



# NASLR

## NATIONAL ASSOCIATION OF STATE LAND RECLAMATIONISTS

<http://www.naslr.org>

**Summer 2015**

### **President's Message** "NASLR's Summer Tonic"

*Mike Smith*

*Pennsylvania Dept. of Environmental Protection*

We NASLR members are mostly state employees engaged in the regulation of the mining industry. Mining of all sorts: coal, limestone, aggregates, you name it. And I'm willing to bet that most of you spend an inordinate amount of time on the bureaucratic necessities of the job and dealing with other agencies that either oversee what we do or share a regulatory role with us. With administrative demands, staffing issues, and assorted regulatory hurdles, it's easy to get stuck in the morass of bureaucracy and lose sight of our mission to ensure quality land reclamation and environmental protection. What's the antidote for this? How can you reinvigorate interest in reclamation and restore your sense of accomplishment? Reclamation awards – that's how.

All of you know of outstanding reclamation sites in your state. They can be coal mining sites, aggregate mines, quarries or something we haven't even seen before. Past NASLR reclamation awards have highlighted operators that didn't do anything particularly fancy, just an outstanding job of restoring the site to what it was pre-mining. Other sites have used especially creative approaches to reclamation that have taken advantage of the mining process to shape the land for a valuable post-mining land use. Many past

winner have taken abandoned mine lands, re-mined them, and created something of value and improved the environment in the process. Wildlife habitat enhancement and stream improvement projects have been popular features with previous reclamation award winners. The list is long and varied and there is no pre-defined notion of what constitutes a reclamation award winner. But this I know: virtually every state that I've had the opportunity to visit has potential reclamation award winners out there and our mission is to promote superior mine reclamation. One of our best vehicles to do this is with the NASLR mined-land reclamation award.

This is where you come in. It's now time to submit reclamation award nominations. The winner will be selected by a multi-state committee of NASLR members and will be announced at the 2015 annual meeting in Wise, Virginia. This is a great way for NASLR member states to promote reclamation efforts in their state, and to say "good job" to companies that do quality reclamation. Even just receiving a nomination is a good way to recognize companies that you believe are worthy. Awards are given for both coal and noncoal reclamation sites.

There are also three other important NASLR awards. The "Dean Spindler Reclamationist of the Year" award was created to recognize an individual that has done outstanding work in promoting mine reclamation. The nominee can be in state

## 43<sup>rd</sup> Annual NASLR Conference September 13-16, 2015

government, industry, or academia. The only thing that matters is that they have significantly contributed to the cause of mine reclamation. I'm sure you can think of someone who's done substantial and valuable work in promoting reclamation. Now nominate them. Then there's the reclamation outreach award. This award highlights a company or individual that has made public outreach a significant part of their reclamation effort and in so doing has advanced the cause of mine reclamation. It may come as a surprise to some of you but, egad, there are many in the public that think that mining just produces wasteland. They may not even be aware that many reclamation sites were formerly mines. This award is designed to highlight and honor those that have made special efforts to educate the public about mine reclamation. Again, it is open to individuals or groups in industry, academia, or government. Finally, NASLR annually presents a scholarship to a returning college student who is studying in a mine-reclamation related field and shows solid academic promise. It's not a lot in terms of the cost of a college education, \$1,500, but there are no strings attached to the money and NASLR foots the cost of the annual meeting and it's a great way to get your foot in the door to a career in mine reclamation. If you know someone who you think would be a good candidate for the scholarship, please encourage that person to apply.

June tends to be one of our busiest months. Mining and reclamation is in full swing. We're nearing the end of the quarter or fiscal year and inspections and other paperwork are due. Permit applications have been submitted and are in need of review. Summer vacations have started. But please take the time out of your busy schedule to consider nominating an individual, organization or company for a NASLR award. It will be effort well spent and will make you feel good about what we all strive to accomplish. For more information about the various NASLR reclamation awards, visit [www.naslr.org/awards](http://www.naslr.org/awards)



The Inn at Wise

It's time to register for this years' conference in Wise, Virginia!!!! Come join us September 13-16, 2015 for our annual conference. Registration is \$200 per delegate, and \$125 for your spouse or guest. The historic Inn at Wise is offering a discounted rate of \$83.00 per night (and will honor those rates if you decide to stay beyond the conference). The conference itinerary, hotel information and registration form are available on our website.



View from the Powell Valley Overlook

Feel free to stick around for the annual *Rhythm and Roots Reunion* music festival held in Bristol, VA/TN September 18-20. You can also check out other nearby attractions like Mountain Rose Vineyard, Natural Tunnel State Park, Barter Theatre and Big Stone Gap, the film location of the much anticipated *Big Stone Gap* movie scheduled to hit theaters in October.

## **Awards and Scholarship Deadline Extended**

As Mike said, June is a busy month. So, we've extended the deadline for NASLR award and scholarship submissions to July 15, 2015. Thank you to those that have already submitted their nominations. The links to all the awards are at [www.naslr.org/awards](http://www.naslr.org/awards). On the individual award pages, you will find more information about the awards, downloadable applications, and submission information. Please email questions to Mike Smith at [michaesmit@pa.gov](mailto:michaesmit@pa.gov).

## **Notes from the Field**

“The philosophy of reclamation enforcement”

*Dean Spindler*

*Illinois Office of Mines & Minerals*

In a previous article I stressed the importance of the mine superintendent. The superintendent is the key decision maker for allocating resources to both mine and reclaim efficiently. I think it is important for the inspector to meet the superintendent, preferably before there are problems. At very large mines, the mine engineer or the grading foreman may have been empowered with many of these responsibilities. They must be convinced that integrating reclamation with mining can be the most cost effective. Developing a professional relationship promoting mutual respect for both the company person and the regulator makes the inspector's job easier and accomplishes better reclamation. I have used the term cooperative professionalism before. I have had numerous occasions where a grading foreman has encouraged me to bring issues to the superintendent's or corporate's attention to ensure resources were allocated or problems were prevented. In the big picture the grading foreman probably saved the company money using this

tactic. I have even had a mine superintendent call me when an imminent operational problem occurred and wanted some concurrence and flexibility how to solve the problem so there were no surprises or misunderstandings at my next inspection. On one occasion I had the opportunity to meet with all of the superintendents of a large aggregate corporation to discuss the benefits of good communication with regulators and the public.

None of us will be fortunate to have all of our sites where this is successful. Those are the sites that bear extra scrutiny and where I learned to use the 2X4 Missionary Philosophy where you are forced to hit them with the board, (a violation) to get their attention. Enforcement is the progressively punitive. These sites, where the operators are problems from the get go, are usually obvious. They usually don't last long, but can be really be aggravating during the enforcement process. The key is to minimize their liability as best you can, as forfeiture is inevitable. One thing to note here is that mine superintendents, engineers and grading foremen change. I have had individual corporate mines regulatory compliance and professionalism totally reverse with the change of one key local person with the authority to make decisions.

I recently ran across an article which was written about the early days of SMCRA when there was dual state and federal enforcement of the law. It presented two different regulatory philosophies. Some states were focused on preventing and solving problems during the inspection without resorting to taking formal enforcement actions. This was particularly true if the violation could be fixed during the inspection and was not a chronic problem. The other philosophy was that all infractions must be noted and corrected under a formal violation. This was the philosophy held by the new federal agency. It has its roots to ensure conformity between states.

Each has its merits and problems. Regardless each agency and individual inspector will have to decide what they feel will work for them to accomplish the goal of reclamation, the restoration of the land to its desirable capability after extraction of its mineral natural resource.

Being a field inspector can become mundane over time. This is particularly true when inspecting well established underground mines which don't have a history of compliance problems. It is important to keep challenged to keep the job interesting. After 5, 10, or 15 years as an inspector or a technical staff person you start to wonder, "Am I a lifer in my current position, are their opportunities within, or is it time to move on?"

There are several ways to keep things challenging. Depending on the size of the program, the typical breakdown includes an inspection staff, technical staff and administrative staff. A fully staffed, large program will have all of these. Medium to small programs tend to have shared responsibilities. Even with a large program I have seen benefits to technical staff having one mine to inspect. This makes them more, well rounded and helps them to see the big picture of mining and reclamation as well as helping them to walk in the shoes of an inspector who enforces and interprets some of the technical requirements out in the trenches.

Depending on the person's educational background or aptitudes, the inspector might be able to develop themselves into a special skills resource person. Examples of this include GPS, IT, wildlife, revegetation, education, publications, training, web development and paralegal assistance. As all of us know that the rate of technological change is so fast, a person with a real aptitude for keeping up and sharing this with staff is a big asset to a program. Every program can use a review and updating of their education and outreach programs, through the web, publications or developing simple educational resources for teachers. By offering opportunities to field staff to expand and use their knowledge base, a program can revitalize their staff and can advance the quality of their regulatory programs and the quality of reclamation in the field.

Next quarter: "Taking a second look at established policies, can we do better?"

## "The "Art" of Reclamation"

*Halina W. Duda*

*New York State Department of Environmental Conservation*

The Bunny Road mine was a 13 acre sand and gravel mine located at the southern boundary of a 500-acre nationally known sculpture park, which features landscaped lawns, fields with warm season grasses, woodlands and post-World War II sculptures created by internationally renowned artists.



**Bunny Road Mine Site when actively mined.**

Prior to the creation of the 500-acre Storm King Art Center, the site was originally a mine in the 1950's (pre-NYS Mined Land Reclamation Law). Approximately 2 million cubic yards of material was excavated from the site for use in the construction of the adjacent New York State Thruway. When the site was purchased in the 1960's, significant reclamation and landscaping was performed during the creation of the Storm King Art Center. The 13-acre Bunny Road mine site was permitted by New York State in 1986, to provide material for the numerous art projects on the property. During 20 years of mining activity the site had no environmental problems until a small spring was uncovered during excavation activities. A constant flow rate of 3 GPM was measured. Subsequently, the siltation pond was expanded and the turbid discharges off-site ceased.



**Spring**

During a routine inspection, the NYS Mined Land Reclamation Specialist noted that the sculpture park had expanded its outdoor sculptures to within a hundred yards of the active mine. It was suggested that instead of reclaiming the site in the typical basic bowl configuration; the center utilize the mine site for additional sculpture-based art, a unique form of mined land reclamation. The Park Director was very receptive to the idea, and during the search for an appropriate artist, the perimeter of the mine was temporarily reclaimed and stabilized with annual rye, fescue and other native grasses in 2000 and 2001.

In 2006, Storm King Art Center contracted with Maya Lin (architect of the Vietnam War Memorial) to construct an earthform sculpture. Surprisingly, the project was embraced by the artist as an environmental reclamation project, and Ms. Lin worked closely with the New York State Department of Environmental Conservation, and landscape architects Edwina von Gal and Darrel Morrison to create a work that reclaimed the former mine site, and also maintained the natural drainage system. Due to the unusual nature of the reclamation project, and financial constraints, several local mining companies participated by donating material and services to the art center.



**Construction of the Wavefield**

The sculpture is entitled Storm King Wavefield and is constructed of sandy gravelly loam that was covered with six inches of topsoil and seeded with native grasses. The Wavefield consists of seven rows of undulating hills which measure 305 feet to 368 feet in length and rise between ten and fifteen feet. The heights of the waves mimic the actual heights of waves found in the ocean. Typical reclamation methods were employed to create the basic shape of the waves, but a considerable amount of labor was involved in the hand racking and the installation of the erosion control fabric. A French drain was installed around the mine perimeter, and between Waves 6 & 7 due to the presence of the spring. The sedimentation basin was retained, and the slopes were decreased and the pond was planted with wetland vegetation.



**Matting of the waves**



### Revegetation

All fuel utilized at the site, including the fuel for the importation of topsoil and horse manure and the artist's fuel usage traveling to the site, was logged, so that the carbon footprint could be calculated. The second phase of the project involves planting the requisite number of indigenous trees to offset the calculated carbon footprint of the construction of the Wavefield. The earthform sculpture was reviewed in the New York Times and was opened to the public in the summer of 2009.



Completed "Wave Field" landscape by artist Maya Lin at the Storm King Art Centre, New Windsor, NY.

### Project Details:

- Material Brought to Site:
  - 7,000 cubic yards of overburden from Callanan & Nannini
  - 6,000 cubic yards of topsoil from Dick's Concrete
  - 400 cubic yards of horse manure from local stables
  
- Total Amount of Material Used on Project
  - 32,556 cubic yards of fill (7,356 cubic yards around waves and 25,200 cubic yards for the 7 created "waves")
  - 7,000 cubic yards of overburden
  - 6,000 cubic yards of topsoil
  - 400 cubic yards of horse manure
  - 72 rolls of erosion fabric
  - 1,500 pounds of grass seed
  - 146,000 cubic feet of mulch
  - 300 cubic yards crushed stone used for drainage
  
- Seeding Mixture (applied at 150 pounds per acre):
  - Partridge Pea (nurse crop)
  - Creeping Red Fescue
  - Deer Tongue
  - Canada Bluegrass
  - Side Oats Grama

**43rd Annual NASLR Conference Registration**

**September 13-16, 2015**

**The Inn at Wise, Wise, VA**

Name: \_\_\_\_\_ Name Tag (if different): \_\_\_\_\_

Title: \_\_\_\_\_

State / Organization / Dept.: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Registration Fees: Please indicate number of persons that will participate in each activity to assist in planning.

Number Fee

\_\_\_\_\_ @ \$200.00 NASLR Conference Registration

\_\_\_\_\_ @ \$125.00 Spouse / Guest Registration Name: \_\_\_\_\_

Please Check all that apply: Attend Banquet \_\_\_\_\_ Field Trip \_\_\_\_\_

Sponsorship

\_\_\_\_\_ \$750.00 (Includes one conference registration, plus one exhibit set up)

Total Fees \$ \_\_\_\_\_ Make checks payable to NASLR and mail to:

NASLR

ATTN: Derek Giebell

WV DEP

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