TENTATIVE AGENDA

INTERGOVERNMENTAL FORUM ON MINE PLACEMENT OF COAL COMBUSTION WASTES
May 15 and 16, 2001
St. Louis, MO

TUESDAY, MAY 15 - 1:00 P.M.

I. Welcome and Introductions (1:00 - 1:30 P.M.)

II. Presentation by EPA on Status of Regulatory Determination and Future Rulemakings (1:30 - 2:00 P.M.)

III. Presentation by OSM on Its Regulatory and Oversight Role in Coal Combustion Waste Mine Placement (2:00 - 2:30 P.M.)

**** BREAK ---------- 2:30 - 2:45 P.M. ****

IV. Descriptions of State CCW Mine Placement Regulatory Programs (2:45 - 4:15 P.M.)

- Several States will likely participate in this part of the forum including IN, PA, CO, OH, IL, WV, TX and ND. Participants may include representatives from the Departments of Natural Resources and/or the Departments of Environmental Protection/Quality that have jurisdiction over CCW mine placement.

- Each State will be asked to address several topics as part of their respective presentations including:

  - Current regulatory scheme and/or policy guidance, including which State agencies have jurisdictional lead over mine placement
    - Basic approach: Performance standards vs. operating standards
    - State enforceability
    - Citizen enforceability
  - State's position on beneficial uses related to mine placement, including use at Abandoned Mine Land (AML) sites
  - Nature of disposal practices
  - Pre-placement site characterization/assessment
    - Acceptance/rejection criteria
    - Ground-water assessment (pre-use monitoring, modeling)
    - Acid-base accounting

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* Times are approximate and may be adjusted as necessary

- Flood plain and seismic assessments
- Surface water assessment (pre-use monitoring, modeling)
- Soil and geologic assessment
- Public notice/approval, environmental justice issues

- Waste characterization methods
  - Analytes, frequency
  - Acceptance/rejection criteria
- Construction and placement criteria
  - Placement methods (layering, piling, intermixing with spoil, etc.)
  - Air emission (dust) limits/standards, required/acceptable practices
  - Ground-water protection limits/standards, required/acceptable practices (e.g., liners, protective distance above water table, etc.)
  - Surface water protection limits/standards, required/acceptable practices (e.g., stream diversion, contouring, etc.)
  - Cover material (daily, intermediate, final) and vegetation
- Quantity and placement restrictions
- Monitoring requirements
  - Ground water (well design and placement, analytes, frequency)
  - Surface water (sampling points, analytes, frequency)
  - Availability of data to public
- Closure requirements
- Post-closure requirements
  - Monitoring, reporting, record-keeping
  - Maintaining integrity of final cover
  - Subsequent use restrictions
- Corrective action/remediation
- Financial assurance

****BREAK ---------- 4:15 - 4:30 P.M.****

IV. Descriptions of State Programs continued (4:30 - 6:00 P.M.)

WEDNESDAY, MAY 16 - 8:00 A.M.

V. Use of Pre-placement Site Characterization/Assessment Data (8:00 - 10:00 A.M.)

- Each State will be asked to describe situations in which they rejected proposed mine placement operations and discuss rationale for rejection

****BREAK ---------- 10:00 - 10:15 A.M.****

VI. Use of Monitoring Data (10:15 - 11:30 A.M.)

- Each State will be asked to describe problems/issues encountered in the field, e.g., presence of boron, arsenic, or other metals; impacts on ground-water, etc.

- Each State will be asked to describe their experience in using ground-water and surface water data reported from operating facilities to assess the hydrogeologic impact of mine placement operations (e.g., how useful is the data, who utilizes the data to conduct assessments and how often, are data and assessments available to the public, other States, EPA?)

- Each State will be asked to describe damage cases attributed to mine placement, with an eye to identifying commonalities which might lead to avoidance of additional damage cases
  - Site and waste characteristics
  - Placement method
  - Identification and extent of damage
  - Corrective action

****LUNCH BREAK ---------- 11:30 - 1:00 P.M.****

VII. Potential Areas of Improvement (1:00 - 2:30 P.M.)

- Each State will be asked to identify areas where they are considering revisions to their programs governing mine placement or where concerns have been raised (public, regulated community, legislature, etc.)
  - Waste and site characterization
  - Ground-water monitoring
  - Surface water monitoring
  - Placement issues
  - Controls (i.e. liners/grouting; covers/caps; access; corrective action)
  - Shaping (i.e. reestablishment of streams; contouring waste placement)
  - Closure (i.e. final cover; revegetation)
  - Post-closure care (i.e. responsibility; financial assurance; future uses)
  - Administrative issues (i.e. public involvement; reporting; environmental justice)
  - Oversight (permits; inspection; enforcement; public input)

****BREAK ---------- 2:30 - 2:45 P.M.****

VIII. What are the Next Steps? (2:45 - 3:30 P.M.)

- Potential for creating a continuing State/Federal dialogue on CCW mine placement
  - Purpose
  - Logistics: How would this operate
  - Who would the participants be
- Data and information needs
- Reviewing potential regulatory and policy options
- Sharing of regulatory language and guidance documents

IX. Future Meetings (3:30 - 4:00 P.M.)

- Dates and Locations
- Agenda Items