

# Department for Natural Resources Update

## 34<sup>th</sup> Professional Mining Engineer (PEM) Conference

August 27, 2021

GORDON SLONE, COMMISSIONER  
DEPARTMENT FOR NATURAL RESOURCES



# DNR Update Agenda

- ▶ DNR Overview of SMCRA Directors
- ▶ COVID Impacts and Updates
- ▶ Bankruptcies
- ▶ New AML Director
- ▶ Accomplishments and Initiatives
- ▶ Reminders



# Overview of DNR

- ▶ The Department for Natural Resources encompasses the Divisions of Conservation, Forestry, Oil & Gas, Mine Permits, Abandoned Mine Lands, Mine Safety, Mine Reclamation & Enforcement, and the Office of the Reclamation Guaranty Fund.
- ▶ DNR Commissioner's Office:
  - ▶ Commissioner Gordon Slone
  - ▶ Deputy Commissioner David Fields, Courtney Skaggs, and Jay Cunningham.
- ▶ In terms of SMCRA related agencies:
  - ▶ Division of Mine Permits, Assistant Director Mark Stinnett
  - ▶ Division of Mine Reclamation and Enforcement, Director Jim Ward
  - ▶ Division of Mine Safety, Director Tim Fugate
  - ▶ Division of Abandoned Mine Lands, Director Justin Adams (NEW!)
  - ▶ Office of the Reclamation Guaranty Fund, Executive Director Danielle Crossman.



# COVID-19 Impacts and Updates

- ▶ In March of 2020, DNR Divisions started telecommuting in response to COVID-19 state of emergency. In addition to telecommuting, DNR offices remained open to the public through appointment.
- ▶ Throughout 2020, DNR Divisions continued keep workflow moving in regards to: inspections, issuing of permits; bond releases, and all other applicable Surface Mining Control and Reclamation (SMCRA) requirements, with little, to no impact.
- ▶ As of June 2021, DNR Divisions have returned to the office (minimum of three (3) days a week) and all offices have officially opened back up to the public and for in-person meetings, upon request.
- ▶ Key Notes and Considerations:
  - ▶ Please check with DNR agencies prior to scheduling any deliveries or coming to the 300 Sower Building or branch offices.
  - ▶ Offices are open to the public, but visitors must mask.
  - ▶ DNR continues to carry out our statutory and regulatory mandates.



# Revelation/Blackjewel Bankruptcy

- ▶ In 2019, Revelation/BlackJewel et. al. filed for Chapter 11 protection in US Bankruptcy Court in the Southern District of West Virginia.
  - ▶ The bankruptcy encompassed more than two-hundred (200) permits in the Eastern Kentucky Coal Fields.
  - ▶ After almost two years of meetings, motions, and court appearances, the bankruptcy court issued its Confirmation Order.
- ▶ On March 22, 2021, a Final Confirmation plan was entered that required:
  - ▶ Purchasers of permits from the bankruptcy sale to submit and obtain permit transfers.
  - ▶ The remaining permits not purchased were revoked pursuant to an Agreed Order entered on June 11, 2021 with the Cabinet's Office of Administrative Hearings.
  - ▶ The Cabinet is currently in negotiations with the surety companies to come to reclamation agreements with the respective Sureties of the 33 orphaned permits.



# New Abandoned Mine Lands Director

- ▶ On March 29, 2021, Justin Adams was named the new Director of the Division of Abandoned Mine Lands (AML).
  - ▶ Justin is a 16 year veteran with AML, who most recently oversaw the AML Pilot Project.
  - ▶ Justin has a degree in Chemistry from the University of Pikeville.

Both DNR and the Cabinet are excited about the direction Director Adams will take AML and celebrate the continued prosperity and development of this necessary program.



# Initiatives and Accomplishments

- ▶ A work group is being assembled to revise and review TRM-21 and to promote more pollinator species, this is in conjunction with KRS 350.097 and the Governor's initiative on Agritech.
- ▶ DNR is working with the Office of Administrative Services (OAS) to upgrade the current electronic work-flow to a more stable environment.



# Reminders

- ▶ Division of Mine Permits
  - ▶ Ensure renewal applications are submitted at least 120 days prior to expiration.
  - ▶ Permitting fees must be submitted with the all applicable applications upon initial submittal.
  - ▶ Renewal applications must include the bonds and liability insurance at the time of initial submittal.
- ▶ Division of Mine Reclamation and Enforcement
  - ▶ Stay contemporaneous
  - ▶ Ensure ponds and associated diversions are maintained in accordance with the approved permit package and applicable regulations.
- ▶ KY Reclamation Guarantee Fund: Ensure fees are submitted by the appropriate deadlines. Failure to submit fees may cause your permits to be suspended.
- ▶ Division of Mine Safety: Ensure all applicable mine license and fees are submitted in a timely manner.





Next up!

