DRAFT

MEETING OF THE

MINING COMMITTEE
Of the

NORTH CAROLINA MINING AND ENERGY COMMISSION

July 25, 2013

3:00 p.m.

Archdale Building – Fifth Floor Conference Room

Chairman "Tex" I. K. Gilmore called the meeting of the Mining Committee to order at 3:00 pm in the Fifth Floor Conference Room of the Archdale Building in Raleigh N.C. Chairman Gilmore read the State Government Ethics Act, and asked the Commission Members to consider whether or not they had a conflict of interest with respect to any items on the agenda. No conflicts of interest were reported. Chairman Gilmore recognized all Committee Members present.

COMMITTEE MEMBERS PRESENT

Dr. Robert Mensah-Biney
Dr. Ray Covington
Mr. Tex Gilmore
Mr. George Howard
Dr. Marva Price

ABSENT MEMBER

Ms. Amy Pickle

DENR STAFF MEMBERS

Ms. Janet Boyer (DEMLR)
Ms. Judy Wehner (DEMLR)
Mr. W. E. "Toby" Vinson (DEMLR)
Mr. Jim Simons (DEMLR)
Ms. Katherine Marciniak (DEMLR)
Ms. Brenda Harris (DEMLR)

THE ATTORNEY GENERAL'S OFFICE

Mr. John Payne
Mr. Shawn Maier

Approval of March 25, 2013 Minutes

Motion made by Dr. Covington and second by Dr. Mensah-Biney to approve minutes. Motion carried with no dissenting votes.

Action Items

None

Information Items

.

Mining Statistics — Ms. Janet Boyer

Ms. Boyer gave a presentation of the 2012 mining statistics

(Presentation available on the website)

Enforcement Report — Mr. John Payne

Mr. Payne presented the enforcement report.

(See Report on website)

Update on Stark Appeal — Mr. Shawn Maier

Mr. Maier gave an update of the Stark appeal. A permit modification was issued to Harrison Construction in Clay County for a crushed stone quarry. The action was based on the request to modify the permit to add 27 acres to the site. The modification was granted by DENR and the adjacent landowners filed a contested case that went to OAH. Superior Court and the Court of Appeals upheld the validity of the modification on appeal. The Court of Appeals decision was unanimous. On June 12, 2013, the NC Supreme Court denied the motion for discretionary review and it was dismissed.

Land Quality Section Report — Mr. Toby Vinson

There is one vacancy in the Mining Section in central office. Effective August 1, 2013, the Storm Water Program from Water Quality, and the Energy Division from Commerce will become part of Land Resources.

Mr. Vinson talked briefly about a trip that some of the staff made to Virginia. The trip was to see how the Iluka mining operation works. The company has indicated that they plan to conduct similar mining in North Carolina.

Conclusion

Remarks by Chairman — Mr. “Tex” Gilmore

Chairman Gilmore thanked the Land Quality staff, and the AG’s Office for the work being done.

Meeting adjourned at 4:00 pm.

Respectfully submitted,

Brenda M. Harris
Mining Program Secretary

_____

Mr. Tracy E. Davis, PE, CPM
Division of Energy, Mineral, and Land Resources