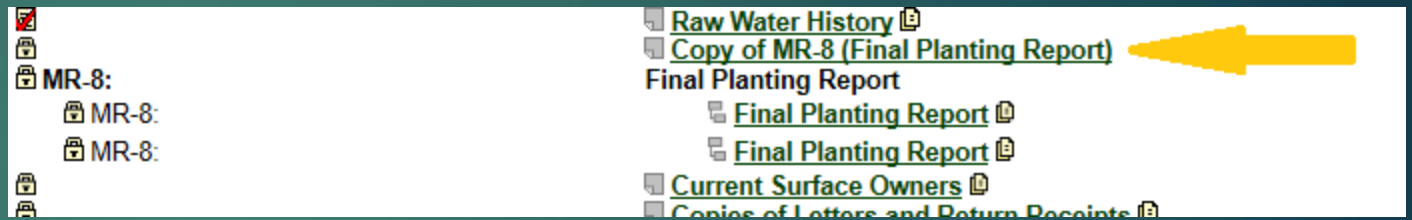
Raw Water History Section: 1-year raw water data

- ▶ Locations are the same as for the Phase I samples
- ▶ Sample for all parameters, including report only, that are listed in the NPDES permit
- ▶ The sampling frequency is the same that is in the NPDES permit
- ▶ Sampling should be recent. Not several years old.
- ▶ If any location does not flow for the entire year, a letter from the DEP inspector confirming the No Flows is required.
- ▶ Every effort should be made to capture the sample areas while they are flowing.
- ▶ DMR data is not suitable for raw water data
- ▶ A map of the sample points may be requested in order to ensure consistency between the DEP samples and company samples



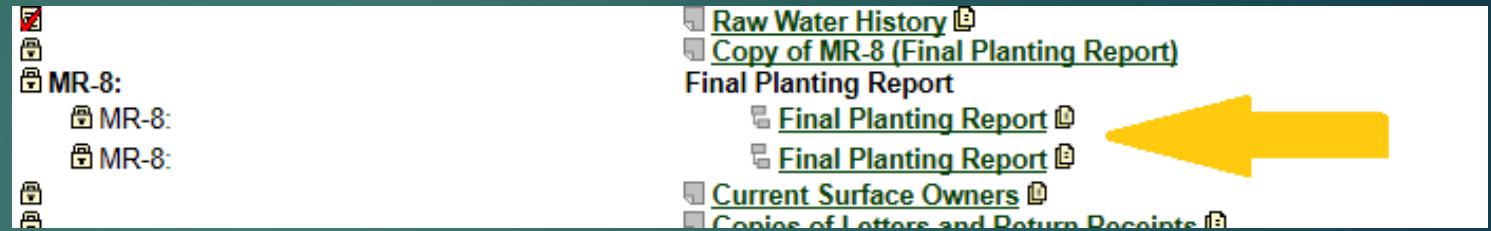
Phase II Attachments : MR-8

If MR-8 was previously approved, it should be uploaded here.



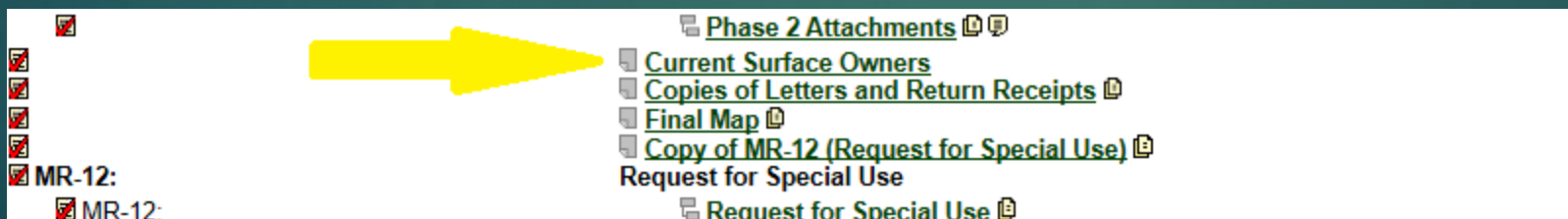
Phase 2 Attachments: MR-8

If MR-8 was NOT previously approved, it should be filled out in the “Final Planting Report” Section



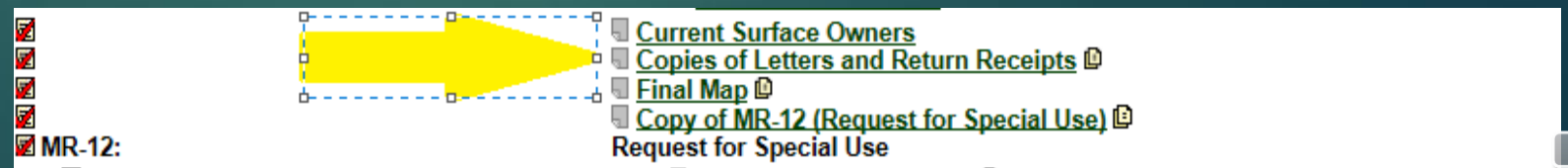
Current Surface Owners

- ▶ Names and addresses of the current surface owners
- ▶ Ensure the addresses and current landowners are correct upon submittal
 - ▶ We also send out notifications to the surface owners. If they are returned as undeliverable you will have to provide us with the current and correct address.
- ▶ <https://www.mapwv.gov/parcel/>



Copy's of Letters and Return Receipts

- ▶ Must notify Surface Owners, Adjoining Surface Owners, Sewage and Water Treatment Authorities or Companies, and Planning Agencies.
 - ▶ Adjacent Landowner are only the property owners that butt up against the permit
- ▶ Make sure all addresses are correct
- ▶ Every attempt must be made to notify including sending additional attempts through the mail and hand delivering.
- ▶ If the Surface Owners/Adjoining Surface Owners still own the property but the address is non-deliverable you will need to conduct the necessary research to find their new address.

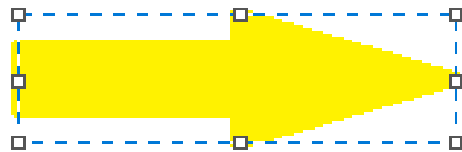


Final Map

- ▶ Standard Color Code is to be used
- ▶ Must be certified by a person on the DEP Approved Persons list
- ▶ Must meet the requirements listed in 38 CSR 2-3.4
- ▶ Include a copy of the final mine development map for underground mines.
- ▶ Acreage table must match the table in the General Information section.



MR-12:



- ▶ Current Surface Owners
- ▶ Copies of Letters and Return Receipts
- ▶ Final Map
- ▶ Copy of MR-12 (Request for Special Use)
- ▶ Request for Special Use



SUBJECT: Final/Progress Maps - Color Codes

1. **Purpose:** This policy is to clarify the color codes required for final and progress maps.
2. **Definitions:** Progress maps - for the purpose of this policy, progress maps are to include inactive status maps, maps under Section 15(f) of the Code, modification maps, ISR maps, and renewal maps.
3. **Legal Authority:** 22-3-15(f); 38-2-3.4(c)
4. **Policy/Procedures:** The following color codes are to be used in the preparation of progress and final maps:
 - Yellow - shall indicate area to be disturbed
 - Red - shall indicate mineral to be removed
 - Blue - shall indicate water and drainage patterns
 - Green - shall indicate areas regraded
 - Purple - shall indicate adjacent mining permits
 - Red Outline - shall indicate areas disturbed outside of permit boundary (inside yellow if still disturbed, green if regraded)
 - Orange - shall indicate limits of augering
 - Brown - shall indicate DMM-12 (Special Use) areas

Note: Cross-hatching of color coded areas may be necessary on progress maps to indicate areas which have been disturbed and not yet reclaimed.

Final Map- Color Code



Copy of MR-12

For already approved MR-12s

Landowner AND Company must be current

Designs and Certifications included

Acreage needs to be included

- MR-12:
- MR-12:
- MR-12:



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Request for Special Use

- ▶ For new MR-12s
- ▶ Same requirements as Copy of MR-12 section
- ▶ MR-12s MUST be submitted as part of a release application. They CANNOT be submitted as a stand-alone application anymore.

Current User: COLEMAN, ANDREW
Ref. Id: U-2002-02 Phase 1 Release (08/23/2019)
Status: ERIS - Tech Corr Requested

Applicant: WOLF RUN MINING LLC
Type: Phase 1 Release #1
Permit No.: U200202

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- MR-12:
 - MR-12:
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 - MR-13:
 - MR-7-AD:
 - MR-7-AD:
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Demonstration-Chemical Treatment



Demonstration of Chemical Treatment Continued

Bio-reactor #006 007	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	Total	
Materials																												
Softwood sawdust								\$2,260										\$2,260									\$4,520	
Softwood chips								\$1,290										\$1,290									\$2,580	
peat moss								\$2,304										\$2,304									\$4,608	
gravel #10 limestone chips								\$720										\$720									\$1,440	
rolls of hay								\$1,200										\$1,200									\$2,400	
horse manure								\$50										\$50									\$100	
composted manure								\$3,476										\$3,476									\$6,951	
Contractor																												
Articulated Truck	\$0	\$372	\$372	\$372	\$372	\$372	\$372	\$1,674	\$372	\$372	\$372	\$372	\$372	\$372	\$372	\$372	\$372	\$1,674	\$372	\$372	\$372	\$372	\$372	\$0	\$0	\$0	\$0	\$10,416
Excavator	\$0	\$340	\$340	\$340	\$340	\$340	\$340	\$1,530	\$340	\$340	\$340	\$340	\$340	\$340	\$340	\$340	\$340	\$1,530	\$340	\$340	\$340	\$340	\$340	\$0	\$0	\$0	\$0	\$9,520
Labor	\$0	\$104	\$104	\$104	\$104	\$104	\$104	\$468	\$104	\$104	\$104	\$104	\$104	\$104	\$104	\$104	\$104	\$468	\$104	\$104	\$104	\$104	\$104	\$0	\$0	\$0	\$0	\$2,912
Water Sampling																												
Contract Lab (Sampling & Inspection)	\$0	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$1,260	\$0	\$0	\$0	\$0	\$26,460	
Annual Report	\$0	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$0	\$0	\$0	\$0	\$4,200	
Table A/B Renewal Samples	\$0	\$0	\$0	\$500	\$0	\$0	\$0	\$0	\$500	\$0	\$0	\$0	\$0	\$500	\$0	\$0	\$0	\$0	\$500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000	
Structure Removal																												
remove on-bench bioreactor 009	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	\$0	\$0	\$0	\$25,000	
Sub-total	\$0	\$2,276	\$2,276	\$2,776	\$2,276	\$2,276	\$2,276	\$16,432	\$2,776	\$2,276	\$2,276	\$2,276	\$2,276	\$2,776	\$2,276	\$2,276	\$16,432	\$2,776	\$2,276	\$2,276	\$2,276	\$2,276	\$0	\$0	\$0	\$0	\$103,107	
Permit Fees																												
NPDES Renewal Fee	\$0	\$0	\$0	\$1,000	\$0	\$0	\$0	\$0	\$1,000	\$0	\$0	\$0	\$0	\$1,000	\$0	\$0	\$0	\$0	\$1,000	\$0	\$0	\$0	\$0	\$0	\$1,000	\$0	\$0	\$5,000
NPDES Annual Fee	\$0	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$25,000	
Groundwater Protection Fee	\$0	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$2,500
Sub-total	\$0	\$1,100	\$1,100	\$2,100	\$1,100	\$1,100	\$1,100	\$1,100	\$2,100	\$1,100	\$1,100	\$1,100	\$1,100	\$2,100	\$1,100	\$1,100	\$1,100	\$2,100	\$1,100	\$1,100	\$1,100	\$1,100	\$1,100	\$1,100	\$2,100	\$1,100	\$1,100	\$32,500
TOTAL	\$0	\$13,940	\$13,940	\$17,940	\$13,940	\$13,940	\$13,940	\$6,407	\$32,096	\$28,096	\$13,940	\$13,940	\$13,940	\$17,940	\$13,940	\$13,940	\$13,940	\$6,407	\$32,096	\$28,096	\$13,940	\$38,940	\$109,388	\$8,112	\$59,836	\$51,100	\$703,731	

Assumptions:

1.)

Bioreactor #	Constructed	Replenish organics
1	May, 2013	2023,2033
2	Nov, 2014	2024,2034
3	N/A*	N/A
4	Feb, 2015	2025,2035
5	Sept, 2013	2023,2033
6,7	Aug, 2016	2026,2036

2.) Contract Laboratory costs as detailed below

Type	Cost	Frequency	Annual Samples	Annual Cost
NPDES	\$45	monthly	12	\$540
Raw water	\$45	Qtrly	4	\$180
Inspection	\$45	monthly	12	\$540
			Total	\$1,260

3.) Estimated equipment costs as follows:

Type	Cost/hr	Hours	Annual Cost	
Swivel Truck*	\$93	4	\$372	
Excavator*	\$85	4	\$340	
Labor	\$26	4	\$104	
			Total	\$816

*with operator

Type	Cost/hr	Hours	Substrate Replacement Cost	
Swivel Truck*	\$93	18	\$1,674	
Excavator*	\$85	18	\$1,530	
Labor	\$26	18	\$468	
			Total	\$3,672

*with operator

*Outlet 003 was brought into compliance by piping treated water from bioreactor 4.

4.) NPDES permit renewal - 2019, 2024 2029, 2034, 2039

5.) Structure removal cost
 In-hollow bioreactor - \$50,000 per structure
 On-bench bioreactor - \$25,000 per structure
 Remove piping system - \$5,000



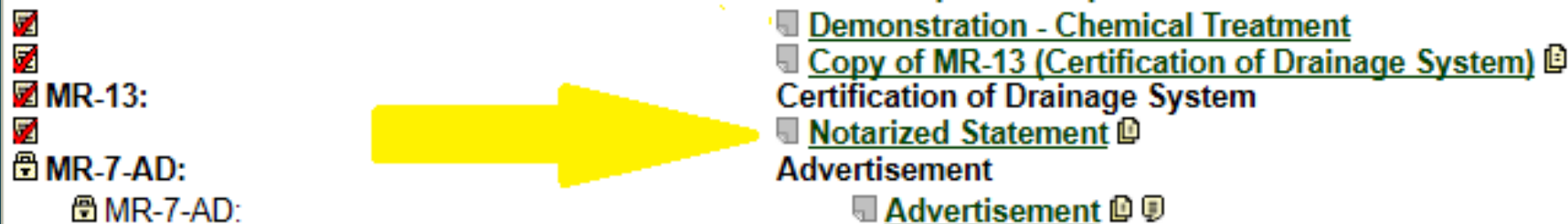
Copy of MR-13 and Certification of Drainage System

- ▶ Copy of MR-13
 - ▶ Most Recent annual drainage certifications
 - ▶ Mine seals (previously Approved)
- ▶ Certification of MR-13
 - ▶ For new certifications that will be approved in the release application
 - ▶ Auger Holes, Boreholes, Mine Seals



Notarized Statement

- ▶ Must be signed by a principal officer or someone with Power of Attorney.
- ▶ Must be notarized.
- ▶ Must include permit number, increment number (if applicable), the phase release being sought and a statement saying that all applicable conditions for release have been met.




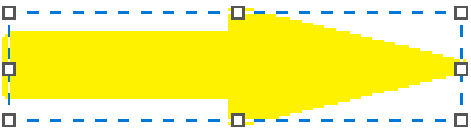


A screenshot of a document checklist. On the left, there are four items: a checked box, a checked box, a checked box with the text 'MR-13:', and a checked box with the text 'MR-7-AD:'. Below these is an unchecked box with the text 'MR-7-AD:'. A large yellow arrow points from the 'MR-7-AD:' item on the left to the 'Notarized Statement' item in the list on the right. The list on the right includes: 'Demonstration - Chemical Treatment', 'Copy of MR-13 (Certification of Drainage System)', 'Certification of Drainage System', 'Notarized Statement', 'Advertisement', and 'Advertisement'.

- MR-13:
- MR-7-AD:
- MR-7-AD:
- Demonstration - Chemical Treatment
- Copy of MR-13 (Certification of Drainage System)
- Certification of Drainage System
- Notarized Statement
- Advertisement
- Advertisement



Advertisement

- ▶ Does not require permission for release applications
- ▶ Advertisement should start on the day the application is submitted
- ▶ If there are big errors, a new ad will need to be run
 - ▶ Wrong Permit, Wrong Company Name, Wrong Phase, Wrong Location

<input checked="" type="checkbox"/> MR-13:		Certification of Drainage System
<input checked="" type="checkbox"/>		<input type="checkbox"/> <u>Notarized Statement</u> 
<input type="checkbox"/> MR-7-AD:		Advertisement
<input type="checkbox"/> MR-7-AD:		<input type="checkbox"/> <u>Advertisement</u>  
<input checked="" type="checkbox"/>		Height Measurement Tally Sheet



Height Measurement Tally Sheet

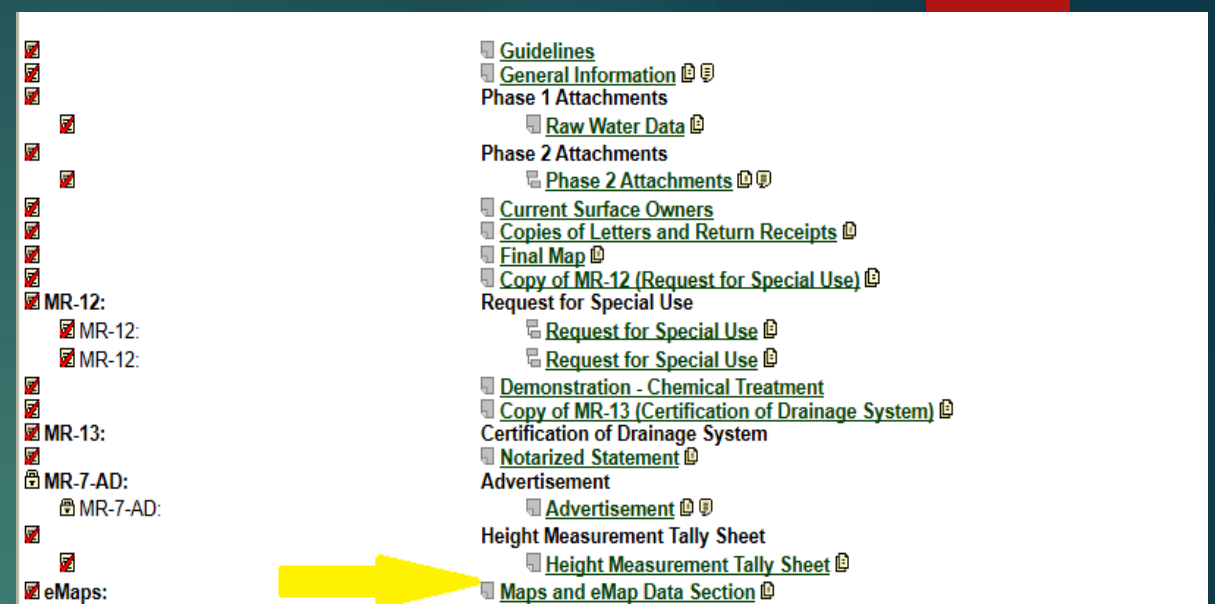
- ▶ Upload the productivity reports for Hayland/Pasture and Rangeland here
- ▶ 1 Required for Phase 2
- ▶ 2 Required for Phase 3
- ▶ Can be from any two years of responsibility
 - ▶ Cannot be from the same year

<input type="checkbox"/> MR-7-AD:		Advertisement
<input type="checkbox"/> MR-7-AD:		<input type="checkbox"/> <u>Advertisement</u>
<input checked="" type="checkbox"/>		Height Measurement Tally Sheet
<input checked="" type="checkbox"/>		<input type="checkbox"/> <u>Height Measurement Tally Sheet</u>
<input checked="" type="checkbox"/> eMaps:		<input type="checkbox"/> <u>Maps and eMap Data Section</u>



Maps and eMap Data Section

- ▶ Include a .dwg format copy of the final map
 - ▶ If the .dwg map was included in a previous phase and nothing has changed a .dwg map doesn't have to be uploaded in subsequent Release applications
 - ▶ Please include a comment that the .dwg map was uploaded to a previously approved Release Application and no changes have occurred.
- ▶ Also include any additional mapping, in pdf format, such as Incremental Bonding map.



The screenshot shows a file upload interface with a list of attachments on the left and a detailed view of the selected attachment on the right. The selected attachment is 'Maps and eMap Data Section', which is highlighted with a yellow arrow. The detailed view on the right shows a tree structure of files and folders, including 'Guidelines', 'General Information', 'Phase 1 Attachments', 'Raw Water Data', 'Phase 2 Attachments', 'Phase 2 Attachments', 'Current Surface Owners', 'Copies of Letters and Return Receipts', 'Final Map', 'Copy of MR-12 (Request for Special Use)', 'Request for Special Use', 'Request for Special Use', 'Request for Special Use', 'Demonstration - Chemical Treatment', 'Copy of MR-13 (Certification of Drainage System)', 'Certification of Drainage System', 'Notarized Statement', 'Advertisement', 'Advertisement', 'Height Measurement Tally Sheet', 'Height Measurement Tally Sheet', and 'Maps and eMap Data Section'.

This section is to attach, where appropriate, the proposal, drainage, and subsidence control maps along with the eMap. Click the 'Attachments' button at the top right.

The eMap file is used by WVDEP to update the GIS database. It will prevent errors in representing the applicant's permit features that arise from manually georeferencing and digitizing scanned images of permit maps. It also will reduce misrepresentation due to data being out of date.

1. This file should contain a subset of features found on proposal/drainage and subsidence control plan maps.
2. A file is only required for actions that also require a proposal/drainage map, renewal/progress map, final map, or subsidence control plan map.
3. Applicants should use the available CAD templates for DWG files, or follow instructions for creating shapefiles or a personal geodatabase.

The eMap file for this application should conform to the WVDEP eMap standards as defined at the following location:

eMap Standards Requirements

WVDEP eMap AutoCAD Templates are available at the following locations:

Template files for North Zone
Template files for South Zone

A free dwg file viewer can be downloaded from the following location: (Click the "Download Now" button)

Free Autodesk DWG viewer

For any questions about the eMap file or standards, please contact:

Nick Schaer (Email: Nick.A.Schaer@wv.gov Phone: 304-926-0499 ext 1510)
Mike Shank (Email: Michael.C.Shank@wv.gov Phone: 304-926-0499 ext 1620)



Phase Release Requirements and Post Mining Land Uses

SECTION 2



Phase 1: Regrade

- ▶ Soil must be stable
- ▶ No Highwall Showing
- ▶ 1 raw water sample from each drainage area
- ▶ Include a seal certification for mine seals or auger holes
- ▶ MR-8 (Planting Plan) is recommended
 - ▶ Must be submitted within 60 days of Phase 1 Release
- ▶ MR-12 must be in place for buildings and roads that are not being removed
- ▶ 60% of bond will be returned*
 - ▶ *Some exclusions may apply
- ▶ Sediment control structures must be cleaned out to full capacity if the area has not had vegetation established yet



Phase 2: Revegetation

- ▶ Vegetation must meet the ground cover standard
- ▶ 1 year of raw water
- ▶ 2 years after the last augmented seeding date
 - ▶ Make sure the inspector puts this date on the MR-6. The wrong date may unnecessarily delay release
- ▶ Include the MR-8
- ▶ Also include the Phase 1 attachments
- ▶ 25% of bond released



Phase 3: Final Release

- ▶ Sediment control structures must have been removed 2 year prior to applying for final release OR have an MR-12 in place
- ▶ Must meet productivity standards if applicable
- ▶ 5 years since last augmented seeding
- ▶ Trees must be 3 years old
- ▶ Include the Phase 1 and Phase 2 Attachments
- ▶ Remainder of bond released



Quarries

- ▶ There are no phases for quarry releases. Only Final Release.
- ▶ In the General Information section, just check the Phase 3 box.
- ▶ If highwall is not eliminated, it must be fenced, and signage must be in place
- ▶ Require a 1-time advertisement
- ▶ Still require 1 year of raw water sampling
- ▶ If hayland/pasture it requires two productivity report.



WV Division of Environmental Protection
Office of Mining and Reclamation
Inspection and Enforcement

Series: 12
Pg. No: 1 of 1
Effective: 10-94

SUBJECT: Release Procedure Change

1. Purpose: Release Procedure for Permits that are Chemically Treating Water
2. Definitions: n/a
3. Legal Authority: 38-2-12.2(e)
4. Policy/Procedure:

For facilities that are chemically treating water for neutralization and/or metals removal, continue to follow normal Phase I release procedures.

If the operation meets all standards for Phase I release, the MR-7a will show zero (0) dollars released/reduced.

The inspector (once the paperwork has been completed and approved) will show the status of the permit as "RC" (Released-Chemically Treating Water).

It will be at the inspector supervisor's discretion whether to allow reduced inspections or not. The minimum frequency is one (1) complete per quarter.

Release with Treatment



Incremental Bond Release on a Permit with Treatment

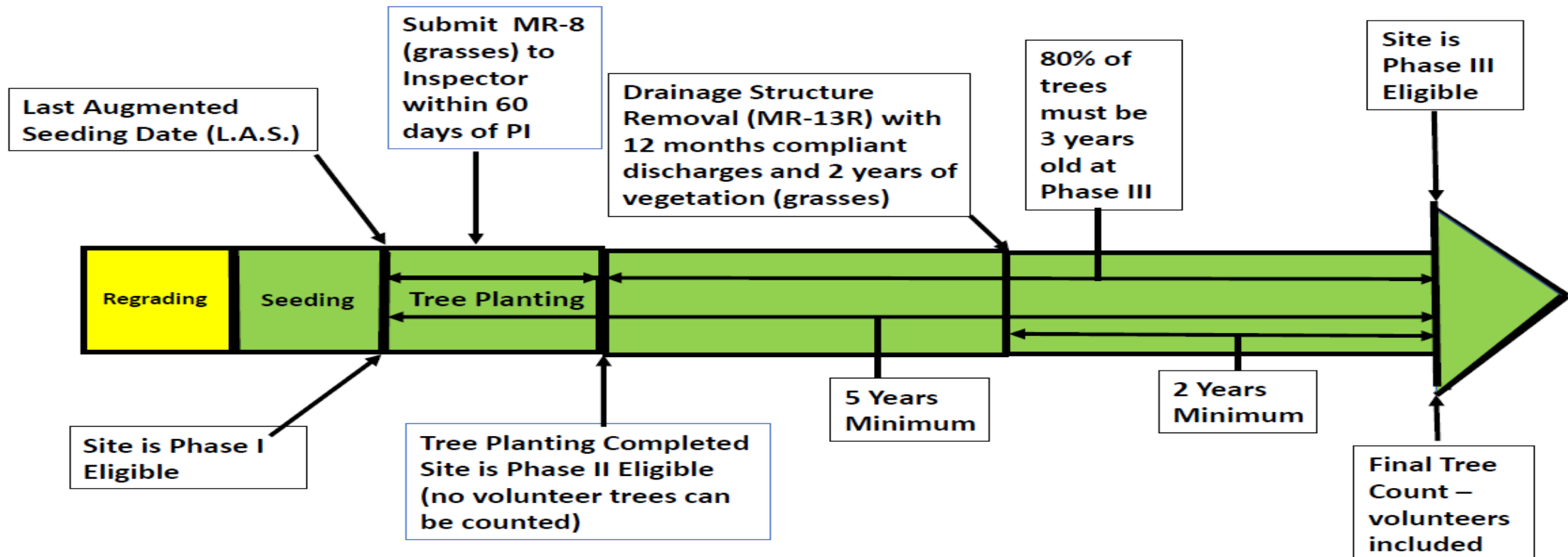
- ▶ On an increment WITHOUT Treatment on it
 - ▶ Only Phase 1 can be granted on an increment without a demonstration of chemical treatment
 - ▶ No bond will be released on the Phase 1 application unless the bond in place sufficiently covers the treatment costs.
 - ▶ Phase 2 and 3 can be granted only after a demonstration chemical treatment is completed and the long-term water treatment bond is posted, if required.
- ▶ Please note that the increment with treatment will NOT receive any phase bond release except for Phase I per 38-2-12.2.e



Forestland 38-2-7.6

- ▶ 450 trees per acre
- ▶ 70% ground cover

Bond Release Timeline--Forestland/F&W



Commercial Forestry

- ▶ Per the Foresters Plan
- ▶ The rules get more specific for Forestry and Commercial Forestry if the permit was granted an Approximate Original Contour Variance.
 - ▶ 38 CSR 2-7.4 covers what is required in this instance
 - ▶ The plan and requirements are very specific
 - ▶ They include things like:
 - ▶ Each 200 acres requires 3 ponds or wetlands totaling 3 acres dispersed through out the permit. The ponds and wetland must be capable of supporting aquatic and littoral vegetation. 7.4.b.1.C.4



Hayland and pasture

- ▶ 90% Ground Cover
- ▶ Must meet productivity standard of 1.6 tons per acre
 - ▶ Company must submit 2 passing productivity studies
 - ▶ Bond Release Specialist will conduct field test as well
 - ▶ Most Common Methods
 - ▶ Pasture Plate
 - ▶ Haybale count
 - ▶ Animal Productivity
- ▶ Follow the revegetation plan
- ▶ Phase 2: 2 years after seeding Phase 3: 5 Years after seeding



Wildlife 38-2-7.7

- ▶ Per the WVDNR biologist plan
 - ▶ Plan must be part of the permit
 - ▶ Biologist Plan must include:
 - ▶ Soil replacement and grading
 - ▶ Liming and Fertilizing
 - ▶ Mulching
 - ▶ Species seeding rate
 - ▶ Should be 500 stems per acre. If less than 450 Stems per acre, then it must meet 90% ground cover
 - ▶ All instances will include at least 4 tree and shrub species, with two of those species being hard mast producing species.



Light Industry/ Commercial

- ▶ Per the plan
- ▶ Includes: Oil and Gas wells, office buildings, stores, parking lots, apartments, motels and hotels
- ▶ Cannot be used for mining related activities and still obtain a release.
 - ▶ i.e. heavy equipment parking area that is then release as light industry with the intent of still parking the mine's heavy equipment on it.



Rangeland

- ▶ Follow the revegetation plan
- ▶ Must meet productivity standard same as hayland pasture
- ▶ OSM is very stringent on this PMLU





Homestead 38-2-7.5

VERY DETAILED. LOOK UP THE ABOVE REG FOR FULL DESCRIPTION.



Other Land Uses

- ▶ Heavy Industry: Power Plants, Airports, Factories
- ▶ Public Service: Parks and Recreational Facilities, waste disposal, hospitals, churches, etc.
- ▶ Residential: Single and Multi-family homes not including apartments
- ▶ Cropland-Close growing crops and or sod
 - ▶ Biofuel-crops used to make petroleum substitute
- ▶ Impoundment of water: stock ponds, irrigation, fire protection, recreation, or water supply
- ▶ Combined: multiple land uses. Primary with secondary



New/Updated Policies and Common Mistakes

SECTION 3



Policies and Procedures

- ▶ **Withdrawals/Terminations of Uncorrected Applications:**
 - ▶ --When an application is returned for correction, the applicant has 30 days to correct the application or it must be withdrawn or terminated.
- ▶ Advertisement and Re-advertisement
 - ▶ An Applicant must wait until after the application has been submitted and gatekept to start the newspaper advertisement. Gatekeeping opens the application in ESS to allow public viewing
 - ▶ Under 38-2-12.2.a ALL bond release applications require advertisement and notifications
 - ▶ A new advertisement will be required for each application. Including those that have been previously withdrawn



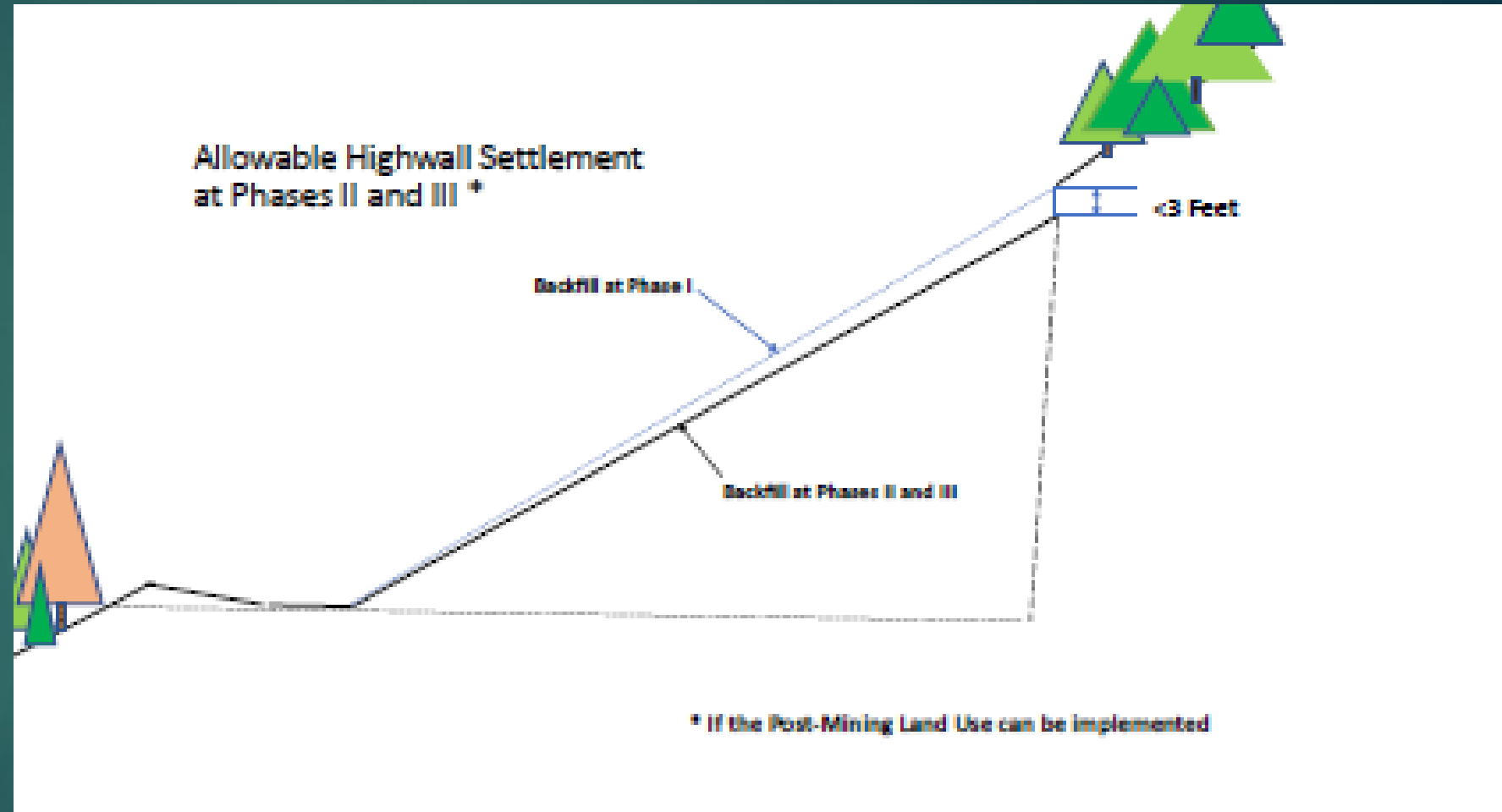
Policies Continued

- ▶ Permits with Long-Term Water Treatment (LTWT) and the potential release of portions of the permit
 - ▶ Before submitting a bond release application the permittee and inspector should discuss the long-term water treatment cost as described under 38-2-12.2.e to determine if release is feasible
 - ▶ If funding of LTWT is required, the permitted should evaluate the possibility of reducing the “footprint” of the permit to include only the area required to operate and maintain water treatment facilities, and to return the rest of the acreage to the landowner.
- ▶ Certified Notification Letter Receipts
 - ▶ The Postal Service sometimes provides an email that documents delivery of certified letters instead of returning the signed “green cards.” Bond Release will accept those emails as proof of delivery.



Highwall Elimination

- Completely eliminated at Phase 1
- Up to 3 feet exposed at Phase 2 and 3 Provided that
 - A certification is provided showing that highwall was exposed due to settling and not a structural issue
 - It doesn't interfere with the post-mining land use



MR-12 Issues

- ▶ Old form used for new MR-12s
- ▶ MR-12 being submitted outside of a release application
- ▶ Old MR-12s not having correct company or landowner
- ▶ Acreage not listed
 - ▶ Old MR-12 Forms do not have a spot for acreage on it.
 - ▶ Please write the acreage in. We cannot process the MR-12 without the acres. The computer program rejects it.
- ▶ MR-12s for drainage structures must include a statement of current conditions. This can be achieved by uploading the most recent annual drainage control certification.



Landowner Notification

- ▶ We also notify the landowner
- ▶ The landowner list must be the current owners with the current address
- ▶ If the information is incorrect, it will be up to the company to update the information
- ▶ It is up to the company to ensure that ALL of their notifications are delivered and to provide proof of their delivery



THE END

