

Mine bonding plan should soon be ready Plan will raise cap

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DAILY MAIL STAFF Legislators should have the state's mine reclamation bonding plan in their hands by the end of this week, state Environmental Protection Secretary **Mike Callaghan** told a new committee.

That proposal will include raising the cap on mine reclamation bonds from its current \$5,000 per acre to \$20,000 per acre and increasing the special reclamation tax on coal from 3 cents per ton to 20 cents per ton.

Callaghan said his "20/20" plan will have its critics, but the state has to find a solution quick to avoid a federal takeover of the program. The U.S. Office of Surface Mining gave Callaghan until July 27 to propose new regulations.

"I haven't heard any other proposals out there that would solve the problem. I would be the first to admit that ours is kind of high," he told members of the Industrial Dust, Mining Permits and Dam Control Committee.

The new committee held its first meeting Sunday. The Legislature created it to look for better ways to measure coal dust levels, but has since added several other coal mining related issues to its chore list.

Delegate Steve Kominar, D-Mingo and co-chairman of the 10-member committee, said his main interest is finding scientific data to substantiate the anecdotal evidence the Legislature has received from coalfield residents.

"I know we've got a problem. I don't think there's any doubt about that," he said.

Until the Legislature can quantify the problem, however, it can't effectively deal with it, Kominar said.

With regard to the reclamation bonds, the secretary said he's willing to discuss any alternative plan as long as it keeps the state's reclamation liability from growing and raises the money the state needs to reclaim the 245 mine sites that defunct coal companies have already abandoned.

The DEP estimates the sites will require \$27.9 million in one-time land reclamation costs, \$20.5 million in one-time water treatment costs and about \$5 million per year in ongoing water treatment costs.

Callaghan said he also knows that the state will soon be responsible for more sites, but he doesn't have a good estimate for how much they will cost.

The 20-cent increase in the special reclamation tax would raise about \$34 million a year, which means it would generate enough money in two years to cover most of the state's one-time reclamation costs, he said.

Sen. Lloyd Jackson, D-Lincoln, said Callaghan's plan would raise money faster than he could spend it on reclamation.

"Realistically, you can't fix all those (sites) in two years. You can't get enough people to fix them in two years," he said.

Callaghan agreed, and said he's willing to look at other numbers.

Starting with 20 cents per ton, however, signals to the coal industry that the state is serious about fixing the problem, he said.

"I've gotten their attention with that number," he said.

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