



NASLR
NATIONAL ASSOCIATION OF
STATE LAND RECLAMATIONISTS

Winter 2020/2021

<http://www.naslr.org>



"DEDICATED TO QUALITY LAND RECLAMATION"

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Hasta La Vista!



Farewell Message from the Outgoing President:

By Halina Duda

New York

Department of Environmental Conservation

It has been an honor and a privilege to serve as the NASLR President for the 2019 – 2020 term, and what a year it was. I know we have all been affected one way or another by COVID- 19, and I sincerely hope that all our members and families have managed to stay safe and healthy.

This has been a year of challenges for not only our members, but our producers and state governments. As most of you know, NYS was supposed to host the annual NASLR conference in Albany, the Capital District of New York State. The hotel had been selected and arrangements were made; all that was left to do was to sign the contract...and then the world changed. Having been one of the first states with a significant outbreak we had a bird's eye view of what was to come. While we remained hopeful that the conference may go off as planned, we also realized that there was a strong possibility that the conference would need to be cancelled. While we watched other annual conferences cancel until 2021, our Executive Committee decided that the show must go on! The decision was made to host a virtual conference. It may sound very common place to most of us now, but back in the Spring and Summer it felt as if we were in uncharted territory. With the help of Secretary/Treasurer Simone Rodriguez , who diligently worked with the platform and our numerous presenters, the conference turned out to be a rousing success! We had over 100

attendees which may be an all-time high for a NASLR conference! The only thing missing was the field trip and being able to share ideas and libations with other members. Moving forward, I am pleased to pass the torch to Michael Haney (PA) who will lead our organization for the 2020 to 2021 term. I would also like to introduce our new Vice President, Vishnu Srinivasaraghavan, (IL); and new PRE-Committee members, Scott May (PA); James Boling (IL) and Psalm Wyckoff (NY). I am thrilled that we are getting more participants in our committees! It's the only way our organization can survive.

It may be too soon to tell, but New York State is still on board to host the 2021 Annual Conference in the Albany Area. Stay tuned!

Halina

“A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty”

- Winston Churchill

Hola Amigos!

Welcoming Message from the Incoming President:

**By Mike Haney
Pennsylvania**



As we all look toward a future with no more pandemic impacts and/or restrictions, we can probably all agree that one word can describe much of what we all face.

Challenge.

This is the “feel” I get from the prospect of 2021. This past year brought so many challenges and changes that most of us had to accept and understand that I’m not sure any real comfort zones were established. Many of our routines were quickly eradicated and replaced by real-time adjustments and efforts to coordinate as best as we all could. But even so, I feel energetic about 2021 and the NASLR organization. The board members were able to pull off an unprecedented, meaningful, and even exciting 2020 virtual conference, with a schedule full of expert technical presenters. The award committee found well-deserved award and scholarship candidates that we were proud to recognize on a national scale. All participating attendees had the opportunity to earn professional development hours to help them improve and maintain their credentials. And best of all, we welcomed some new (and some returning) members to the NASLR board of officers and committees to expand our internal capabilities. Shifting to a digital platform allowed us to query the

attendees with a post-conference survey to receive valuable feedback and suggestions moving forward. We’ve set to update the NASLR website, establish a social media presence, and have dedicated ourselves to delivering a mission-focused, relevant, valuable suite of benefits to our members and friends involved in land reclamation work. We took the “tiger by the tail” and the stage is being set for great changes. Some of these changes include potentially more frequent webinars that will include much-needed professional development hours and increased participation opportunities/venues for our members. Frankly, we’re aiming for more member involvement/participation/interaction, and a reinvigorated way of doing things that will really hold value for our members and their organizations, draw in new membership from state and corporate entities, and allow us all to share information and resources that can help everyone work together for more effective land reclamation efforts across the U.S. Working with remote professional networking platforms gives us a reach we may not have realized prior to 2020, and it’s a challenge I’m happy to say NASLR has readily accepted. We’ve got some world-class people involved, here folks, so stay in touch – there’s more to come!

NASLR's 2020 Mined Land Reclamation Award— Non-Coal Hamm Quarries, Herrington Mine

**Nominated by Scott Carlson,
Kansas Department of
Agriculture**

The Hamm Companies 80 acre Herrington Quarry located in Marion County has produced 1.5 million tons of the Cresswell Limestone since commencing operations in 1955. The original mining operation commenced in



1955 and consisted of approximately 33 acres, which were never reclaimed as the operation had ceased prior to the passage of the Kansas Surface Mining and Reclamation Act of 1994.

The 80-acre site was sold “as is” to Delbert Presslor who was unconcerned that one half of the site was an old open pit mine. Rather, he saw the potential in the one half of the property as being suitable for his hunting and fishing endeavors. In the mid 1980’s, Hamm Companies approached the landowner to re-open the mine. Not only did the landowner see this as an economical decision, the owner saw this as an opportunity to create the habitat of his dreams! The owner was an accomplished sportsman and wanted to create a wildlife sanctuary for the native species in the area such as bobcat, deer, various gamebirds and waterfowl. The mine’s various elevations and subaqueous excavations provided the landowner and Hamm Companies numerous opportunities to create specific habitats, even though they could have very easily restored the land back to agricultural use. The landowner worked with Hamm Companies; Kansas Department of Agriculture, Division of Conservation; the Kansas Department of Wildlife, Parks and Tourism; and the Wildlife Council to create a management plan that would promote and increase the wildlife diversity and plant life.

Highlights of the reclamation include:

Food Plots – Nearly 10 acres were reserved specifically for edible vegetation for wildlife. A diverse selection of plants was chosen to attract many species of wildlife. Turnips, Rapeseed, Chickory, Milo, Alfalfa, Yellow Sweetclover, White Sweetclover, Purple Prairie Clover, Alsike Clover, and Crimson Clover were planted. Prior to planting each of the three food plots, the areas were sprayed twice to minimize weeds. Upon planting, the grounds were fertilized to promote healthy growth.



Pollinator Planting – To ensure that something is blooming during all times of the growing season, a pollinator mix consisting of nearly 50 wildflower species was planted on 2.13 acres. Adding this plot provided natural beauty as well as food sources for insects, which then attracts birds of many types who will nest nearby.

Boulders/Buckshot/Gravel Piles – Unlike most reclamation sites, the landowner requested the boulder piles be left in place to create a safe habitat for the animals, especially rabbits and bobcats. In addition, any leftover buckshot and gravel piles should remain available for future use.

Native Grass and Forbs/Legumes Planting – A 50-foot native grass buffer was planted along each side of the interior road and along the outside of the food plots to provide excellent winter cover and travel corridors for wildlife.



Roadside Berms A berm nearly 1,500 feet long was built alongside the East side of the property, running parallel to the nearest road, in order to prevent poaching. This raised bank also provides privacy for the landowner, and assists in reducing sound pollution from the nearby road traffic and railroads

Brome Grass Management – As the area becomes dominated with brome grass, plant diversity begins to suffer as less native grass species can compete and are squeezed out. A careful plan for spot spraying in fall and early spring was determined in order to keep a healthy mix of vegetation growth.



Ponds and Water Sources – Creating water holes, ponds, and small ravines would not only attract land and air dwellers, but also amphibious prey and insects that would become a critical food source. Four ponds were created from existing mining pits, grading and preparing each to effectively hold water, while directing storm water runoff and avoiding erosion along the waterways.

According to TG Hamm, “utilizing our available resources in the Wildlife Habitat Council and the Department of Wildlife, Parks and Tourism gave us the opportunity to anticipate problems we might encounter and afforded us the ability to go in with a written plan and clear objectives. The project was not typical of our normal reclamation work, and therefore took expert opinions outside of our normal resources and lengthened our timeline because of the specific requests of the landowner. This was never seen as an obstacle, but as an opportunity to invest in the local community and give back to Mr. Presslor, who graciously furnished his land for nearly three decades.

Mining this property for 30 years gave us ample opportunity to know Delbert on a personal level. Not only was he the landowner, but he became a partner in our efforts.

It was to our great disappointment that Mr. Presslor passed away in August 2017, just seven months before the completion of the project. Based on his wishes and his vision, we finished the project in the Spring of 2018. A year later, the Herrington site is established with rich vegetation and a steady increase of wildlife inhabitants. On any given day, overlooking from the highest elevation, the land below is alive and the spirit of Mr. Presslor lives on. It was a great honor to be a part of his legacy”.

NASLR's 2020 Mined Land Reclamation Award—Coal Demery Resources Company, LLC, Five Forks Mine

**Nominated by Danielle Duhé,
Louisiana Office of Conservation**

The Demery Resources Company, LLC Five Forks Mine has been awarded the 2020 NASLR Coal Reclamation Award. The mine is located near Saline in Natchitoches Parish, and is owned by Five Forks Mining, LLC (FFM), a wholly owned subsidiary of Advanced Emissions Solutions (AES). Demery Resources Company, L.L.C., a subsidiary of the North American Coal Corporation, has operated the mine since its inception in 2012. The mine has disturbed 489 acres of land and has concurrently reclaimed



183 acres with 32 acres currently in operation with active mining and reclamation projects. The remaining open acreage includes sedimentation control ponds and overburden stockpiles. The mine supplies approximately 220,000 tons of lignite feedstock annually to AES' carbon activation facility near Coushatta in Red River Parish.

Louisiana Surface Mining Regulations require that "rough backfilling and grading shall be completed within 180 days following coal removal and shall not be more than four spoil ridges behind the pit being worked, the spoil from the active pit being considered the first ridge. The mine uses a fleet of dozers operating 11.5 hours a day, five days a week to remove overburden and regrade the spoil material and the final cover. In Louisiana, mixed oxidized overburden with the native claypan is approved as a substitute for topsoil and subsoil, and a minimum of four feet is placed on the graded reclaimed surface. The mixing of the native clay soils with the oxidized material creates a more permeable soil layer, which aids in the management of stormwater. Once an area is regraded with the final four feet of mixed oxidized material, FFM puts down ground cover as soon as possible. If final regrading occurs outside the optimal growing season, the mine lays temporary ground cover and/or distributes a heavy mulch cover. FFM plants a combination of Bermudagrass and browntop millet in the spring and ryegrass in the fall to stabilize the landscape as quickly as possible. The commitment of concurrent reclamation is a critical component in the company's successful management of stormwater at this site. For example, the average annual rainfall in northwestern Louisiana is approximately 56 inches, punctuated with extreme storm events. A most recent example would be the 73.5 inches of rainfall in 2018.

FFM's accelerated contemporaneous reclamation approach results in improved operational efficiencies. Haul distances for the truck fleet are reduced, as backfilling and grading is typically occurring adjacent to the active mining operations. Five Forks Mine's accelerated contemporaneous reclamation approach saves an estimated \$355,830 annually - which is approximately 4.4% of the mine's total annual operating budget.

Accelerated concurrent reclamation requires conscientious long-range mine planning and operational commitment, above and beyond standard operational mine planning. This ensures that heavy equipment is dedicated to backfilling and grading as a normal part of the production process, and not as an afterthought. The resulting environmental and operational benefits are transferable to other truck/shovel surface mining operations throughout the United States.

NASLR's 2020 Outreach Award

Town of Ulster & Callanan Industries, Inc.

East Kingston Quarry

Nominated by Halina Duda,

New York Dept of Environmental Conservation

The 2020 NASLR Outreach award recognized both Callanan Industries, Inc. and the Town of Ulster for the community outreach conducted by both parties in 2019 after the collapse of a historic underground mine and resulting rockslide which threatened the health and safety of the residents of the hamlet of East Kingston. The East Kingston Quarry is a 215-acre limestone quarry situated on a 1200-acre parcel that was originally mined in the twentieth century to produce Portland Cement.

On July 25, 2019 a rockslide occurred in the early morning hours, waking and startling the residents to what was later described as an earthquake. The slide was caused by the collapse of one of several historic cement mine openings dating from the late 1800's which are located on the eastern flank between the active mine and the hamlet of East Kingston. It should be noted that these historic cement mines are in a natural buffer between the community and the facility and are not in the permitted areas of the mine.

The collapse affected an area approximately 400 feet in length and left a large hanging block which threatened several East Kingston residences, a church and the firehouse.

The resulting coordinated effort, including outreach and education by the mining company and town officials, allowed Callanan to address the immediate and long-term safety issues for the residents of the hamlet, provide much needed improvements for the community and allowed the company to retain their ability to blast and produce material for ongoing construction projects in the area. After the slide stabilized and it was deemed safe to work, Callanan immediately installed concrete barriers and parked a front-end loader between the slide area and the homes across the road. Town of Ulster Supervisor, Jim Quigley and Don Fane, President of Callanan, conducted door to door meetings with the residents to inform them of the ongoing situation and the next steps and more importantly, confirm that blasting activities were temporarily suspended until it could be determined that blasting a half a mile away would not affect the stability of the slide. Callanan hired GeoStabilization International to design and construct a GCS (geosynthetically confined soil) barrier wall as a permanent safety feature which was designed to stop subsequent rock falls from entering the roadway. Although the construction of the wall was to protect the community, it was met with resistance from the community since it was to be placed in an area of a WWII memorial and shrine, the Grotto for the Virgin Mary. Additionally, many trees and shrubs would have to be cut to install these safety barriers. Recognizing the sensitivity of the myriad issues ranging from public concern and the urgency to construct a permanent safety feature, Supervisor Quigley held daily office hours in the hamlet to address the concerns of the community. The Town Supervisor utilized the Town's website, social media and press releases in the local paper to convey information to the community daily. He also enacted a state of emergency so that the wall could be constructed expeditiously. Callanan and the Town held several informational sessions for the community. At these informational sessions, Executive staff and plant personnel from Callanan were present along with the Town Supervisor and Planning Board. (continued on page 8)



NASLR's 2020 Scholarship Award Winner

Dayton M'Kenzie Dorman

Dayton M'Kenzie Dorman was selected as the recipient of the 2020 Scholarship award.

Dayton M'Kenzie Dorman is a graduate at the University of Oklahoma working under Dr. Robert Nairn with the Center for Restoration of Ecosystems and Watersheds. She has a bachelor and master of science in environmental engineering. M'Kenzie is currently pursuing a doctorate in environmental engineering.

Her graduate career has been focused on the reclamation and treatment of mine water in the Tar Creek Superfund Site. M'Kenzie's master thesis focused on evaluation of the use of a novel aeration technology to promote iron oxidation in passive treatment system oxidation ponds. Her current research focuses on how mine water chemistry and time change the mineralogy of produced oxides. This research can help determine the best reuse of produced iron oxides to make reclamation more sustainable.

Her graduate studies have allowed her to expand her scientific knowledge to include more geochemistry and ecological engineering. She this experience to increasing her knowledge of mine drainage and making her a more well rounded scientist and engineer.

She hopes to continue to build on her knowledge base and contribute novel ideas to the scientific community with research in mine drainage reclamation and ecological engineering.

M'Kenzie aspires to represent more women in more advanced STEM fields. She hopes her pursuance of a graduate degree and participation in the scientific community can encourage women and people of different backgrounds to do the same.

(Modified from M'Kenzie's scholarship application)



Outreach Award Winner—Town of Ulster, Callanan Industries Inc. (cont. from pg 7)

Various industry professionals were also on hand to answer questions and provide information on the geology of the area, environment, wildlife, blasting impacts and vibration impacts. When Callanan President Don Fane addressed the community, he committed to providing material to the Town to pave a 1.5 miles of road and replace a 60 year old dilapidated bus shelter. Callanan also committed to rebuilding the WWII veteran's memorial and the Virgin Mary grotto which had to be removed during the construction of the GCS wall.

Callanan invested \$2.0 million in the wall and fence and has committed to continue to work with the community. Due to this coordinated approach by both the Town of Ulster and Callanan Industries, not only is the hamlet protected from subsequent slides, but the community's overall concerns have finally been conveyed to the entire Callanan Executive staff. The cooperative effort between the Town and the Company was critical in getting the rapid approvals for these structures. However, the real win was engaging and educating the residents of the hamlet. For the first time, the residents of East Kingston finally feel that their concerns have been heard.

**NASLR IS SEEKING
OUTSTANDING RECLAMATION WORK,
DEDICATED RECLAMATIONISTS,
And
PROMISING STUDENTS WORKING IN THE FIELD
OF RECLAMATION
For the
2021 NASLR AWARDS!**

Visit the NASLR website information on how to make a nomination or how to apply :

Mined Land Reclamation Award (Coal & Non-coal)

<https://naslr.org/awards/naslr-reclamation-award/>



Outreach Award

<https://naslr.org/awards/naslr-outreach-award/>



Dean Spindler Reclamationist of the Year Award

<https://naslr.org/awards/the-dean-spindler-reclamationist-of-the-year-award/>

Mined Land Reclamation Educational Grant

<https://naslr.org/awards/scholarship/>



July 1st is the deadline for ALL nominations and applications.

**Upcoming 49th Annual
NASLR Conference
and
Technical Sessions
STAY TUNED FOR DATES!**



**THE 2021 NASLR CONFERENCE WILL
BE VIRTUAL WITH IMPROVED ACCESS
AND FUNCTIONALITY!**

**NASLR IS SEEKING PRESENTERS FOR
THE 2021 CONFERENCE**

**Please contact : Simone Rodriguez
(simone.rodriquez@dec.ny.gov or 518-402-8493)**

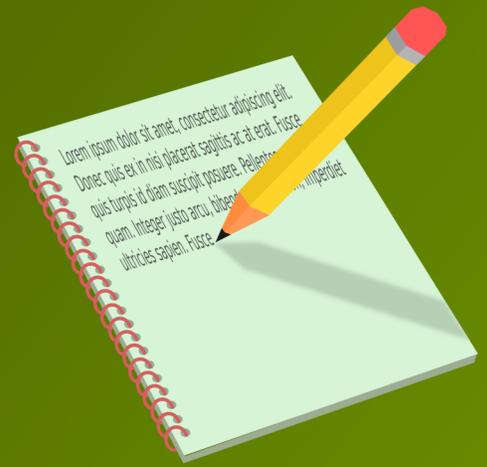
An *exciting* information packed conference is planned.

More information on conference speakers and continuing education opportunities will be forth coming. Be sure to check the [NASLR website](http://www.naslr.org) for up-to-date information. <http://www.naslr.org>

NOTES FROM THE FIELD

Having the back of your staff, a view from both sides

By Dean Spindler



Even though I have written on the topic of professional integrity and mutual respect between rank and file, and between staff and leadership before, a fresh discussion seems appropriate as this topic seems to pop up regularly. The importance of your staff trusting that you “have their back”, when you are higher in the agency organizational hierarchy, cannot be understated. However, that trust must go both ways and that trust must be earned. Over the course of 44 years I have served in roles as tech support, field inspector, midline manager of inspectors, field and technical staff trainer, a short stint as acting LRD supervisor while a permanent replacement could be vetted, and lastly, as a part time retired contractor. While serving in each of these roles, I have had the unique opportunity to have a view of both sides of the trust coin.

At each level of the organizational hierarchy, whether you are the staff member making the decision or administrator supporting the decision, you are acutely aware that your decisions (perhaps to deny a permitting action, or to take enforcement actions in the field) will be subject to scrutiny, both by the operator and the agency. Agency protocol on the level of inspector autonomy for taking enforcement action has varied over time and under different programs. Small staffs seem to have more individual authority, whereas, with larger organizations the decision making can become more bureaucratic.

Under certain administrations, I have had inspectors ask me, in confidence, that if they wrote a violation would it be overruled at a higher level? My first response was always “Is it a solid decision with good documentation? If so, then write the violation.” As a side note, some administrations did require staff to discuss the nature and circumstances of a potential violation with a supervisor before the violation was officially written. This practice was meant to ensure all applicable evidence had been collected and appropriate citations/regulations bases were covered. The practice was not meant to second guess the decision-making process of the inspector, but inevitably it felt that way at times for some staff. In addition, under some circumstances, particularly with inexperienced staff, an evaluation may need to be made by senior staff regarding the nature and circumstance of the potential violation, particularly if the issue is minor or murky and the solution is overkill.

In either case, the field inspector needed to know that it is always necessary to write a solid violation and any oversight is for the benefit of the inspector and the Department, if the case were to be challenged. In the early days, it was routine for the greatly increased regulatory enforcement powers of SMCRA and the regulations behind them to be challenged. Some of the greatest advice, and explanation for supervisory oversight, ever handed down to me was simply “how will you justify your decision if challenged in court?”. Part of building trust with your staff is knowing how to explain the rationale behind oversight and, when a decision must be overruled, doing so with honesty and integrity.

NOTES FROM THE FIELD cont.



Agency supervisors need to ensure decisions are warranted. Another notable comment made to me by the Division Supervisor when I first started my career was that if I was going to shut down a mining operation or deny a specific mining activity and put people out of work, I had better be sure and double check all my facts. If the facts and evidence backed the decision, he would run any interference and handle any political inquiries that might occur.

At the same time, you, as the inspector or technical staff decision maker, must also ensure your decisions are based on law and/or science and not for personal or philosophical reasons. It can be easy to lose sight of the intent of the regulations, especially for an inspector who is saddled with a problem mine. One such intent is to prevent problems rather than just deal with them after the fact (proactive vs. reactive regulatory guidance!). On occasion, the road leading to bond forfeiture is inevitable when dealing with an uncooperative operator. Sometimes all the best efforts at educating the operator and repeated efforts to prevent problems are not enough. In these cases, the agency administrators are apprised of the situation and the violation sequence begins to expedite the forfeiture, if probable environmental degradation is likely. This may involve a series of violations, even if relatively minor, with short abatement dates. This strategy will be affected by the type of regulatory program.

I once had a division supervisor tell me he always looked to the inspector or technical staff as the best source for a course of action or decision. However, on a few occasions, those opinions had to be overridden, as they were not balanced, reasonable or based on a complete knowledge of the situation. He took no pleasure having to exercise that authority. But, as the proverbial “buck stopped with him”, the difficult decisions had to be made. He did make sure the overruled staff member received an explanation of his reasoning so that the decision did not appear arbitrary or motivated by non-legitimate reasons. In other words, he still had their back.



I cannot tell you that during the four decades that I worked in reclamation that every manager, field inspector, or technical staff held the values or attributes mentioned above. But I CAN tell you the good ones last, and the bad ones...not so much!

If you are not already a member or know someone interested in becoming involved with a group of reclamation professionals promoting excellence in reclamation please contact us or forward this newsletter to them. You are cordially invited to join NASLR, a group of member state reclamation agencies throughout the United States, as well as government reclamation professionals and industry associates that seek to develop resources and strive to restore mined lands to productive uses.

The four categories of membership are *State, Individual, Associate and Corporate Sponsor*.

To join, see conference information or request additional information, please visit our website at:

www.naslr.org

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NASLR NEWSLETTER

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Please use a [NASLR Newsletter Submission Form](#) (or [download here](#)).

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