

**MINUTES OF THE
LAND RECLAMATION COMMISSION MEETING
NIGHTINGALE CREEK CONFERENCE ROOM
LEWIS AND CLARK STATE OFFICE BUILDING
1101 RIVERSIDE DRIVE
JEFFERSON CITY, MISSOURI
March 28, 2013**

Chairman Jim DiPardo called the meeting to order on March 28, 2013 at 10:02 a.m., at the Department of Natural Resources, Lewis and Clark State Office Building, Nightingale Creek Conference Room, located at 1101 Riverside Drive, in Jefferson City, Missouri.

Commissioners Present: Chairman Jim DiPardo; Dr. Gregory Haddock, Vice-Chairman; Commissioner Leslie Gertsch; Commissioner Joe Gillman; Commissioner Paul Dickerson for John Madras; Commissioner Aaron Jeffries.

Staff Present: Kevin Mohammadi, Program Director; Bill Zeaman, Larry Slechta, Donald Cripe, Kurtis Cooper, Lauren Cole, Larry Teson, Guy Frazier, Steve Femmer, Daniel Wedemeyer, Brent Willeford, Rosie Schulte, Teresa Schubert, Greg Snellen.

Others Present: Bob Menees, Attorney General's Office; Van Beydler, Department of Natural Resources, Division of Environmental Quality Administration; Danny Lyskowski, Department of Natural Resources; Steve Rudloff, MLPA.

Approval of November 15, 2012 Commission Meeting Minutes

Agenda Item #2

Commissioner Haddock made a motion to approve the November 15, 2012, Meeting Minutes as written. Commissioner Gertsch seconded the motion. The motion passed unanimously.

INDUSTRIAL MINERALS

Activities Report for Calendar Year 2012

Agenda Item #3

Program Director Kevin Mohammadi presented an Activities Report for Calendar Year 2012. Mr. Mohammadi explained that statute requires an annual report to the Land Reclamation Commission and public, but does not define what the report should contain. Mr. Mohammadi presented the Commissioners with the total income, total expenses, number of employees, numbers of industrial minerals permits, active sites, bond releases, inspections, enforcement, public meetings, and hearing requests during calendar year 2012. Chairman DiPardo thanked Mr. Mohammadi for the report.

Summary of Industrial Mineral Bond Release Requests Approved by the Program Director

Agenda Item #4

Larry Slechta, Environmental Specialist III, reported on this Agenda Item to the Commission. There was no action required by the Commission. This Summary was provided for the Commission's information. The Commission thanked him for his report.

PERMITS, CONTRACTS AND DESIGN

Abandoned Mined Lands Status Update

Agenda Item #5

Larry Teson, Environmental Specialist III, reported on this Agenda Item. Chairman DiPardo asked about the proposed elimination of two polluted water bodies as part of the Millersburg Project. Mr. Teson explained that they are acidic, and they will be backfilled and eliminated. The discharges will be monitored and the water will be neutralized with hydrated lime. There was no action required by the Commission. The Commission thanked him for his report.

Agenda Items #6 and #7

Greg Snellen, Land Reclamation Program staff, gave a presentation and update on the Big Ben Shaft and Creighton Mine Fire. Commissioner Gertsch asked if any subsidence monitoring instruments for the Big Ben Mine Shaft had been set up; Mr. Snellen informed her that we had not. Commissioner Gertsch suggested that would be a good idea if the budget permits. Commissioner Gertsch also asked what material was underlying the waste pile in Creighton. Mr. Snellen informed her it appears to be just dirt and clay. There was no action required by the Commission. The Commission thanked him for his report. Van Beydler, Department of Natural Resources, Division of Environmental Quality Administration showed a video of a news report on the Big Ben Mine Shaft. Brent Willeford, Land Reclamation Program staff, spoke about the difficulty of working between two houses on the Big Ben Shaft Project. Commissioner Gertsch said she would feel better if we had a better idea of how far down bedrock was. Mr. Willeford explained that he thinks they are digging right at the orifice. Commissioner Gertsch also asked about the number of shafts associated with this mine and production rates. Mr. Willeford said his understanding is that it was never a productive mine. The Commission thanked him.

OTHER BUSINESS

Agenda Item #8

Guy Frazier, Projects and Inspection Unit Chief, reported on this agenda item. The rules were presented to the Commission several months ago and went on public notice. Staff recommended the Commission formally adopt the rules as part of the Rulemaking process. Commissioner Gilman confirmed with Mr. Frazier that no comments were received. Commissioner Gilman made a motion to accept the Final Orders of Rulemaking for 24 Amendments to the Coal Alignment Rules that were presented to the Commission. Commissioner Haddock seconded the motion. The motion passed unanimously.

Agenda Item #9

Program Director Kevin Mohammadi introduced three new employees to the Land Reclamation Program: Daniel Wedemeyer, Greg Snellen, and Brent Willeford. Director Mohammadi also

informed the Commission that Teresa Schubert, support staff, would be retiring at the end of April. Chairman DiPardo welcomed the new staff. Commissioner Haddock requested a new organizational chart for the Program, since the last one they received is very out of date. Director Mohammadi said that would get done.

CLOSED SESSION

Commissioner Gertsch made a motion that the Land Reclamation Commission meet in Closed Session on May 23, 2013, prior to an open meeting for the purpose of discussing personnel actions, legal actions, causes of actions or litigation as provided in Section 610.021 RSMo, 2003. Commissioner Haddock seconded the motion. The motion passed unanimously.

ADJOURNMENT OF MEETING

Commissioner Haddock made a motion to adjourn the meeting. Commissioner Gertsch seconded the motion. The motion passed unanimously.

The Meeting adjourned at 10:40 a.m.

Respectfully submitted,

Chairman