

## Remining Overview

### Remining Information Series

A general definition of remining can be stated simply as a mine operator going back into previously mined areas and performing additional mining. A second definition relates specifically to the Rahal Amendment of 1987, which is much more prescriptive and entails a defined regulatory aspect. This fact sheet will primarily address the second definition.

When the Surface Mining Control and Reclamation Act (SMCRA) was originally developed and enacted (August 3, 1977), no provisions were included to deal with pre-existing discharges that failed to meet effluent standards. If a mining company wished to remine a mine site with existing coal reserves that was abandoned prior to SMCRA and had pre-existing pollutional discharges, they would be held liable for the water quality as soon as the site was activated. This was true even if the remining improved the water quality, but the discharges continued to not meet the Environmental Protection Agency's (EPA) effluent standards for coal mining.



*Abandoned acid-producing mine site in eastern Pennsylvania.*



*Aerial photograph of Noble County, Ohio, vintage 1970, depicting the extent of the pre\_SMCRA strip-mining impact on the Duck Creek Watershed.*

The Rahal Amendment of 1987 to the Clean Water Act was written and enacted to allow remining of the pre-SMCRA abandoned mines with exemptions for treatment of pre-remining discharges, which fail to meet EPA effluent standards for pH, iron, and manganese. The final rule for the Rahal Amendment took effect in 2002. Without the Rahal Amendment, significant tracts of abandoned mine lands with recoverable coal resources were considered sterile in that mine operators were unwilling to take on the liability for perpetual treatment to effluent standards as prescribed.

Under this definition, remining is the mining of abandoned surface and underground mines and coal refuse piles with existing pollutional discharges to extract the remaining coal and in the process perform reclamation and pollution abatement. Alternate effluent limits from the Clean Water Act are granted for these operations during and after mining as long as predetermined pollution abatement procedures and best management practices (BMPs) are conducted. The operator is not liable for treatment as long as the pre-existing discharges are not degraded above pre-remining background levels and the clearly-defined BMPs are completed as outlined in the permit application and approved by the regulatory authority. In order to receive the modified effluent standards in the form of loading rates, sufficient levels of pollution abatement activities must be included in the application. Additional details about the BMPs are covered in a companion fact sheet.

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Unless the pre-SMCRA abandoned sites have major health and safety issues (e.g., open highwalls, unsealed mine portals, or shafts that pose a danger to the public, etc.), they are deemed low priority for reclamation under the Abandoned Mine Lands (AML) program's guidelines. Since funds are limited, it's unlikely that the AML program will reclaim one of these sites. Or, it could be several decades before these sites may even be considered for reclamation, if ever. Remining is a viable means in which the coal operator performs reclamation and at the same time conducts a series of time-tested, proven activities to improve the water quality at no cost to the AML program. Tertiary benefits are coal resources that were once sterilized due to the degraded water are recovered and the reclamation of the abandoned mine lands greatly improve property values and functionality. Thus, local tax revenues will be increased as well.

In Ohio, the two companies that are conducting extensive remining operations are B&N Coal Company and Westmoreland Resource Partners, LP Oxford Mining Company, LLC (Oxford). These two companies, combined, have eliminated thousands of miles of highwalls, reclaimed hundreds of acres of unreclaimed lands, and reconnected numerous streams that have uplifted the ecological and terrestrial environment.

In fact, Oxford has and/or is currently conducting remining operations in Belmont, Carroll, Columbiana, Coshocton, Guernsey, Harrison, Jefferson, Muskingum, Noble, Perry, and Tuscarawas Counties in Ohio. B&N Coal Company is conducting their remining operations in Noble County, Ohio, as shown below



*Pre-SMCRA abandoned site with highwalls, pits, and unreclaimed spoil.*



*B&N Coal Co. D-1038 remining and reclamation of the same site in Noble County.*