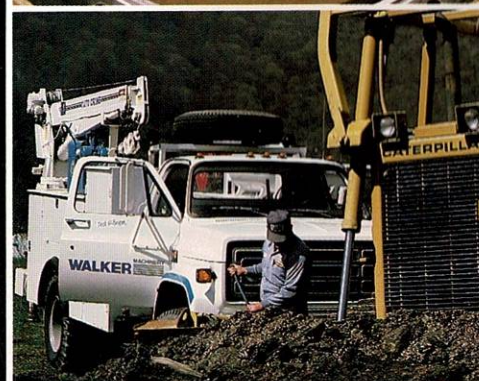
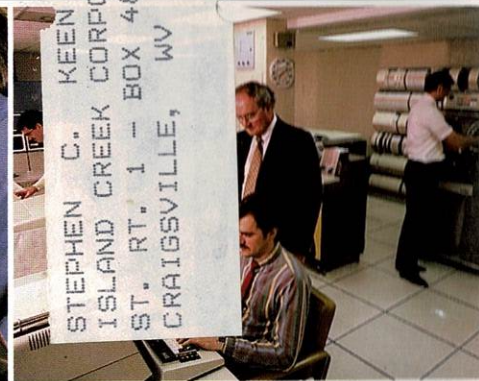


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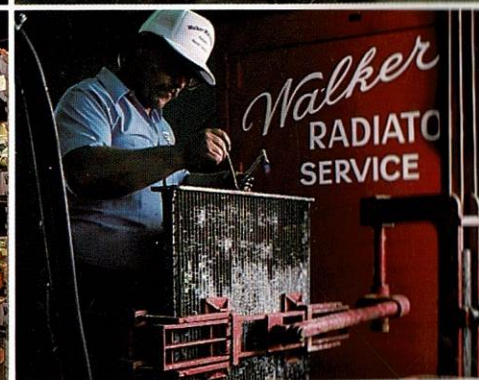
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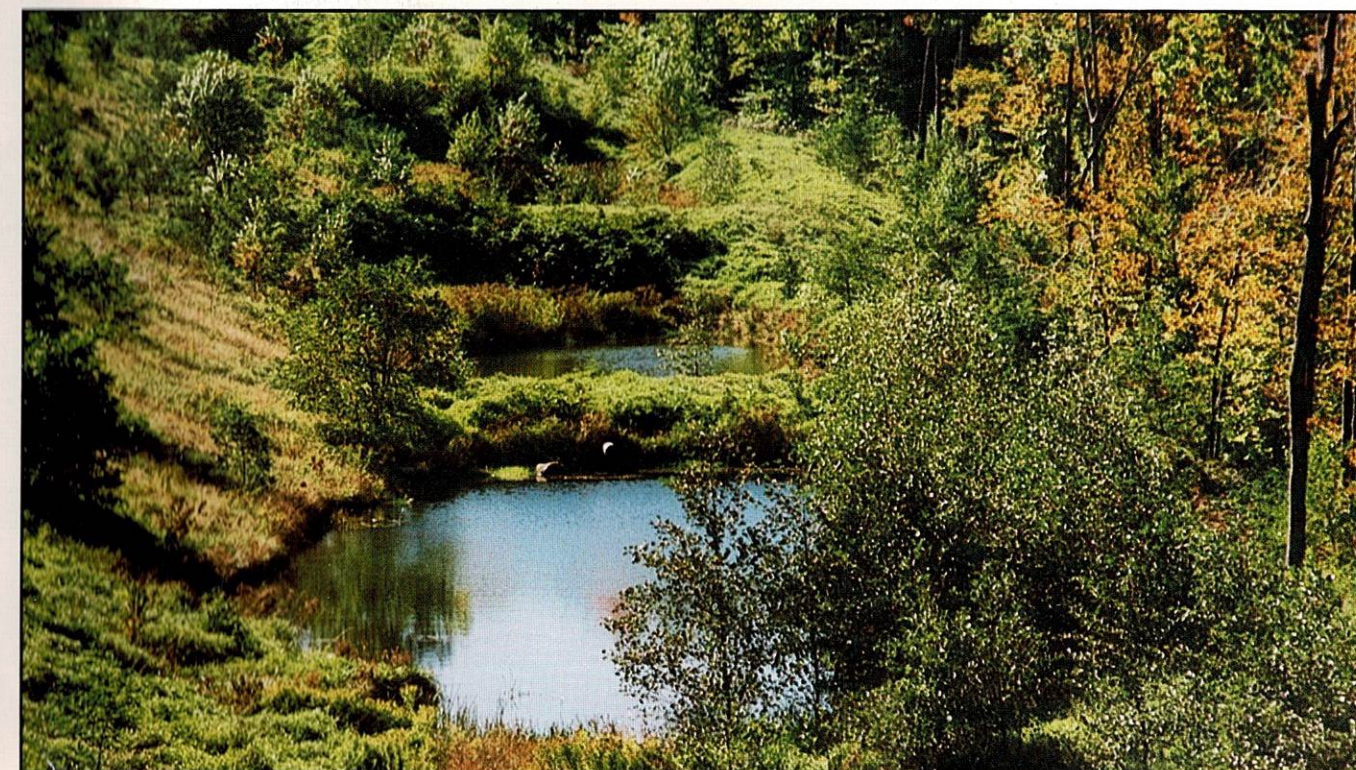
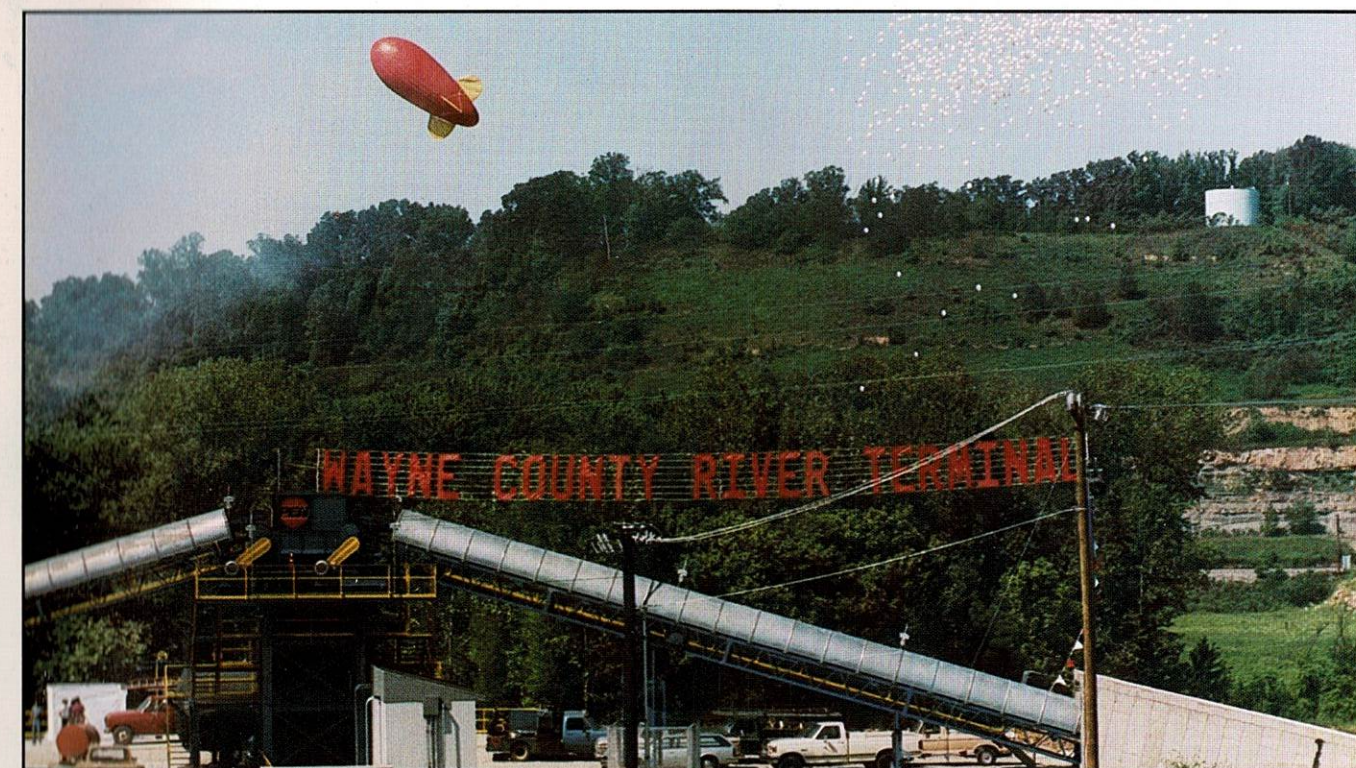
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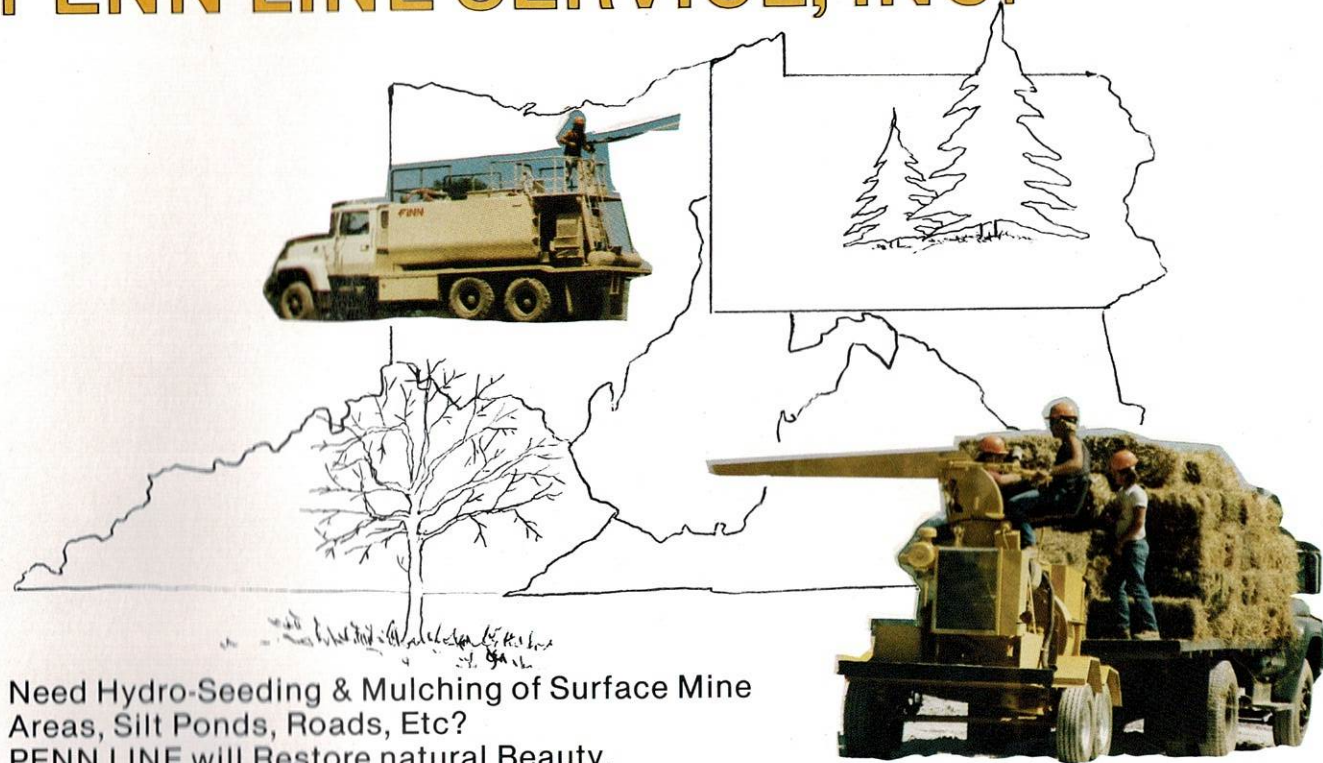
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Index to Advertisers

Akers Supply.....	27	Massie Brothers Reclamation.....	37
Anderson of West Virginia.....	13	Mt. State Bit Service.....	28
Atlas Powder.....	49	Nell Jean Enterprises.....	26
Austin Powder.....	42	Noble' Group Benefits.....	27
Beckwith Machinery.....	4	Norwood.....	48
Bell Farms Reclamation Service.....	44	Ohio Seed.....	44
Carter Machinery.....	26	Peerless Enterprises.....	27
Chamberlaine & Flowers.....	42	Penn Line Service.....	2
C. I. Walker Machinery Co.....	back cover	Petroleum Products.....	28
Coal Field Machinery.....	27	Rish Equipment.....	inside back cover
Cummins Cumberland.....	12	Rudd Equipment.....	36
Flat Top Insurance.....	inside front cover	Stagg Engineering Services.....	26
Fullen Fertilizer.....	28	Tamrock Driltech.....	25
Green Acres Contracting.....	48	Western Branch Diesel.....	5
Hotsy Equipment.....	37	West Virginia Explosives.....	49
Kanawha Steel & Equipment.....	43	West Virginia Tank Testing.....	27
Lilly Explosives.....	52	Worldwide Equipment.....	1

Green Lands

Volume 19 Number 2

- 6 A conversation with George Dials
- 14 16th Symposium at 'same high level'
- 16 1988 Reclamation Awards
- 38 209,000,000 fatal free tons
- 45 Wetlands are more than two cattails!
- 50 An 'Aloha' time was had by all

Green Lands
is a quarterly publication of the
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Charleston, West Virginia 25311
(304) 346-5318.



Cover - Once again the Reclamation Awards celebrated outstanding reclamation over the past year. P & C "Bituminous Coal," (cover-top) won the 'Callaghan Award,' and Leckie Smokeless Coal Co. (cover-bottom) took home the 'Governor's Award.'

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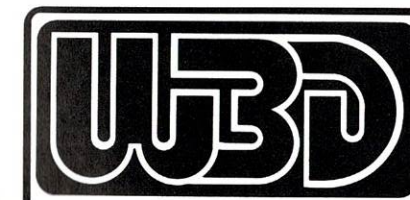
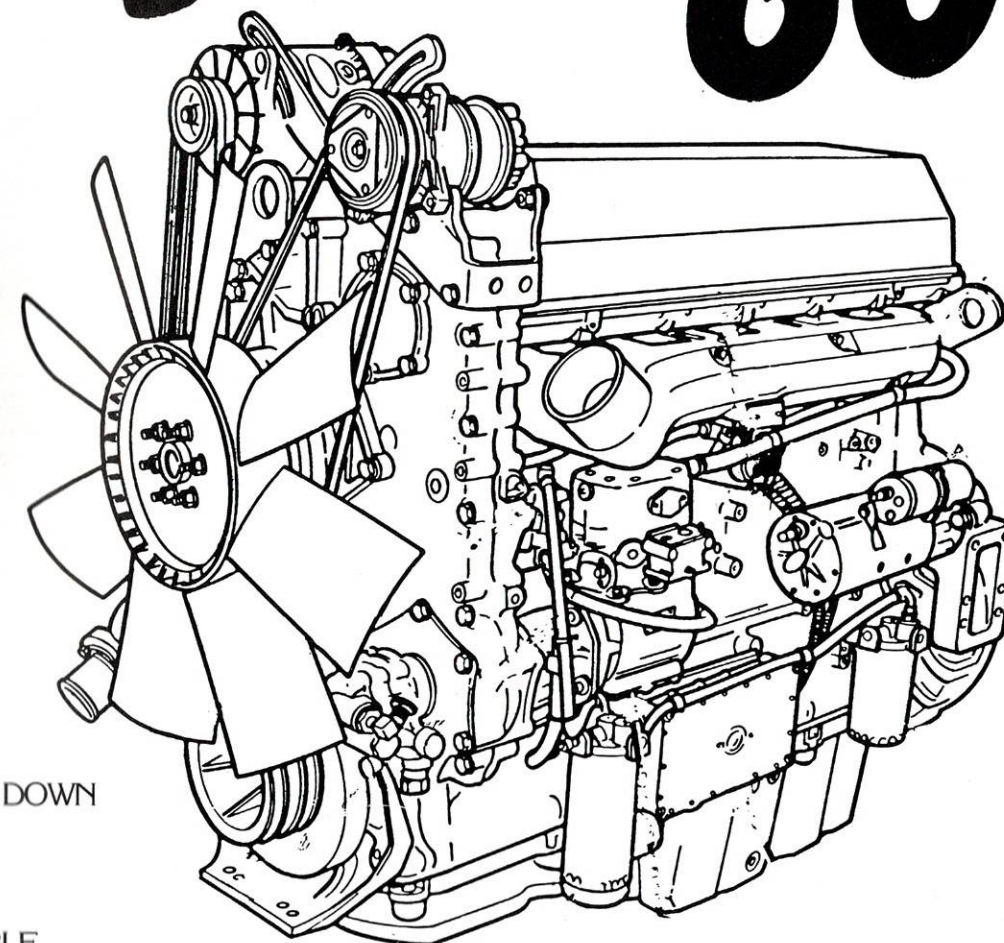
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A conversation with _____ George Dials

In the earliest days of the Caperton administration, the appointment of George Dials as commissioner of the West Virginia Department of Energy set off a frantic scramble for biographical information.

Governor Caperton said, "I am truly excited about the leadership qualities and competence that George brings to the job. As Energy commissioner, he will make things happen."

Although the choice was widely approved outside West Virginia, the new commissioner was something of an unknown quantity in his home state. That is both ironic and understandable.

George Dials' roots are sunk deeply in the coalfields of West Virginia. The son of a coal mining family of several generations, he left Logan County in 1963, to accept an appointment to the U.S. Military Academy at West Point.

During his ten year military career, he repeatedly distinguished himself on the battlefields of Viet Nam, winning the Silver Star, four Bronze Stars, two Air Commendation Medals and was nominated as a recipient of the Congressional Medal of Honor, the nation's highest military decoration.

In addition to his civil engineering degree from West Point, Dials has earned two masters' degrees from M.I.T., one in political science, and the other in nuclear power engineering.

Following his retirement from the Army, he served as a staff assistant in energy research at the Los Alamos (NM) National Laboratory, assistant vice president for Energy and Environment at Ashland Oil, senior vice president of the Mining and Reclamation Council of America (MARC), and director of International Fossil Energy at Argonne National Laboratory.



West Virginia is where I started, and I feel good about being back here, in this particular job.



The way we keep score is not how many violations are written, but how many less fatalities occur



If I had more funds for staffing, I'd much rather hire inspectors than lawyers.

In which West Virginia's new Energy Commissioner discusses markets, media, regulation, litigation, coal — and his return to the Mountain State

Editor's Note:

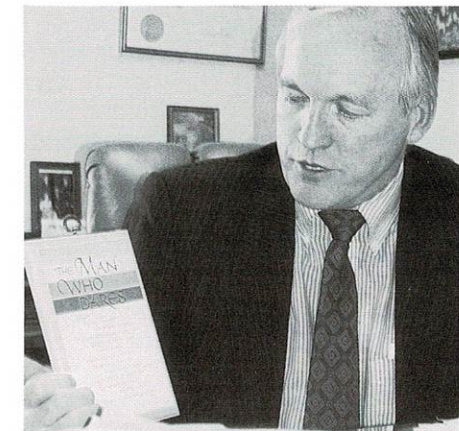
The following interview was conducted for **Green Lands** by Ben Lusk, former president of WVMRA, founder of the Mining & Reclamation Council of America, and an associate of George Dials with that organization.

Commissioner, what brought you back to West Virginia?

I first got the call from the Governor-elect, on January 9th, asking me to consider this opportunity. I came down for the interview on January 11. An old friend picked me up at the airport at 11:30 at night, and said, "I hope you're ready. The Governor's waiting for you now." I met with the Governor until 2:00 in the morning, filling him in on my background, and listening to him talk about the job. At the end he said four things. "I want you for the job. You are qualified. You can make a difference. This is one of the most important positions I have to fill." Naturally, I was impressed. So I came back, largely because of that conversation with Governor Caperton. And I came back because of some things in my family background. I grew up in a coal family — all of my relatives were miners. My father, my grandfather, my great grandfather, and my great, great grandfather were all killed in the mines. There are a lot of tombstones reading "Dials" in the West Virginia coalfields. Today, my family is scattered all over southern West Virginia. I've been blessed with opportunities to travel the world, to have some money, and to live fairly well. Here is an opportunity to make a difference in West Virginia, and I feel an obligation to do that. West Virginia is where I started, and I feel good about being back here, in this particular job. Then, there was this plaque.

Tell us about the plaque.

I got this plaque on Christmas before I even knew I was coming here. I had no plans to come back to West Virginia. After my interview with the Governor, I was back in my office on Saturday morning. Then the Governor called and said he needed a decision by the 14th. This plaque was given to me by a great lady whom I interviewed to be my secretary. She worked her way through college, despite



being afflicted with polio. Although she was handicapped, you'd never know it because of her attitude — an amazing woman. She put her kids through college as a secretary. Since she was qualified to do more, I elevated her. So, this past

Christmas, she gave me the plaque. When Gaston Caperton called to offer me this job, I read it again. It made a lot of sense to me. It says "If you've got the guts to go out and make something better, go for it." That's a big reason why I came back.

How will the years that you spent with the Mining and Reclamation Council (MARC) relate to your present duties?

When I was at MARC, it was a logical "next step" in my professional education. I feel comfortable with environmental issues as a result of that experience. It also gave me the ability to move around Washington, to move around the Congress and to develop skills I need to move around the Legislature here. Working issues through Congress and its committees gave me tremendous insight about the coal industry, and its people. I'm happy to have a background with people in the coal associations here. My experience in Washington, I hope, will be useful in assisting West Virginia there, and in helping the Department of Energy at the State level.

What are your major impressions after 90 days on the job?

I think the job is about what I expected it would be, in terms of challenge and its importance to the State. The problems of management decisions that had to be made have not been anything that I didn't expect or wasn't prepared for. I feel as if I've been in training for this kind of job throughout my professional life, because the pieces of my background seem to fit together well in addressing the issues of this office. I'm talking about setting priorities, motivating a work force, fighting a constrained budget. That sort of thing. I enjoy the fact that I can make an important difference in this job, and I firmly believe that we are making significant progress within the Department. For example, working with the unions, the environmental groups, and industry, we were able to get a regulatory package passed by the Legislature. This is the first time we've had such approval in over four years.

Where do you think the coal industry stands at the beginning of your tenure as DoE commissioner?

Well, production is pretty healthy. We had 143 million tons last year, and that's the highest since 1970.

Why then, do we keep hearing how bad off the industry is?

It's not the coal industry itself that's in bad shape. The industry is producing more than it has in a long time. But regulation, which causes changes in the market, has resulted in a decrease in the number of small operators. It's been tough for small operators since federal legislation was signed in 1977. The bonding provisions, in particular, are very difficult for them. Today, larger companies are producing more coal with fewer people. The employment situation is not good. There are a lot of unemployed coal miners in West Virginia, and unfortunately, I don't see any dramatic change in that situation. I do expect our production will go up again this year, and there will be some jobs opening up. However, I don't think we can ever return to the employment figures we once had.

How do you see the future of coal and how does West Virginia fit the picture?

There is going to be an increase in coal utilization, both domestically and internationally, and West Virginia must play a prominent role in that. We have been, and will continue to be, a major coal producer. Any place in the world, when people think "West Virginia," they think "coal." So the future of West Virginia, as it relates to coal, seems

bright. The industry has had its ups and downs, but the advent of the Clean Coal Technology program presents an opportunity that we haven't had for a while. There is going to be some new construction of large central station coal burning power plants. We need to have an industry that is healthy and in position to take advantage of those opportunities.

Will the State have any role in the area of international coal trade?

What the Department of Energy would like to do is to try and find ways to enhance West Virginia coal exports. The DoE, as established by statute, has two major responsibilities. One is to enhance, encourage, and promote coal, oil and gas development. The second is to insure, through inspection and enforcement, that production is carried out in compliance with laws and regulations relating to health and safety, and to the environment. I don't think much effort has been spent on the first goal, and that is one of the things the Governor saw in my background that caused him to offer me this job. This is the area where I have been active, particularly in the last three years at Argonne National Lab, where I was in charge of their international fossil energy program. I played a key role in helping to identify, and then to develop markets for U.S. technologies and U.S. coal in the international marketplace.

How is the State going to promote coal now, when it has been unable to do so over the past ten years?

I think it is a matter of focus. The thing we need to look at is where and how we've been trying to market our coal. The coal market is much more sophisticated than it once was. They just aren't buying BTU's anymore. They are buying lots of other things. Coal quality requirements are fairly stringent, and West Virginia is blessed with a lot of variety in its coal quality. You don't only deal on BTU, sulfur, and ash anymore, you are dealing on the percent of phosphorous and the percent of other mineral contents in the coal. There are some special markets we can go for.

Where is the new marketplace going to be for coal, if not in Japan?

There are some other market opportunities in the Pacific basin outside of Japan that we need to be looking at. The real growth, and some U.S. companies have been able to take advantage of it, has been in Taiwan, Singapore, and Hong Kong. And the projections that I've done recently in a Pacific basin coal trade study showed that the percentage increases in some of these other markets have been greater than in Japan, plus they are looking for specialized prod-

ucts. What we will try to do is to help identify where some of those market opportunities are. We're not going to be in the coal brokering business, but we need to have an office out there. And, if we're going to have a trade office in some place that's dealing with coal issues, we need to have someone out there who is familiar with the coal industry, someone who knows the problems of mining, transporting, and the quality issues. They must know how to match the product we have here with the market demands. There is a lot of opportunity in Asia and other opportunities in other areas. There is opportunity in the Caribbean, and in Europe; we can get West Virginia coal to these markets competitively, because if we can get the coal on the river to New Orleans, we can transport it much cheaper than we can going to some of the other ports.

What about domestic markets?

There are some things ongoing right now, like the projects under the Public Energy Authority, where we are trying to transfer coal by wire. The coal by wire projects illustrate the very thing we are short on. There are a lot of companies and private industry groups out there that are interested in the power plant projects. But, we don't have a transmission line; we don't have a good way to wheel the power out of here. Some of the utilities that have transmission are not willing to allow access to these small producers. So the Public Energy Authority is trying to devise some way to set up a power transmission system. Such a transmission company could be a joint venture, with the State as part owner.

So coal by wire is a viable concept?

Absolutely, it is done all over. I spent a lot of time out west, and one of the biggest projects in New Mexico was also one of the largest power plants in the U.S., the Four Corners Plant. That is a coal by wire system. Most of the electricity from that plant goes to Los Angeles.

Is your office going to be interested in the super conductivity research project for transmitting energy more efficiently from point A to point B?

Well, super conductivity is interesting, because you produce power without the 10% line loss experienced with traditional power lines. But the technology is so far off and so expensive that it is not going to help us in the near term. I see super conducting transmission lines as maybe 20 to 30 years down the road. What we're trying to look at in the near term is identifying ways to get a traditional 500 KW transmission line built in southern West Virginia.

What are your internal goals for the Department?

The biggest goal I have is to return the office to some level of credibility. When the head of the office is under attack, the whole Department is under attack. The perception was that we had a very bad inspection and enforcement program, a very bad AML program, and a very bad health and safety program, and that the staff was no good. The reality is that, while there may have been some troubles in the past for various reasons, we have a lot of good people in the Department. In the months that I've been here, I've seen a re-invigoration of these people. They are excited about their jobs. I'm letting the managers do what they are supposed to be doing. In trying to build up the team, I've pulled a couple of people back into the mainstream. I am encouraging the team aspect. The first thing I did was to go out to every regional office and meet every employee. It was important for them to see who I am, and to hear what I stand for and what I hope to accomplish. That has worked well, and I am continuing to do that. The feedback I'm getting from the field is that our people's morale is better, and they are working harder. We are setting our policies and procedures in a manner that they can follow, and they know they're not going to be jerked back or jumped on for doing their job.

Would you elaborate on your philosophy and policy with respect to enforcement?

My philosophy on enforcement is fairly simple. We have a statutory responsibility to enforce the law and the regulations. I also think that it's our role to assist the operators in compliance. My thinking is that everybody out there isn't a law breaker, so we go out and define for them what they are required to do and what they cannot do. Our inspectors are told that they are to note every violation they see. We have a system here where we are not required to write notices of violation in every situation. Sometimes we write enforcement actions. If it is a very minor thing that is not environmentally threatening, then I think that we have to be reasonable about writing NOV's. Our enforcement policy is, I think, reasonable. If there is a violation that adversely affects the environment, then the operator can expect to be written up. If there is a minor violation which can be corrected in a very short period of time, then we will do an enforcement action instead. Now this doesn't apply in the health and safety area. If there is any violation that affects or potentially affects safety, it must be written. However, the way we keep score is not how many violations are written, but how many less fatalities occur versus last year, how many fewer lost time injuries. In the environmental area, it's a simple matter of how well we're protecting the environment. That is how we'll keep score.

The Charleston Gazette was very critical of your predecessor, and lately, its guns have turned on you. Given the philosophy that you have expressed today, will you ever be able to please the Gazette.

No. I don't think I could ever please the *Charleston Gazette*, nor would I ever specifically try to do that. But I have shown the *Gazette*, and its reporters, that I'll return their phone calls and answer their questions. And if they misquote me, I'll call them again and let them know about it. But I don't think that paper will ever be fair on the issues of this office. They seem to have a negative obsession about DoE, in fact about the coal industry in general. It's regrettable that the *Gazette's* editorial standards allow for the publication of so much negative misinformation.

That's a very candid reply. Can we quote you?

Yes, you can quote me as saying that I don't think that the *Gazette* has been fair. Those people were unhappy with the previous administration, and they apparently are unhappy again. It's certain that this office has changed more than the *Gazette* has. So, I don't know what they're after. But I do know they have a very definite negative slant on the coal industry. The press is something every public official has to contend with, but I don't think it should be our objective to try to appease one newspaper.

In March, an editorial in the Lexington Herald-Leader contended that Kentucky operators are now at a competitive disadvantage because it is so easy to mine in West Virginia. How would you respond?

It is just as hard to get a mining permit in West Virginia as it's ever been. Our permitting process, and our inspection and enforcement are fair and firm. That doesn't mean that there aren't some abusers or some problems to solve, but I certainly don't see Kentucky operators moving to West Virginia because of a lax situation here. If they are moving, then I would say it's because of a situation that has been created in Kentucky.

What is the status of the environmental lawsuit filed against the State?

Several environmental groups have filed suit, contending that our regulations, and our enforcement program, aren't in compliance with federal requirements. We have had negotiating sessions here, and in Washington with Tom Galloway, the lawyer who filed the suit. I have also met with Congressman Nick Rahall and others. We have entered into a letter of understanding with the plaintiffs, which allowed us to obtain a stay of 60 days. What we are

going to do in the meantime is to identify the specific issues that need to be discussed in great detail. I would like to see the suit withdrawn. There are problems in our state, and I'm beginning to learn where they are. But the situation is nothing like what this suit claims. And I think a demonstrated conscientious effort on our part to correct existing problems is reasonable grounds for withdrawing the suit. This is the goal that I'm working toward and I think it's achievable.

Tom Galloway has made a name for himself with environmental litigation. What is his motivation?

I would like to believe that he has legitimate environmental concerns. But, at this point, I think Tom Galloway is pretty much running on ego. In our discussions, he talked about how many pieces of regulatory litigation he's been involved with and how effective he has been in bringing about changes in regulation and in industry practice. While that may be true, there are ways other than costly litigation to effect these changes.

Who pays him for his efforts?

As you may know, there is a provision in the surface mining law that allows for citizens' suits. So, by and large, if he is down here, and sues us, and prevails, then we pay him.

Who? The Department of Energy?

The State of West Virginia through the Department of Energy. In other words, the taxpayers pay.

Can an individual make a living that way?

Well, Tom Galloway seems to be doing all right. I have a report which breaks down the fees that were paid in one of the cases against the Interior Department. Mr. Galloway's firm collected a substantial amount of money, something like half a million dollars.

So, you're saying that if Tom Galloway wins a case, whether it be a half million or a million dollars, the Department of Energy has to pay that amount?

As you know, in the suit against Kentucky, there was an out-of-court settlement, and the Commonwealth still had to pay the plaintiffs' attorney fees. But, to answer the question, yes. DoE would have to pay.

You mentioned a "constrained budget." Where is DoE supposed to come up with that kind of money?

From State revenues, general revenues. Basically, it comes right out of taxpayers' pockets.

What about unsuccessful litigation? If the environmental lawyers lose, they don't get paid, do they?

Well, even if they lose, there could be a stipulation from the court that some attorneys' fees be paid.

If litigation is successful, are the proceeds divided among the plaintiffs?

No, the suit is filed to bring about specific actions, which may or may not involve expense to the State. But the monetary payout aspect of this is strictly attorneys' fees.

The organizations don't get anything?

No, the attorneys get it.

Isn't there a lot of regulatory turmoil in Kentucky as a result of its lawsuit?

Yes, there is. In fact, there is an overview group down in Kentucky that is composed of Tom Galloway, and others, who look over the agency's shoulder and have required it to make a lot of changes in the program down there.

One of the provisions of the Kentucky settlement was an expansion of the legal staff to 48. What do 48 lawyers find to do when they come to work in the morning at KY-DER?

I can't even imagine. If I had more funds for staffing, I'd much rather hire inspectors than lawyers.

What is the status of your Abandoned Mine Lands program?

It's in pretty good shape. We have an immediate goal that's pretty basic. We want to increase our level of AML funding. We're already working with Congressman Rahall's office on this. Appropriations come from Congress and we would like to see an increase. Each year, the industry pays in about 270 million dollars but only about 150 million is appropriated back to the states.

How much to West Virginia?

Last year, we got \$19.9 million.

How much of that was spent?

All of it will be spent. By the end of this summer, we will have all of our money obligated to specific projects.

How does the AML fund work in West Virginia?

We identify the projects which meet certain criteria. We come up with a priority list, and then determine the estimated cost of each project. The grant application is submitted to OSM. When the amount of the grant is determined at the federal level, then we go back to our priority list and make the appropriate adjustments. This year, we had to trim five projects off the list, because the money wasn't there.

How do you select the companies to do the actual work?

The projects are advertised and we go through a pretty standard bidding procedure. There's quite a bit of money involved. This year we hope to spend about 30 million dollars. That's including the current appropriation and 10 million or so from last year.

Doesn't the AML program run out in 1992?

That's the original legislation. But the general consensus is that it will be extended, and it should be. It's a good program. It has served as an economic development tool for us, because of the work that has been created. And we've cleaned up some nasty stuff in the process.

What advice would you give West Virginia coal operators on dealing with the Department of Energy under George Dials?

Once you start planning and you have some concerns, come in and see us — the earlier the better. If you are having trouble with a design, or don't quite understand how you should implement some part of your mining plan, come and see us. We have engineers on the staff. It's one of our functions to answer questions and we will do that. If you get into problems out there and you make a mistake, do the safe thing and say you made a mistake. It is better to do that than to wait for us to come out and find it. The key point is this: we are here to assist them, and to help get their permits through. Our primary job is to try to enhance the coal industry, to try and make it grow in the right way. At the same time, we have a clear responsibility to enforce the law and regulations, and we are going to do that vigorously and professionally.

Thank you, Commissioner Dials.



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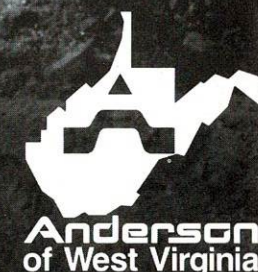
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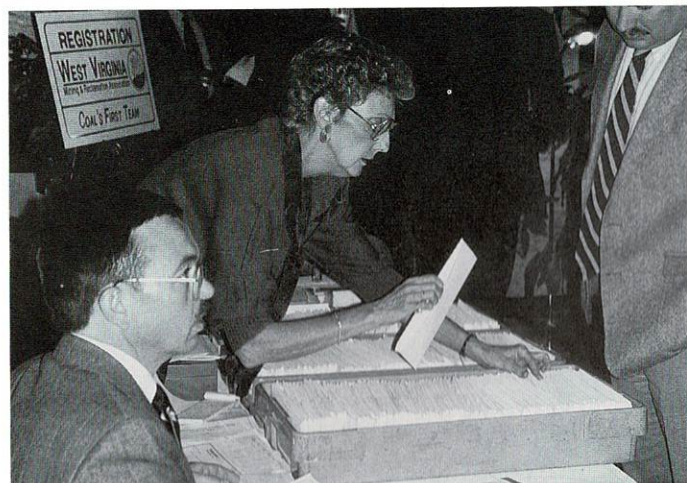


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Bill Raney and Patty Bruce of the Association staff register guests for the 16th Symposium.



Chuck Gardner, mayor of Charleston, extends the city's welcome.



West Virginia State Senate President Larry Tucker.

16th Symposium on 'same high level'

With a record crowd, timely topics, and good speakers, the 16th Annual West Virginia Symposium was a success by any measure.

Some 530 people took part in the two day program, which included four half-day technical sessions, two awards luncheons, and a reception for State legislators.

The technical sessions centered on operating efficiency, environmental concerns, and an update on current legal issues, as well as a preview of the legislative session just getting underway.



A crowd of over 400 attended the Reclamation Awards Luncheon, the closing event of the 16th West Virginia Mining Symposium.

On Thursday, the Mountaineer Guardian Awards (see page 38) luncheon recognized 51 operations, and 5,000 workers, for meeting production goals with no fatal accidents.

On Friday morning, the industry got its first good look at new Energy Commissioner George Dials and his realigned staff. Commissioner Dials conducted a very open and forthright discussion, with his key staff members on hand to answer all questions regarding the manner in which WV-DoE will conduct its business over the next four years.

The Symposium closed on Friday with the Reclamation Awards luncheon, (page 16) which honored 18 companies for outstanding reclamation accomplishment in 1988.

Once again, the Association extends its thanks to the individuals who contributed their time and talents at the speaker's podium, and kept the 16th West Virginia Mining Symposium on the traditional high level of past events.



Dave McDorman
High Power Energy.



Cliff Stewart
Mack Trucks, Inc.



Pete Pitsenbarger (l) and Bart Lay Jr., veteran key members of the DoE staff.



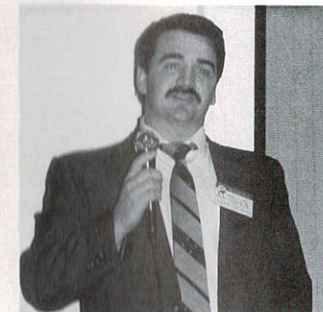
Paul Goad
Juliana Mining Co.



Randolph Straughan
Delta Co.



Dr. Jeff Skousen
West Virginia University.



Al Meek
Island Creek Mining.



Jim Snyder
Jackson & Kelly.



Carl Smith, WV Geological
& Economic Survey.



John Hahn
Payhauler Corp.



Greg DeHart
Hobet Mining, Inc.



Jim Atkins
Cannelton Holding Co.



John Volkwein
U.S. Bureau of Mines.



Left to right - Mark Scott, William "Bolts" Willis, and
Commissioner George Dials of the WV Department of Energy.



Hal Quinn
National Coal Association.



Jeff Jarrett
Office of Surface Mining.

1988 Reclamation Awards

'Callaghan Award' to P & C "Bituminous Coal"

Thirteen WVMRA members among the winners

Eighteen outstanding companies from across the state were honored with 1988 Reclamation Awards at the closing luncheon of the 16th Annual West Virginia Mining Symposium.

The awards are sponsored by the Association, in cooperation with the West Virginia Department of Energy. The program is the oldest, largest, and most prestigious of its kind in the nation. It has been copied by several other states, and was a model for a national awards program sponsored by the federal Office of Surface Mining.

The award winners were selected from among some 45 companies nominated for the honor by local DoE field inspectors.

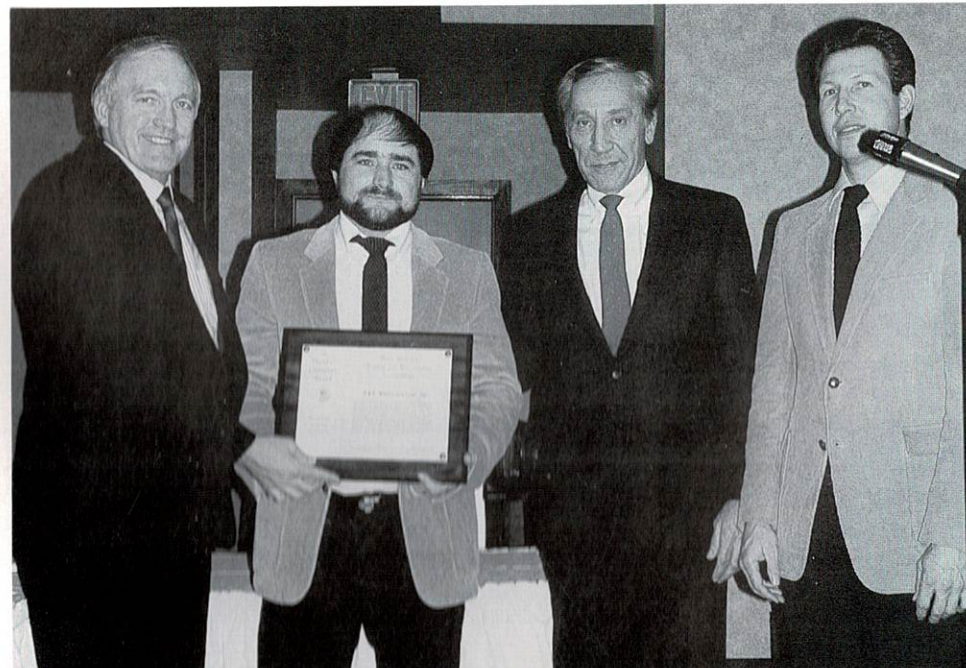
George Dials, newly appointed commissioner of DoE, made the presentations, including a special Governor's Award won by Leckie Smokeless Coal Co. of Rupert.

As the Governor's Award winner, Leckie will be the State's official nominee for national reclamation honors.

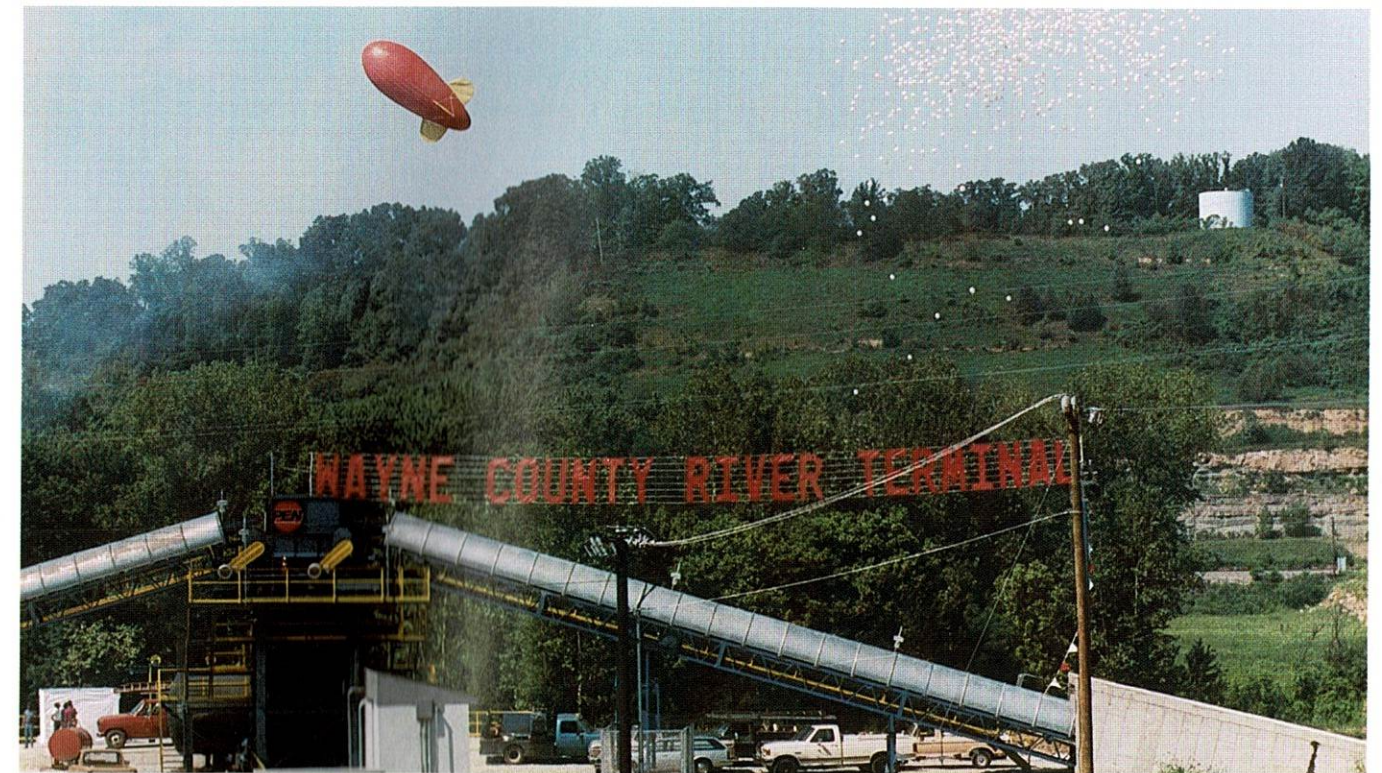
The most coveted prize on the program is the "David C. Callaghan Award," named for the former director of the Department of Natural Resources, and won this year by P & C "Bituminous Coal," Inc. for its new Wayne County River Terminal, as well as its overall excellence of operation.

The David C. Callaghan Award P & C "Bituminous Coal," Inc.

In Wayne and Lincoln Counties, for the overall commitment to the future of the West Virginia coal industry through the establishment of modern underground and surface mines, and in particular, for the construction of the Wayne County River Terminal. Demonstrating a commitment to the future of the West Virginia coal industry, in concert with a sincere and deep rooted concern for the environment, P & C constructed this beautiful, modern facility on the bank of the Big Sandy River, a difficult undertaking which involved topsoil stockpiling riverbank stabilization and complicated requirements involving prime farmland construction. Once in operation, the facility has maintained the high standards under which it was constructed, as P & C utilizes state-of-the-art methods of dust control and all other forms of environmental control. The result has been a facility which adds immeasurably to the economy of the area, while actually enhancing the stability and integrity of the environment.



P & C "Bituminous Coal," Inc. is the 1988 winner of the "David C. Callaghan Award" for overall excellence in mining and reclamation operations. Shown left to right are DoE Commissioner George Dials, Jim Beckley of P & C, Dave Callaghan, and Inspector Mike Mace.



1988 Reclamation Award Nominees

Company	County	Company	County
Allegheny Mining Corp.	Grant/Mineral	Leckie Smokeless Coal Co.	Greenbrier
Appalachian Mining, Inc.	Fayette	Level Land Construction Co.	Nicholas
B & B Coal Co., Inc.	Upshur	Lobata Coal Co.	Mingo
Baker Coal Co.	Monongalia	Lynn Land Co.	Mingo
Barbour Coal Co.	Barbour	New River Coal Co.	
Benafuels, Inc.	Wyoming	& Mt. Laurel Co.	Raleigh
BoMac, Ltd.	Nicholas	Oneida Coal Co., Inc.	Braxton
Breckenridge Corp.	Lewis	P & C "Bituminous Coal," Inc.	Wayne/Lincoln
Buffalo Coal Co.	Grant	Pavex, Inc.	Raleigh
Carter-Roag Coal Co.	Randolph	Peabody Coal Co.	Boone
Coal Corp. of America, Inc.	Webster	Pratt Mining Co.	Raleigh
Consolidation Coal Co.	Monongalia	Preservati Construction Co.	McDowell
Consolidation Coal Co.	McDowell	Samara Coal Corp.	Mingo
Elkay No. 1 Mine	Logan	Sprouse Creek Processing Co.	Mingo
Elk Run Coal Co.	Boone	Stanley Industries	Barbour
Grafton Coal Co.	Nicholas	Stone King Coal Co.	Monongalia
Harvey Energy Corp.	Fayette	Terry Eagle Coal Co.	
Island Creek Coal Co.	Grant	(Vencill Corp. contractor)	Nicholas
Island Creek Coal Co.	Logan	Thistle Coal Co.	Raleigh
John Brown Harris, Inc.	Greenbrier	UPCO Coal, Inc.	Upshur
Kanawha Mining Co., Inc.	Kanawha	Vecellio & Grogan	Wyoming
Kodiak Land Co., Inc.	Nicholas	W & G Construction Co., Inc.	Fayette



Governor's Award **Leckie Smokeless Coal Co.**

The Governor's Award is presented to Leckie Smokeless Coal Company for overall excellence in mining and reclamation. This award carries with it automatic nomination as the State's entry in the national reclamation honors sponsored by the federal Office of Surface Mining.



DoE Commissioner George Dials (l) presents the Governor's Award for outstanding reclamation to (l-r) Joe Turley, III, Tiff Hilton, John Plaster, all of Leckie Smokeless Coal, and Inspector Larry Golden.



Terry Eagle Coal Co. Vencill Corp. - Contractor

In Nicholas County, for an outstanding example of successful remining and reclamation of steep slopes with minimal environmental disturbance, including the elimination of more than 1000 feet of existing highwall, and a completed wildlife site that is home to bear, deer, and wild turkey.



Left to right - Monte Hieb of Terry Eagle Coal, Ernest Vencill of Vencill Corp., Commissioner Dials, Inspector Russ Keaton.



Appalachian Mining, Inc.

In Fayette County, for a truly outstanding example of haulroad construction and maintenance, in which exceptional attention to detail in the engineering and construction phases resulted in a picturesque roadway with effective drainage control and excellent vegetation.



Wendell Blair (r) accepts the award for Appalachian Mining.



Peabody Coal Co.

In Boone County, for the construction of the Matts Creek Portal, which utilizes the most modern technology available to maximize safety considerations and environmental integrity. Modern innovations include a paved, lighted access road with guardrails, and a helipad for medical emergencies. Similarly advanced construction techniques have resulted in excellent revegetation, and effective sediment and dust control for a most pleasing underground complex.



Left to right - Commissioner Dials, Mike Phipps, Ed Lockley, John Ayers, all of Peabody.



Stone King Coal Co.

In Monongalia County, for the successful remining of a previously mined area, with complete highwall elimination, skillful contouring of the surrounding landscape and revegetation efforts far beyond requirements of the law, all of which resulted in an excellent example of modern reclamation technology.



James Laurita (c) of Stone King Coal accepts the Reclamation Award from Commissioner Dials, as Inspector Mike Carico (r) looks on.



Left to right - Commissioner Dials, Doc Holliday of John Brown Harris, Inspector Bill Critchley.

John Brown Harris, Inc.

In Greenbrier County, for overall excellence throughout the mining and reclamation process, and most particularly for exceeding the requirements of the existing permit, thereby totally eliminating all highwalls.



Lynn Land Co.

In Mingo County, for effective valley fill construction and utilization of mountaintop removal technology to create level acreage in an extremely steep area. Careful planning and execution have resulted in an area which is well suited for wildlife habitat or commercial development near the town of Gilbert.



Jimmy Harless (r) accepts the Lynn Land award from Commissioner George Dials.

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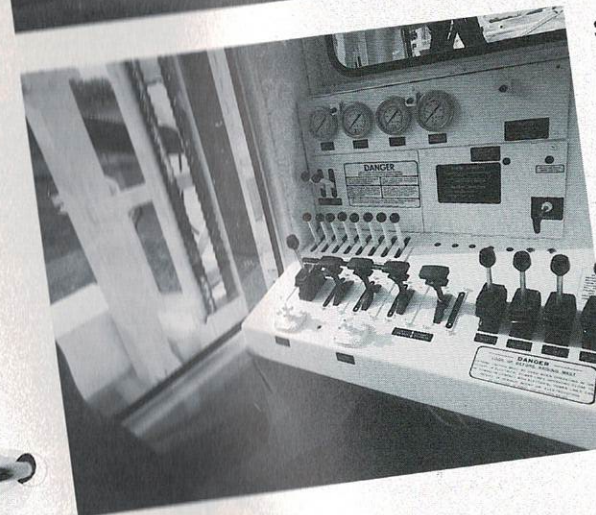
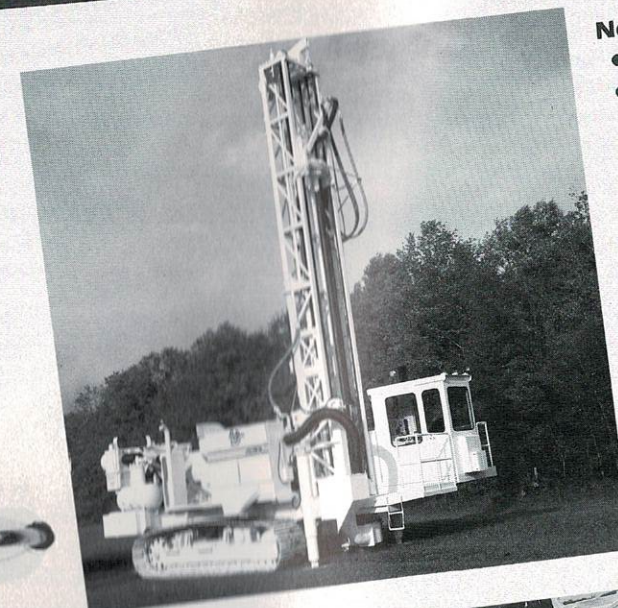
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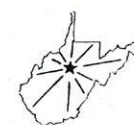
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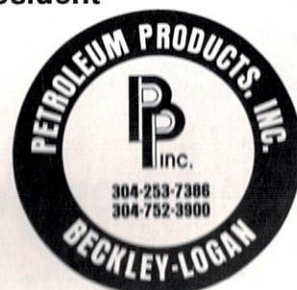
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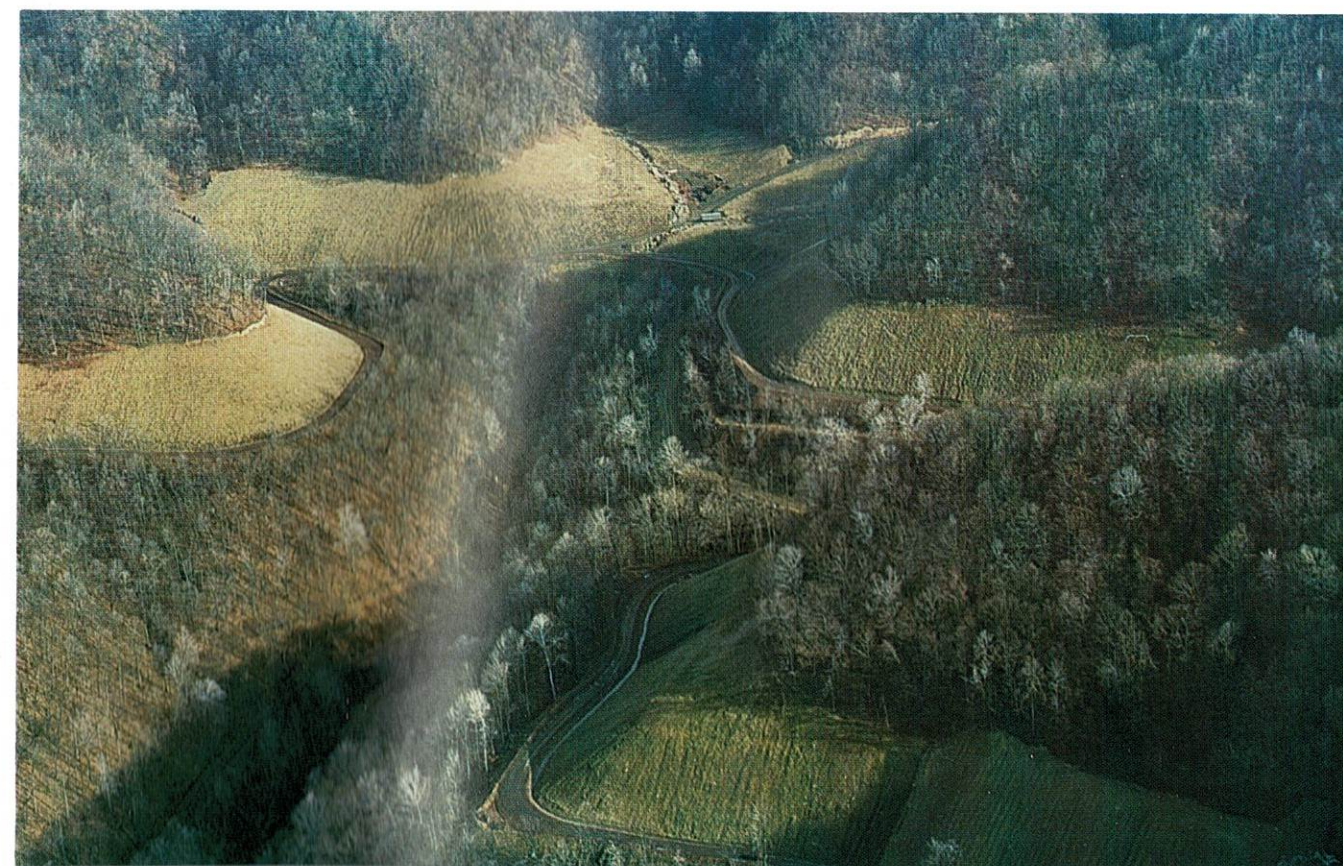
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Left to right - Commissioner Dials, Jeff Bitzer of Pratt Mining, Inspector Grant Connard.

Pratt Mining Co.

In Raleigh County, for over all outstanding quality in the successful mining and reclamation of an extremely steep slope haulback operation, with particular attention to concurrent backfilling, regrading and revegetation.



Allegheny Mining Corp.

In Grant and Mineral Counties, for faithful adherence to the original permit, which entailed the remining and reclamation of a previously mined area with high-wall and spoil pile elimination resulting in the permanent productive improvement of agricultural acreage.



Lawrence Streets (r) of Allegheny Mining accepts the 1988 Reclamation Award from West Virginia Department of Energy Commissioner George Dials.



Buffalo Coal Co.

In Tucker County, for maintaining its usual high standard of operating excellence and concurrent reclamation, while utilizing state-of-the-art technology in the transformation of a previously mined area into an outstanding wildlife habitat area, accomplished in concert with Blackwater Falls State Park.



Left to right - Don Cussins of Buffalo Coal, DoE Commissioner George Dials, John Geroski, Jerry Duckett, Steve Shaffer, and Melvin Judy, all of Buffalo.



The Dawmont Project in Harrison County.

Grafton Coal Co.

In Harrison County, for the timely, efficient, and successful restoration of 36 acres known as the *Dawmont Project*. The company's innovative techniques in dealing with highly acidic soil and water conditions transformed an eyesore and environmental liability into an aesthetically pleasing and potentially commercial asset, thus representing the highest potential of the Abandoned Mine Lands program.



Left to right - AML Northern Supervisor Dave Broschart, Commissioner Dials, Jerry Righman, Dave Dyer, both of Grafton Coal.



The Itmann Project in Wyoming County.

Vecellio & Grogan, Inc.

In Wyoming County, for the successful completion of the biggest challenge yet accepted by any company under the Abandoned Mine Lands program. Moving more than three million cubic yards of material, the company transformed 76 acres of accumulated refuse in an aesthetically pleasing contoured mountainside which will eventually blend in with the surrounding acreage. The restoration of the largest excavated refuse pile ever contracted under the AML program reflects credit upon the company, the industry and the State of West Virginia.



Left to right - Commissioner Dials, Mac Smith, and Dave Lovejoy, both of V&G.

Benafuels, Inc.

In Wyoming County, for outstanding accomplishment in the construction of a valley fill refuse disposal site, with progressive revegetation, and effective water treatment through a grouted rip-rap gutter drainage system.



Roy Maddox (r) accepts the Reclamation Award for Benafuels.

Breckenridge Corporation

In Lewis County, for outstanding construction and reclamation in every phase of the mining process, including grassed ditches, stoned haulroad, excellent drainage, and environmentally sound backfilling, grading, and seeding, resulting in an exemplary reclaimed mine site.



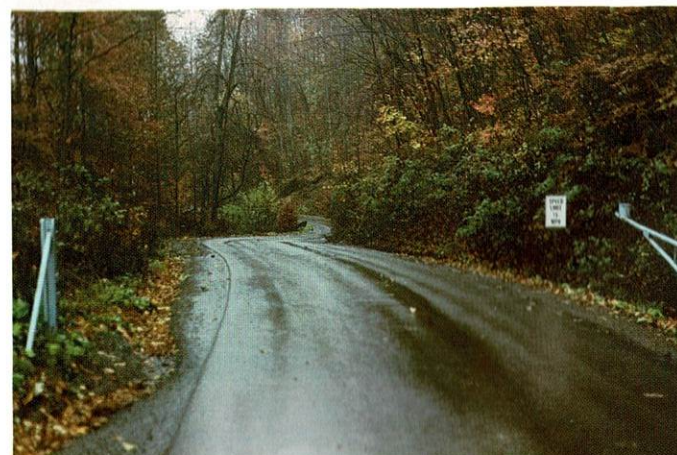
Left to right - Commissioner George Dials, Frederick E. Stump of Breckenridge, DoE Inspector Frank Shreve.



Tom Redman of Carter-Roag (r) accepts the award from Commissioner Dials.

Carter-Roag Coal Company

In Randolph County, for successfully combining a highly productive worksite with the protection of an environmentally sensitive area. The company maintained the "mountain stream" integrity of the adjacent Buckhannon River, while operating underground mines, refuse disposal sites, a preparation plant, and a unit train loadout.



Thistle Coal Company

In Raleigh County, for the reprocessing and successful rehabilitation of an existing refuse pile, resulting in the transformation of a 40 year old eyesore into a U.S. Forest Service experimental research plot.

BoMac, Ltd.

In Nicholas County, for exceptional utilization of the haulback technique in the successful mining and reclamation of a site in close proximity to a grade school and a state highway, with final regrading and seeding completed two weeks after the last coal was removed.

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The Mountaineer Guardian Awards Luncheon, now an annual part of the West Virginia Mining Symposium, recognized more than 5,000 employees this year from 51 separate mining operations for outstanding achievement in mine safety.

Bart Lay, Jr., director of the Health, Safety & Training Division of the West Virginia Department of Energy, made the presentations.

Prior to the ceremony, Lay remarked, "It is always a distinct pleasure to honor the workers who think enough of themselves, their families and companies to work safely."

In 1988, we had our best production year since 1970, and our second best year ever in terms of safety."

The Mountaineer Guardian award is co-sponsored by the Association and the West Virginia Department of Energy. It recognizes companies for achieving specified tonnage goals without suffering a fatal accident.

The latest recipients have collectively accounted for a total of 209,000,000 tons of continuous coal production without a fatal accident.

The Association is extremely proud to have a part in recognizing these 5,000 record setting miners.

The winners:

Allegheny Mining Corp.
Atlanta Mining
BethEnergy Mines, Inc.
Buffalo Coal Co., Inc.
Bull Creek Coal Co.
Cannelton Industries, Inc.
Carter Coal Industries, Inc.
Carter-Roag Coal Co., Inc.
Consolidation Coal Co.
Dal-Tex Coal Corp./
Sharples Coal Corp.
E-Town Supply Co./Dock's
Creek River Terminal
Eastern Mingo Coal Co.
Elk Run Coal Co., Inc.
Elkay Mining Co./Pittston
Coal Group
Hansford Coal Co.
High Power Energy
Hobet Mining, Inc.

Island Creek Coal Co.
Lexie Coal Corp.
Long Branch Energy
Old Ben Coal Co.
Omega Mining Co., Inc.
Patriot Mining Co., Inc.
Peabody Coal Co./Eastern
Associated Coal Corp.
Peerless Eagle Coal Co.
Perry & Hylton, Inc.
Pratt Mining Co.
Preston Energy, Inc.
Rocky Hollow Coal Co.
Southern Mingo Coal Co.
Stoney Coal Co.
T & T Energy, Inc.
Terry Eagle Coal Co.
Triad Mining Co.
Virginia Crews Coal Co.
Western Mingo Coal Co.



Allegheny Mining Corp.

Lawrence Streets (r) of Allegheny Mining Corp. accepts the Mountaineer Guardian from Bart Lay, Jr., director of Health, Safety, and Training for the West Virginia Department of Energy.



Old Ben Coal Co.

Old Ben personnel on hand for the presentation include Nile Stone, Dallas Runyon, Willis Casey, Floyd Bergraff, and Orville E. May.



Peabody Coal Co./ Eastern Associated Coal Corp.

Steve Chapman (l) accepts for Peabody Coal Co./Eastern Associated Coal Corp.



Hobet Mining, Inc.

Left to right - Skip Noble of Hobet Mining, Director Lay, Dale Lucha of Hobet Mining.



High Power Energy

Left to right - Norm Hall and Jerry Muse of High Power Energy, Director Lay, Mark Potnick of High Power Energy.



BethEnergy Mines, Inc.

John Billiter (r) accepts the award for BethEnergy Mines.



Buffalo Coal Co., Inc.

Left to right - Director Lay, Don Cussins, Jerry Duckett, Melvin Judy, Steve Shaffer, John Geroski, all of Buffalo Coal.



Cannelton Industries, Inc.

Bart Lay (l) presents the Mountaineer Guardian to Skip Green of Cannelton Industries.



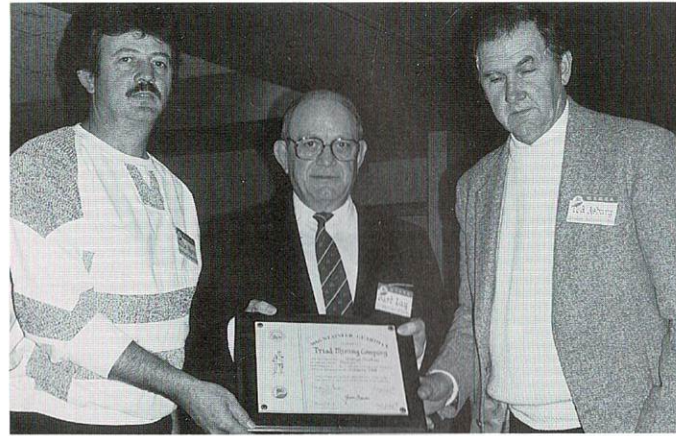
Elkay Mining Co.

John Bryan (r) accepts for Elkay Mining Co.



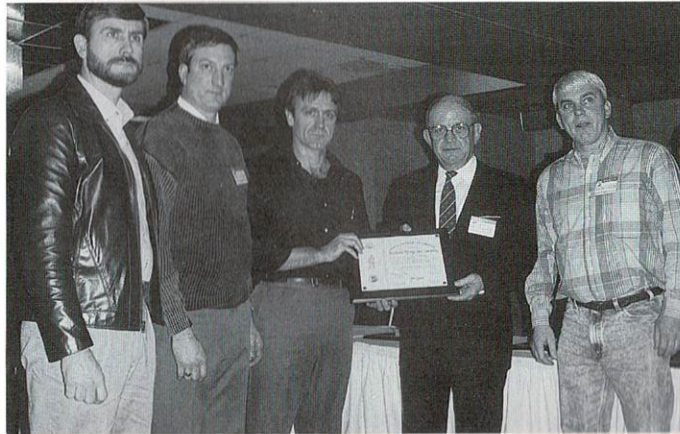
Southern Mingo Coal Co.

Left to right - Roger Ball and Glen Blackburn of Southern Mingo, Director Lay, Ricky Strawser and Roger Runyon of Southern Mingo.



Triad Mining Co.

Left to right - Walter Akers of Triad Mining, Director Lay, Ted Asbury of Triad Mining.



Eastern Mingo Coal Co.

Left to right - Odell Hensley, Jay Walker, and Pat Fluty of Eastern Mingo, Director Lay, Luther Collins of Eastern Mingo.



Western Mingo Coal Co.

Left to right - George Harless and Fred Lovins of Western Mingo, Director Lay, Charles Walker of Western Mingo.



Patriot Mining Co., Inc.

Norm Davis (l) accepts for Patriot Mining.



Perry & Hylton, Inc.

Tracy Hylton (l) accepts the award for Perry & Hylton, Inc.



Elk Run Coal Co., Inc. - Bishop Mine

Director Lay presents the Mountaineer Guardian to Larry McKinney, James Quesenberry, and Ron Slack of Elk Run Coal Co.'s Bishop Mine.



Elk Run Coal Co., Inc. - Black Knight Mine

Left to right - Donnie Morgan of Black Knight, Director Lay, Paul Porter of Black Knight.



Elk Run Coal Co., Inc. - Queen Mine

Left to right - Larry Harper of Queen Mine, Director Lay, Eddie Lester of Queen Mine.



Pratt Mining Co. & Hansford Coal Co.

Terry Tolley (l) accepts awards for Hansford Coal and Pratt Mining.



Dal-Tex Coal Corp./Sharples Coal Corp.

Left to right - Larry Ball and Paul Stover of Dal-Tex, Director Lay, Jeff Hoops of Dal-Tex.



Terry Eagle Coal Co.

John Cruse (r) accepts for Terry Eagle Coal.

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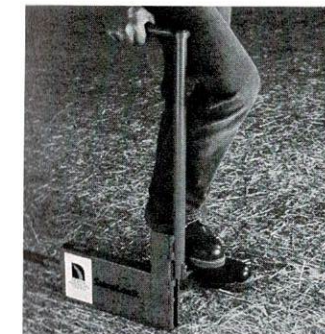
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Wetlands

— *are more than two cattails!*

by Jeff Skousen
Extension Reclamation Specialist
West Virginia University

The following article is an edited version of a presentation given by the author at the 16th Annual West Virginia Mining Symposium.

Wetlands have become a topic of interest in reclamation due to their ability to improve the quality of water from mining operations. Many wetlands in the eastern U.S. have been constructed to treat acid mine drainage. Wetlands have also been identified as a valuable land and water resource because of their value to wildlife and flood control characteristics. A controversy between a mining company and several regulatory agencies developed concerning removing an area with a small wetland and the type of water permit required to conduct the operation.

Water Permits in West Virginia

There are basically two different water/hydrology permits which a coal operator has to deal with. The first is the NPDES permit, also called a 402 permit, which corresponds to Section 402 of the Clean Water Act (CWA). This permit involves the discharge of water from a coal mined area, and includes discharge rate and the elemental concentrations in the water. The agency that administers the NPDES program in West Virginia is the Department of Natural Resources (WV-DNR). All NPDES permits are not equal. Water discharging into some streams may have certain water quality criteria, while water released into other streams may have different effluent limitations. This is based on the quality of the stream that is being discharged into, and the ultimate use of the water.

The second water permit is the 404 permit, and relates to Section 404 of the CWA. Section 404 requires that anyone (including coal mine operators, gas and oil companies, power companies, Department of Highways, etc.) interested in depositing dredged or fill material into "waters of the United States," must receive a permit for such activities.

The fundamental principle is that dredged or fill material should not be discharged into aquatic ecosystems, and

filling operations in wetlands is considered to be among the most severe environmental impacts. The Corps of Engineers has been assigned responsibility for administering and issuing 404 permits, and many coal operators have had to get 404 permits to fill creeks or streams for crossing.

It is important to understand that there are three types of 404 permits. The first is the regional permit, that is based on specific dredge and fill practices pertinent to a specific region. For example, stream bank stabilization along the Ohio River may be a regional activity that may require a 404 permit.

The second 404 permit is called the nationwide permit. It is a multi-purpose permit to conduct a number of dredge and fill activities, and has a general set of criteria established by the Corps of Engineers. Each State can place certain conditions on nationwide permits, and when these conditions are met, the nationwide permit is certified by the State. In other words, when the activities are confined to the conditions of the nationwide permit, according to the State's criteria, the State agrees and certifies it. This is why you sometimes hear of this permit being called a 401 State Water Certification.

There are 26 subsections in the Nationwide permit. Four subsections correspond to authorized activities in the nationwide permit, and are of interest to the coal industry. Number 7 requires that outfall structures for discharge of water (that require an NPDES permit) must have minimal adverse environmental effects. Number 14 insists that minor road crossing fills must be culverted, etc., to prevent the restriction of water flow; the volume of fill must not exceed 100 cubic yards; and the fill must be less than 50 feet in width. Number 21 addresses surface mining specifically. Under the criteria in West Virginia for this nationwide permit, fill material cannot be placed in any wetland with an area greater than one acre, or placed into a portion of a wetland that has contiguous wetland area of greater than one acre, or placed in any trout stream. Number 26 also addresses the filling of wetlands or trout streams with fill or dredged material.

The nationwide permit, certified by WV-DNR and issued by the Corps, is applicable to streams with flows of less than five cubic feet per second (cfs), and to areas with wetlands less than one acre in size. If the activity does not fall within the criteria, or exceeds the criteria in the nationwide, then a different permit must be obtained. In other words, if the activity affects a stream which is greater than five cfs, or affects a wetland greater than one acre in size, a different 404 permit is necessary in order to conduct the activity.

The procedure for securing one of these nationwide permits is relatively simple. The applicant must write to the Director's Office of Regulatory Affairs and Environmental Review in Charleston (State Capitol Complex, Building 3, 1900 Kanawha Blvd. E., Charleston 25305) and request to use a nationwide permit. The applicant will receive a form, and is required to advertise the application once in the local newspaper, and then must send a copy of the newspaper notice to the director. If there are no complaints during the 30-day comment period after advertisement, and the applicant does not hear from the Corps or DNR, then he may conduct his dredge and/or fill operation. The EPA and U.S. Fish & Wildlife Service do not generally review 404 nationwide permit applications.

However, if the guidelines established by the Corps and State in the nationwide are exceeded, or if the stream is greater than 5 cfs, or if the wetland is greater than one acre in size, or if the operation affects a corner of a wetland that has contiguous wetland area greater than one acre, an individual 404 permit is necessary. This is an entirely different permit with a new set of criteria. The Corps of Engineers, EPA, the U.S. Fish & Wildlife Service, and WV-DNR all review the permit application, and can require from 30 to 60 days for processing and final determination. Activities which fall outside the regional and nationwide permits can cause significant environmental impacts. Therefore, such large activities are deemed necessary for review on an individual basis by the aforementioned agencies. Hence, the name "individual" 404 permit.

Definition of Wetlands

Wetland determinations are based on three characteristics: vegetation, soil, and hydrology.

Vegetation - Nearly 5,000 plant types in the U.S. may occur in wetlands. A list may be obtained from the Corps, or the U.S. Fish & Wildlife Service. You can usually determine wetland vegetation by knowing a few plant types that commonly occur in our area. For example, cattails, bulrushes, sphagnum moss, sedges, and rushes are the most common. The WV-DNR biologist that accompanies the permit review team can help determine these plants when they all visit the site.

Soil - Approximately 2,000 named soils in the U.S. occur in wetlands. Such soils, called hydric soils, have characteristics that indicate they were developed in condi-

tions where soil oxygen was limited because of water saturation for long periods of the growing season. The soil, in its undrained condition is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions (conditions that lack oxygen) that favor the growth and regeneration of hydrophytic vegetation. Indicators of hydric soils include peat and muck soils, soils with a thick layer of decomposing plant material on the surface, soils with a gray or bluish-gray color from 0-12 inches in the surface, or soil that smells like rotten eggs.

Hydrology - The following indicators provide evidence of periodic flooding or soil saturation.

- 1) Standing or flowing water is observed for seven or more days during the growing season.
- 2) Soil may be water logged (water can be squeezed from the soil), or a hole 12 inches deep begins filling with water).
- 3) Sediment and debris may be deposited on top of leaves and arranged in the direction of water movement.

Any one of the wetland characteristics found on a site is sufficient to classify the area into the wetland designation.

A Recent Example

Last year in Lewis County, a mining company applied for a surface mining and NPDES permit to remine an area that had been mined in the 1960's. A Redstone coal bench was on the site, and the company wanted to take a little more of the Redstone and also mine the Pittsburgh seam 30 feet below the Redstone. The old bench is approximately 30 to 40 feet above the creek bed. During previous mining, the overburden from the Redstone coal was pushed over the outslope. This created a disruption in water flow which resulted in some saturated soils and cattails in the valley. The wetland area was estimated at about four acres. An unnamed tributary of Sassafras Creek meanders through the middle of the valley.

The company obtained a 90 day prospect permit in June, 1988. The operators then decided to get a nationwide 404 permit, thinking that this wetland was unproductive, and it was only in the valley because of past mining abuses. They reasoned that they would remine the site, regrade and reclaim to current standards, and leave the sedimentation pond which would provide a larger wetland area and create a wetland that has the potential to be productive.

The company received the surface mine permit in December, 1988, and the NPDES permit in January, 1989. The nationwide 404 permit was applied for in November 1988, but was denied several weeks later, because the "wetland" was greater than one acre. So, the company was forced to apply for a 404 individual permit at the end of November.

The Corps, the U.S. Fish & Wildlife Service, and WV-

DNR resolved the situation in February after much discussion, and when the operator demonstrated no alternative, and committed to conducting mitigation (creation of new wetlands).

From my perspective, there was miscommunication between everyone involved. Roger Anderson of DNR wrote to the company, saying that a nationwide 404 permit would probably not be approved. But the company tried anyway, based on letters from the West Virginia Department of Energy (DoE), stating that remining the site would be a great improvement.

The ensuing discussion between the company, DNR, WVMRA, and the U.S. Fish & Wildlife Service took a couple of months. Both the application and processing of the nationwide permit and the discussions delayed mining of the site.

Conclusions and Possible Solutions

Research on wetlands continues to demonstrate the value of wetlands in terms of wildlife, water treatment, and flood control. While there is some controversy relative to the exact, quantifiable value wetlands provide, most scientists agree that wetlands are important resources regardless of their origin, size, and location. Many wetlands in West Virginia have been created by man, and many of them are small. The fact is, according to the definition, these small, seemingly unproductive wetlands are wetlands regardless of their origin, and may be classified as wetlands without much more than two cattails.

The next fact is that the U.S. Fish & Wildlife Service will do anything they can to discourage wetland disturbance. If a mine operator applies to disturb a wetland, the answer from that agency will be NO! They have a mandate from Congress to say no. But, they have different kinds of no.

One type is "no, but," since the operator may have demonstrated that there is no alternative to disturbing the wetland, and mitigate by building some other wetland area during reclamation on the site. In other words, the technol-

ogy is available to make this small wetland better by building a bigger and more stable wetland.

Another is "NO!" Disruption of this wetland should not be allowed and they will recommend to the Corps that the permit be denied. If the Corps issues the permit, Fish & Wildlife will fight the Corps (who may issue the permit despite recommendations) and appeal the decision to the agency heads.

The Wildlife Division of WV-DNR is somewhat flexible in their approach to mining and the impact on wetlands. They are a certifying agency and will work with mining companies, assisting and advising as to the chances of obtaining a 404 permit. Please contact DNR Mining Coordination Biologist Roger Anderson in Elkins as circumstances arise concerning this type of permit. Remember, this is a complicated system.

The 404 permit is another regulation that the coal industry is going to have to get used to. This is a federal law, and is administered by the Corps of Engineers. Substantial monetary penalties can be assessed and collected if section 404 of the CWA is violated. But, there are ways to minimize the time, effort, and expense involved with this permitting process. As always, the clue is preplanning. Listen to what the DoE permit review team says, and let the DNR wildlife biologist make recommendations while on the site, then follow through.

Sixty days are required for the advertising and comment period for a surface mining permit anyway. The company can add the nationwide 404 permit right onto the NPDES advertisement and advertise only once. If the individual 404 permit is required, it still takes about 60 days to get the permit, if the regulatory agency approves the company's "no alternative" position and the company provides plans for appropriate mitigation.

Acknowledgements

The author thanks Roger Anderson, Steve Lockard and Bill Raney for supplying information for this article.

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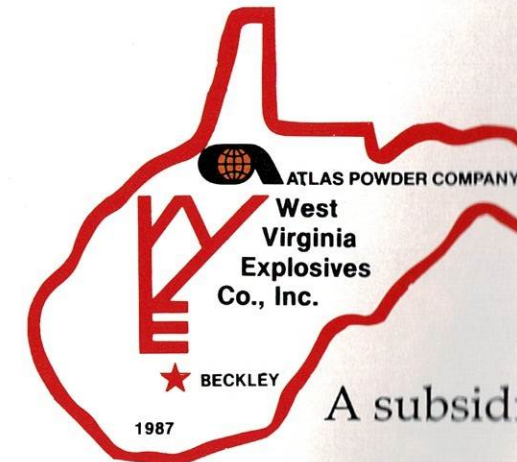
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The Board of Directors enjoyed the rare opportunity to conduct its business in natural light.

An Aloha time was had by all

The Association's Program Committee planned the 1989 Semi-Annual Meeting with sunshine in mind, and they were right on the money as some 300 members and guests gathered under the blue skies of Hawaii.

Most of the group arrived late at night, but Maui in the morning lived up to expectations, and the beautiful weather and gracious hospitality of the 50th State made the business of a week long meeting a pleasure.

A full schedule of business meetings, technical sessions, and recreational activities was supplemented with ample time to enjoy the special attractions of the island of Maui.

The Association last visited Hawaii in 1979, but the unqualified success of the '89 meeting may prompt a return to the islands before another ten years goes by.

Nine new members joined our ranks during the Semi-Annual meeting. We welcome the following companies and look forward to seeing their representatives at the Annual Meeting at The Greenbrier in August:

General Division - PCMI, Inc. of Oak Hill - Clayton Cline, representative; **Pine Creek Mining, II, Inc.** of Oak Hill - Charles Wendell, representative;

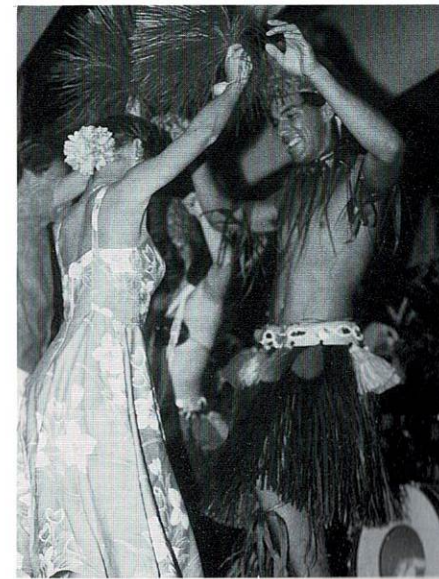
Associate Division - D & A Sales, Inc. of Charleston - Russell A. Brown, representative; **GAI Consultants, Inc.** of Charleston - Dana L. Burns, representative; **Harrah Associates** of Summersville - Larry S. Harrah, representative; **The Moore Co., Inc.** of Charleston - J. Thomas Moore, representative; **RMI, Ltd.** of Charleston - David E. Haden, representative; **Stagg Engineering Services, Inc.** of Cross Lanes - Alan K. Stagg, representative; and **Trucks, Inc.** of Charleston - Bernie O. Young, Jr., representative.



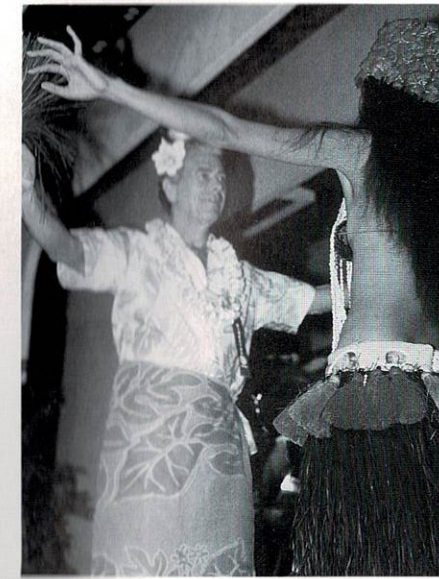
Representatives of Ford Coal Co. made up a considerable portion of the West Virginia crowd in Hawaii . . .



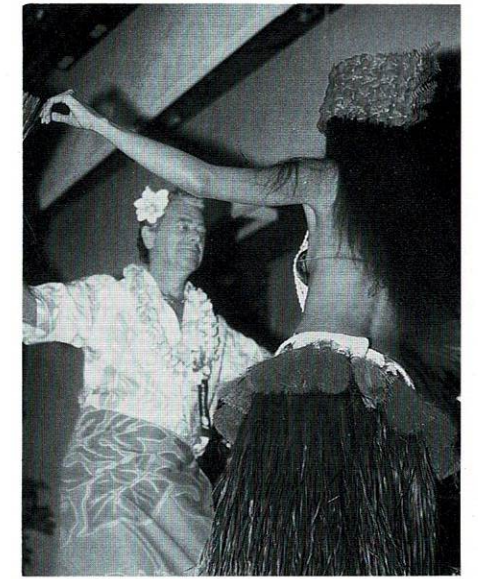
. as did the group from Lynn Land Co.



Debbie Laskody got a lesson in the dance of the Islands.



Vice Chairman Paul Hutchins, also named "King of the Luau," needed no lessons. When the drum beat started, he was ready to go.



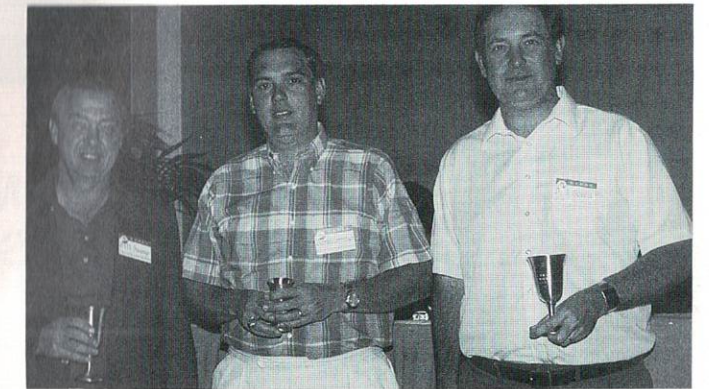
Zenas and Jackie Campbell relax at the pre-banquet reception.



Left to right - Terry Dotson, Association President Ben Greene, Bruce and Debra Burgess.



Ladies' golf winners (-r) Kathy Swango, Rachel Williamson, Chris Shewey, Ann Bird.



Men's golf winners (l-r) Bill Swango, Danny Coppinger, Dick Bolen.



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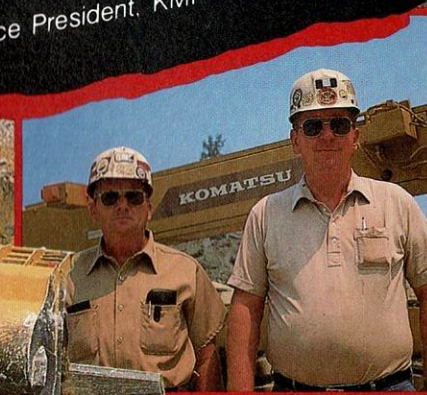


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"We're well satisfied with Komatsu equipment."
Meredith Kirk, President, (right), and Roy Ferrell, Vice President, KMF Corporation.



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Kirk is President of KMF Corporation which is mining the coal under contract to Westmoreland Coal Company. The mammoth earth-moving and mining project covers 244 acres in Boone County, West Virginia on a permit involving mountain top removal and contour mining.

Komatsu equipment on the project includes four HD465-3 off highway trucks, two D355A-5 crawler dozers, a D475A-1 dozer, a WA800-2 wheel loader, a WA600-1 wheel loader, and a

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