

# WRTT Conference Call

May 17th, 2010

Tuesday 11:00 AM Mountain Time

Call: 1-877-612-4949 Passcode: 8870122

## WRTT

### TIPS, Technology Transfer, Training and General Information:

- Please check out the updated **TIPS** website for recent updates! These are located in the “What’s New?” section of the page.  
<http://www.tips.osmre.gov>
- Please check out the updated **NTTT** website for recent updates! These are located at: <http://www.techtransfer.osmre.gov>
- Check out the newly designed **OSMRE** website at: <http://www.osmre.gov>
- Upcoming events: <http://amd.osmre.gov/ttcalroot/TTCalendar.aspx>
- **Additional Topic:** High priority topics are due June 1<sup>st</sup>!

### Discussion Topic(s):

OSMRE is proposing to increase inspections during the 2010-2011 evaluation years. The proposal suggests that these increased inspections have more “unannounced” inspections. The unannounced inspections would (or could) involve inspection solely by an OSM inspector. I would like to hear your thoughts on this topic. Will this increase or decrease relations with states/tribes? Could future reliance on remote sensing technology be used (as a less obtrusive method) instead of “on the ground” OSMRE inspections?

The general consensus of the group was that OSMRE has always had the right to do unannounced inspections. The problem seems to be, not with the unannounced inspections, but, with the extra workload that this approach would put squarely on the shoulders of the states/tribes. Why? For instance, if OSMRE does an independent inspection, then, finds a violation, a Ten Day Notice (TDN) (or NOV on tribal land) would be issued. As is common practice, the TDN would have to be addressed by the state within ten days. If a joint inspection with a state inspector had taken place instead, an NOV could have been written on the spot, and, no extra correspondence would have been necessary. New Mexico, Wyoming, Colorado and North Dakota all stated this fact. Alaska noted that a TDN issued on one of their permits had not been resolved and, so far, the process had lasted at least six months. Colorado stated that the opinion of the states had already be brought forth and expressed by the Interstate Mining Compact Commission (IMCC) and Western Interstate Energy Board (WIEB). Montana stressed that the existing communication OSMRE and the states/tribes already have is crucial. The Casper Field Office stated that an unannounced inspection had already been completed in the state of North Dakota and that the inspection went well. Everything was kept out in the open for everyone to see. North Dakota stated that the inspection had went well also, but, wondered who was really “in charge” of the inspection. North

Dakota also asked if the cooperative agreements between OSMRE and the states were standard documents, or, were they worded differently in different states. New Mexico stated that oversight inspections conducted in coordination with the state kept them “on their toes”. This was a good thing as it kept them from becoming complacent. The OSM Program Support Division (PSD) noted that our unannounced inspections should really be viewed as “independent audits” on ourselves.

Everyone agreed that remote sensing would be a great idea, and, would be applicable in certain situations (such as off-site impacts), but, before that could happen, current and accurate data needed to be available for everyone. Until then, on the ground inspections were a better option. New Mexico believes that greater oversight use could be made of the comprehensive information contained in the operator’s annual reports.

### **WRTT Member Reports/Information**

Alaska:

(Liping): A public meeting was held concerning the Wishbone Hill exploration permit. Many comments were received, but, overall, the meeting went well.

Arizona (Navajo):

Not present.

Arizona (Hopi):

Not present.

Colorado:

(Sandy): A citizen complaint regarding prime farmland as a post mining land use was being investigated. Bond releases were ongoing. DRMS proposed to issue a new permit for the Sage Creek Mine, permitted by Sage Creek Coal Company, a subsidiary of Peabody Coal Company. The proposed underground mine will redisturb a portion of reclaimed surface mining operation. A new reclamation specialist (Rob Zuber) was hired in February. The Colorado-Montana permitting system forum was a success.

Montana:

(Angela): No Notice of Intent (NOI) received for the proposed Otter Creek mine (exploration) at this time. Bond releases were ongoing. In particular, the bond release process was being reviewed due to presence of PCB’s on the Peabody Big Sky mine. A hydrologist was needed in the Helena office (specifically someone well versed in TDML rules).

Montana (Crow):

Not present.

**New Mexico:**

(Dave): A joint inspection was completed with AAO staff (five mines in five days). The San Juan mine was being sued by the Sierra Club. The EPA, upon learning of the lawsuit, conducted a RCRA imminent harm investigation. GeoPDF files and the electronic permit were made available to the EPA and had helped this process go smoothly. A study was being done at the San Juan mine by UNM concerning metals speciation. An independent groundwater study was also being done by USGS concerning fly ash disposal pits. Bond releases are ongoing. All program files are being imaged.

**North Dakota:**

(Guy): An unannounced OSMRE inspection took place in ND and went okay. There are two new permit applications. An informal conference was being held concerning a permit revision. Groundwater monitoring information was being made available via GIS.

**Utah:**

(Steve): A new permit was proposed (Alton coal mine). The water discharge problem at Crandall Canyon was being addressed. Work was to be at the LaSalle superfund site.

**Wyoming:**

(Carol): Two new permits were being reviewed. The Young's creek mine would be predominately on private land. The Haystack mine would be predominately on federal land. The Haystack mine is also located in a major Sage Grouse corridor. A glitch occurred in the new WY e-permitting initiative. New plans for e-permitting are being drawn up.

**Casper Field Office:**

(John and Harv): Clarification on the unannounced inspection in ND: Three were announced and one was unannounced. Major revision was taking place on the Absaloka mine permit. All grant applications were being reviewed. The office was gearing up for all upcoming annual oversight.

**Program Support Division/Albuquerque Area Office/Farmington Area Office:**

(Bob and Marcelo): Permit renewal meetings for the Kayenta mine were ongoing. A recent NOV was being addressed. The OSMRE director recently held invite only meetings in Denver with states, tribes, industry and special interest groups. All of the meetings addressed the proposed stream protection rule. Marcelo (and other members of the national stream protection team) attended that meeting. Suggestions were taken during these meetings concerning the proposed rule. A formal consultation with the tribes concerning AML funding for certified tribes took place

during the director's visit to fulfill federal trust responsibilities. More bond release inspections are in the future.

Denver Field Division/ Olympia Area Office:

Not present.

TIPS:

(Lou): The TIPS steering committee recently took place in Santa Fe, NM. Some of the topics covered were: Geospatial initiative, Geomine, roles of data stewards, and a general overview of what's new in the TIPS training program. One new aspect of the TIPS training classes is the fact that college credit hours can be earned for all TIPS classes.

**Next Call: June 21st, 2010 (subject to change)**