



Meeting Minutes

2012 NAAML P Winter Business Meeting

February 28, 2012

Crystal Inn

St. George, Utah

General Session Business Meeting called to order at 8:30 am by President Roanhorse.

Proxies: One Proxy, Chuck Williams for Alabama by Michael Skates

Roll Call by Secretary, Members Present:

AL (Chuck Williams), AK (Joe Wehrman, Justin Ireys), AR (Jim Stephens), CO (Bruce Stover), IL (Greg Pinto), IN (Steve Herbert), IA (Todd Coffelt), KS (Murray Balk), KY (Mark Meade), MD (Mike Garner), MO (Michael Mueller), MT (John Koerth), Navajo (Madeline Roanhorse), NM (John Kretzman, Lloyd Moiola), ND (Bill Dodd), OH (Terry Van Offeren), OK (Mike Sharp), PA (Eric Cavazza), TX (Mark Rhodes), UT (Luci Malin), VA (Roger Williams), WV (Eric Coberly), WY Alan Edwards).

Also in attendance: IMCC (Greg Conrad), OSM/MLR (E. Barchenger); OSM Washington (Al Whitehouse), WY DEQ (Steve Toulson); TX AML (Roni Anson).

Approval of Meeting Agenda:

Agenda reviewed; Moved to Accept- Wyoming; 2nd Kansas, motion carried unanimously

Approval of the Minutes from 2011 Annual Business Meeting in Squaw Valley, CA:

Minutes reviewed, some minor changes need to be made. Wyoming moved to accept with changes; seconded by Kansas, motion carried unanimously.

Treasurer's Report:

Hardcopies were distributed to all representatives by Treasurer. There is \$43,811.75 in the checking account and \$25,213.19 in two CD's; Total Account Value \$69,024.94.

Motion to Accept Treasurer's Report- Kansas; second Maryland; motion carried unanimously

Old Business

- Elimination of OSM Sub-accounts for waterline construction: Eric Coberly discussed a briefing paper on this. Al Whitehouse indicated these subaccounts will be deleted and the matter is moving forward.
- OSM's new guidance for removal of pre-law gob piles as AML Enhancement Projects: Eric Coberly discussed irregularities in guidance from OSM, and there is a bonding question for some of these projects. ATP's continue to be the sticking point.
- AML Emergency Program: Discussion by group. KS and OK wanted to keep pressure on this, IMCC indicated it is a done deal and isn't coming back for any discussion or re-examination at this point.

New Business

- Ad Hoc Committee on Grant Funding, Expenditure and Obligations – Steve Herbert gave an overview and summary of the goals and outputs of this committee, as well as the 5 criteria for categorizing committed funds and expenditures that were developed. The committee had a 90% response from membership. Much discussion and an overview of undelivered orders issue from Al Whitehouse and the questions OSM is facing from treasury. Group determined that the story NAAMLP puts forward is more important than the actual details of the numbers, however numbers could become very important, and we will continue to refine the data and develop statistics to show the real story. Congressional interest is not on this issue yet, but NAAMLP needs to be ready to respond with hard accounting data if needed.
- Travel funding for NAAMLP member to participate in Review of Applied Science Proposals – John Koerth discussed his needs for travel authorization and funding to attend the NITT. Since the item was put on the meeting agenda, OSM western region has agreed to fund John's travel. Discussion by group of the merits and value of continuing to keep an NAAMLP presence on this committee.

Oklahoma motioned to continue a policy of NAAMLP presence on the committee as long as OSM pays for travel and there is interest from a member state or tribe to serve on the committee. Maryland seconded, motion passed unanimously.

Break

OSM Update – Al Whitehouse

- OSM/VISTA program- continues to grow, good accomplishments, Vista's are available to State and Tribal AML programs for field work by putting costs into AML grants and coordinating with regional sponsor programs.
- AML Plan Revision- Nothing happening at present, still on hold.
- Budget, FY 2013- WV Senator Manchin has voiced support for the existing Administration budget proposals for OSM/DOI. The Proposals are essentially the same ones, repeated for the last couple of years, no changes.
- OSM Proposed Coal Combustion Residuals (CCR) Rule- In rules making process, drafts prepared and under review internally, no schedule, maybe by July?

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- Limited Liability Issue for Certified States and Tribes- Rule change being worked on, letter to be sent “very soon”. OSM will come back for advice on this from NAAMLPL.
- OSM/BLM Consolidation Effort- Status is that a draft report has been re-worked and sent to DOI for review and consideration. OSM will not be merged “into” BLM, but will continue as a stand-alone agency. Only administrative functions and possibly fee collection activities are being looked at for efficiencies. Director Salazar has the report. OSM’s TIPS and NTTP will remain at OSM, not go to BLM’s training center in Phoenix.
- AML Awards- Al passed out the flyer for this year’s award nominations, and emphasized that “we need to get our story out”

IMCC Update – Greg Conrad

- Pending AML related legislation in the Second Session of the 112th Congress- discussed recent testimony on proposed legislation (HB785/SB897) to allow share balance use, IMCC (Greg) testified at a hearing on this bill.
- Discussion of several other legislative proposals (HR 3739, 3448) including the Fitzpatrick bill supporting administrations intent to kill AML funding for certified states and
- Markey proposal for 1872 mining law reform package with hardrock AML component- both are DOA, not going anywhere.
- Also new Good Samaritan proposals from Lamborn and Udall, but budget scoring issues have stalled everything for now.
- FY2012 Appropriation and FY 2013 Budget No major issues- Still following, nothing likely to really change until after the election, expect a CR to fund programs at present levels into early 2013 Details in IMCC handout/briefing paper. Madeline and Greg to testify at hearing on OSM proposed budget issues next week.
- OSM’s Pending Rulemakings- review of where things are with the multiple rule-makings: (CCR rules, Stream Buffer Rule, Cost Recovery on Fees for Fed-regulated states/tribes, Temp Cessation.) HR 3409 proposal would prohibit OSM from any rulemaking at present time
- EPA’s CERCLA 108(b) Rulemaking on Financial Assurance- Greg reported significant delays and irregularities within the EPA process, contractors have changed twice, things moving very slowly, so we don’t expect anything to happen substantively anytime soon, however this issue is still a smoldering potential threat to state primacy.

President Roanhorse adjourned General Session Business meeting at ~11:30

President Roanhorse Re-called the meeting into Executive Session (no federal agencies present).

IMCC and NAAMLPL discussed strategy of the “Undelivered Orders” issue, approaches, time lines, and how best to develop data and present our story, with specifics on how to address various accounting terminology. Friday, March 16, at the close of business was selected as the deadline for all member states and tribes to submit final accounting data responses for the five defined commitment criteria for the last five grants.

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IMCC and NAAMLPL discussed merits of keeping Emergency Program language in the text of the upcoming IMCC NAAMLPL testimony on OSM Budget in DC next week, in light of the fact that this is a done deal. This issue is particularly important to minimum program states. Group agrees to keep the language in the testimony for one more year. No motion necessary.

Discussed veto issues in S. 897

Re-approval of amended minutes; Hardcopies of amended minutes distributed and changes/corrections were reviewed by the group and discussed. Indiana moved to approve amended minutes, second by Virginia, motion carries unanimously.

Executive Session adjourned and lunch break ensued.

General Meeting recalled into order at 1:30pm by President Roanhorse

BLM Update – Erinn Shirley

- CA Program lead is now filled
- BLM has \$19.819Million budget for AML, \$4mill is Red Devil in AK
- Have a prioritization process in place, based on proximity to populations, water impacts.
- Hardrock fee called for again in Budget proposal, but no traction.
- Training program will work with OSM to develop expertise for BLM

Committee Reports and Discussion

- Training Committee – Luci Malin is the new committee chair: New mine-gasses class; Steering Committee will meet in Austin TX. Anne Walker may take over for Sarah Donnelly.
- Scholarship Committee – Murray Balk: Discussed adding a third regional scholarship for \$2,000. Discussions of how to better involve scholarship winners at the annual conference. Committee submitted a proposal for up to \$9,000/year for all three scholarships and travel to annual conference. West Virginia moved to approve 3 scholarships at \$2,000 each plus \$1,000 each for travel to conference; Utah seconds, motion passed unanimously.
- Minimum Program Committee – Mike Sharp: thanked members for their support on the emergency program issues.
- Public Relations Committee - Luci Malin: Luci described Spanish language stay-out, Stay-alive program and signs done by BLM. Discussion of various PR ideas and activities to reach

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kids; Video to highlight AML successes at next conference-Utah to work on this, need stills and clips of video from other members; look for an e-mail to come out on this initiative.

- Hardrock Committee – Bruce Stover: Discussion of Good Samaritan Legislation- prospects for this session of congress, recent Udall floor session in Congress, and latest “letters” to EPA from Udall, Boxer et.al. ;1872 Mining Law Reform- nothing has moved forward or happened directly on this issue; Southwest Partners update (AZ, CO, NM, Navajo, Hopi); 2011 Meeting- in Blanding Utah; Handout of final version of new Health and Safety haz/mat radiation/radon protocols/procedures for hardrock AML mine closure work.
- AMLIS Committee – Todd Coffelt: OSM has a budget and is continuing to work on many issues; “system releases” updating the system every quarter are ongoing. Some issues with AK and WY congressional districts reporting.
- GPRA Committee – Murray Balk: Murray explained that there really isn’t anything for this committee to work on at present time and suggested that it be discontinued for time being. Utah moved to terminate the committee, Maryland seconded, motion passed unanimously.
- Policy and Procedure Committee – Mike Garner: Rules and bylaw contradictions were discussed by Mike and Steve Herbert. The Bylaws are still in draft form and OK to stay that way until finalized at next meeting in Iowa. Steve pointed out that the bylaws say there are four standing committees and one of these is the “Research Committee”, which members believe is actually the NTTT committee. After discussion, Virginia motions to change the NTTT Committee name to the “Research Committee” to conform to bylaws. Illinois seconds, motion passes unanimously. Further discussion indicates the chairperson of each committee is appointed by the President. President Roanhorse immediately appointed John Koerth the chairman of the Research Committee.

Montana (Koerth) then moved that the President re-appoint all committee chairs to new two year terms; Iowa seconded, motion passed unanimously. President Roanhorse formally re-appointed all committee chairpersons to new two-year terms.

- Finance Committee – Bruce Stover: Discussed recommendation to simply continue rollover of Certificates of Deposit as there is no greater interest to be earned in any other instrument for these small amounts. Kansas motions to continue CD rollovers, Utah seconds, and motion passed unanimously.

Kansas motioned for up to \$1,500 in travel expenses be appropriated by NAAML P for President Roanhorse to travel to Washington DC and testify for NAAML P in the following weeks. Alaska seconded, motion approved unanimously.

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Steve Herbert pointed out that according to NAAMLPL bylaws, the finance Committee "...reviews and audits the financial reports of the Treasurer"..., and therefore the Treasurer should NOT be the Finance committee chair. After discussion, Stover stepped down as Finance Committee Chair; President Roanhorse appointed Murray Balk as chairman of the Finance Committee for a two year term.

- National Coal Mining Geospatial Committee – Mike Sharp reported that Al Klein is the sponsor, Billy Clark is the officer. Working to ASTM standards for Title IV and V layers in permit files and map documents. Report on the on-going "GEOMINE" project. Focus is on Title V now, but could be used to bring in Title IV layers. KY and TN in data steward program. Plan for each group to stay in contact and "on the same page".
- Membership Committee- No Report

Future Meetings Update:

Fall 2012 – Des Moines: Todd Coffelt gave a detailed presentation on the conference plans. Iowa Website is live on Mar 1st. Call for papers is out. Looking for 200 attendees.

Winter 2013 – Maryland: Mike Garner described possible tours to naval academy and Chesapeake Bay.

Fall 2013 – West Virginia: Stonewall Jackson Resort has been selected. Report and descriptions of conference and possible field trips were presented by Eric Coberly.

Winter 2014- Anchorage in February was discussed: New AK representative Justin Ireys to follow up.

Fall 2014-Ohio says they will take 2014 or 2015 *why?*

Winter 2015-?

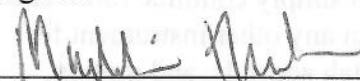
Fall 2015- Possibly Navajo and New Mexico (so Ohio could take 2014)

Fall 2016- Possibly Montana

Winter Meeting Adjourned-5:15 pm

February 29, 2012 – Field Trip to Silver Reef AML Reclamation Project

Signed:



Madeline Roanhorse, NAAMLPL President

Date: 9/26/12



Bruce Stover, NAAMLPL Secretary/Treasurer

Date: 26/SEP/2012