Coordinated Application Process and Coordinated Post Reclamation Assessments in Ohio

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Coordinated Application Process
ODNR-DMRM-Permitting
OEPA-401 Coordinator
USACE-Regulatory
USEPA
USFWS
Applicant
Applicant’s consultant

Coordinated Post Reclamation Assessments
USACE-Regulatory
ODNR-DMRM-Inspectors
OEPA-401 Compliance personnel
History of Integrated Process

• IAP in 2005-intent was to combine all applications into one 404/401/SMCRA
  – Difficulties due to differences in regulations
  – Difficulties understanding who regulates what
  – Tremendous amount of unnecessary paperwork and workload added to each agencies review
  – Lasted about 3 years
  – Great learning experience
Kaizen

• Dissected the IAP to make it better
• Decision was made to scrap the IAP

• CAP-Coordinated Application Process
  – Return to agency specific application process
  – Overlapping but not identical review
CAP

• Joint field review
  – Determination of jurisdiction – USACE
    o JD map becomes part of SMCRA application
  – Identification of high quality resources – OEPA
  – Identification of developed and undeveloped spring sources – ODNR-DMRM permitting staff
  – USFWS, USEPA, Applicant, Consultant

• Technical Review
  – Discrepancies in applications
  – Mitigation Review
Joint Review Benefits

In the field
  Open discussion of high quality resources
  Identify areas for avoidance
  Identify potential difficult areas for construction/reclamation purposes....slips

During review
  Ensure big ticket items are the same
    coal tonnage, mine sequence, permit area
  Monitoring points selected for dual usage

END RESULT-SMCRA/404/401 permits are not the same but do not contradict one another
Detriments

• Scheduling can be difficult
• Did I mention that scheduling can be difficult?
Third Tuesday Meetings

• Opportunity for industry to meet with regulatory agencies
  – Discuss ongoing projects
  – New projects
  – Compliance issues
  – Program issues
  – Open forum for transparency
Quarterly Coal Meetings

- Hosted by ODNR-DMRM
- USACE, OEPA, USEPA, USFWS, OSM, Industry
- Well attended by Ohio Coal Association
- Consultants
- Pulse check on how processes are flowing
- Another forum for industry specific issues
Coordinated Field Inspections with Coal Mining and Reclamation Inspectors

Identified a need for fluent communication between coal reclamation inspectors and regulatory personnel
Goals

• Improve our understanding of one another’s programs which will improve our ability to identify issues and problem solve in a more efficient and cohesive manner

• Identify and correct compliance issues early when chance of immediate correction is high

• Avoid asking industry to achieve conflicting goals and/or make on site modifications that would jeopardize compliance under any program

• Aid industry in achieving compliant reclamation and successful stream and wetland mitigation
Our Approach

- Share information
- Train in the classroom
- Train in the field
- Coordinate future inspections
Joint Field Inspections
Where do we go from here?

More training

Refine the process

Continue joint field work