

Division of Mining and Reclamation



Randy Huffman
Director


Post Mining Land Use (PMLU)

The use or uses the mined land is capable of supporting after mining and reclamation of the site. Must be the highest and best use that can be achieved and is compatible with other uses in the area.



New Permits

Criteria for post mining use of land different (alternative) from pre-mining land use:

- Consultation with landowner
 - A reasonable likelihood that proposed use will be achieved
 - No hazards to public health or safety or threat of water pollution
 - Not impractical or unreasonable
 - Consistent with applicable land use policies
 - Not going to involve unreasonable delays in implementation
 - Not in violation of any law
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Existing Permits

- Meet the previous criteria
- Post-Mining Land Use change must be advertised (4 weeks with 30 day comment period)
- Be filed as revision to the permit




AOC Variance For Mountaintop Removal Areas

Post Mining Land Use must be one of the six
land uses spelled out in the law

- Industrial
- Residential
- Agricultural
- Commercial
- Commercial forestry
- Public facility



Criteria for AOC Variance (Mountaintop) Post Mining Land Use

- equal or better use of affected land
 - compatible with adjacent land uses
 - practicable with respect to achieving proposed use
 - obtainable according to data regarding expected need and market
 - supported by commitments from public agencies where appropriate
 - practicable with respect to private financial capability
 - designed by person approved by director in conformance with standards established to assure the stability, drainage and configuration necessary for intended use of site
 - compatible with existing state and local land use plans
 - director provides county commission, appropriate state and federal agencies right to comment.
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AOC Variance Steep Slope Mining

- Includes the same post mining land uses as the mountaintop variance, excluding the agricultural post mining land use.



Criteria for AOC Variance (Steep Slope) Post Mining Land Use

- Comply with alternative PMLU rules
- All highwalls eliminated
- Only spoil not necessary to meet PMLU may be removed from the mine bench
- Watershed improvement
- Appropriate federal, state and local government have the opportunity to review and comment
- Landowner request for variance to achieve the PMLU



Leaving Roads

- Post-mining land use may require retention of road(s)
- Requires documented landowner permission to retain roads



Examples of Development on Mined Lands

- King Coal Highway
- Robert C. Byrd High School
- Mount View High School
- Shopping malls
- Columbia Wood Products
- Wood Products (Mingo County)
- Twisted Gun and Pete Dye golf courses
- 2 regional jails
- Logan Airport
- State prison at Mount Olive
- Hatfield and McCoy Trail
- Nursery
- Chief Logan's Conference Center
- Federal prison (construction to start spring 2006)
- Cabela's
- Aquaculture- raising Char
- New Hope Village - homes for 70 families
- Anker Sports Complex
- Weirton housing development and hospital
- Beckley soccer complex

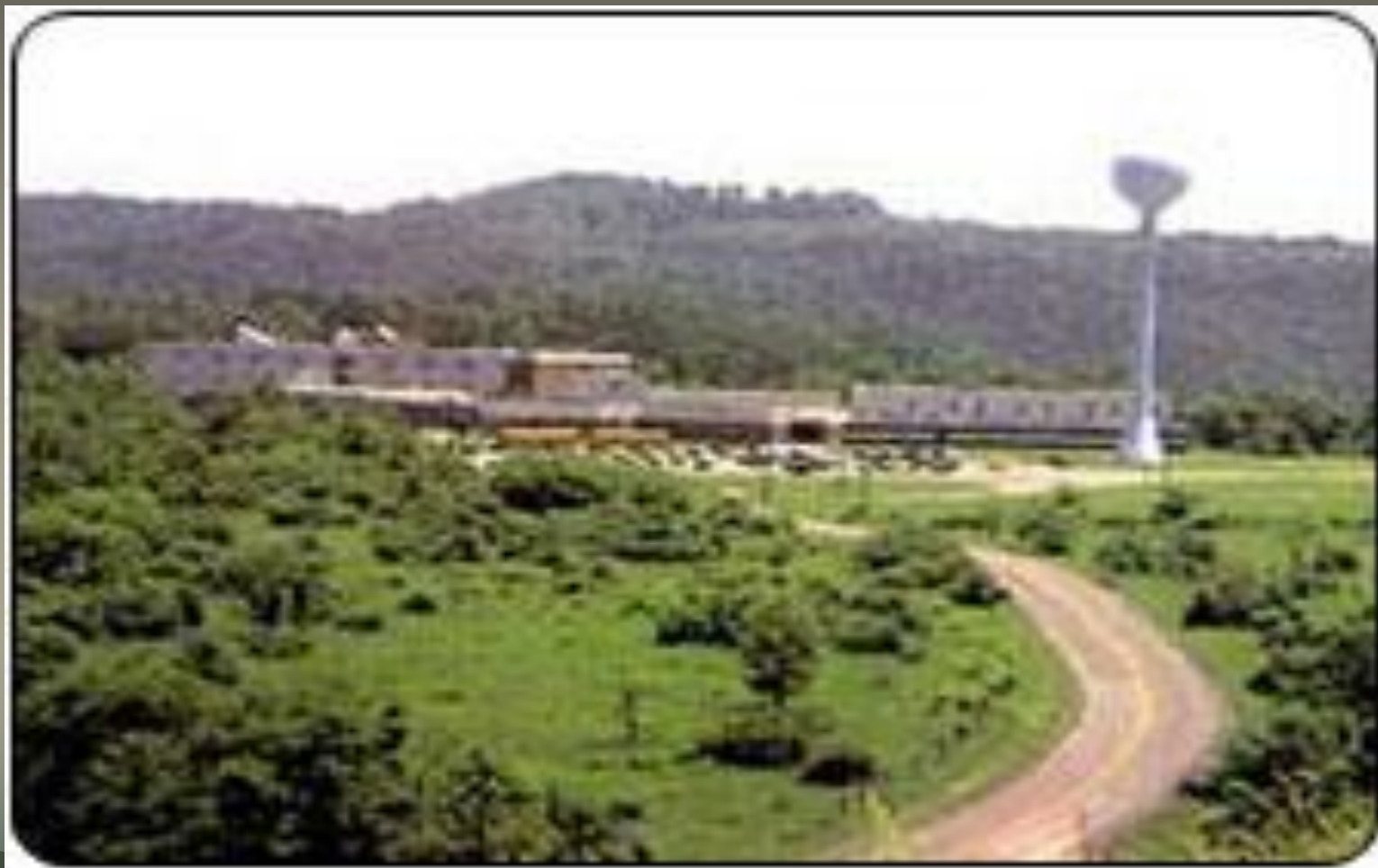
Cabela's Wheeling Store



Pete Dye Golf Course



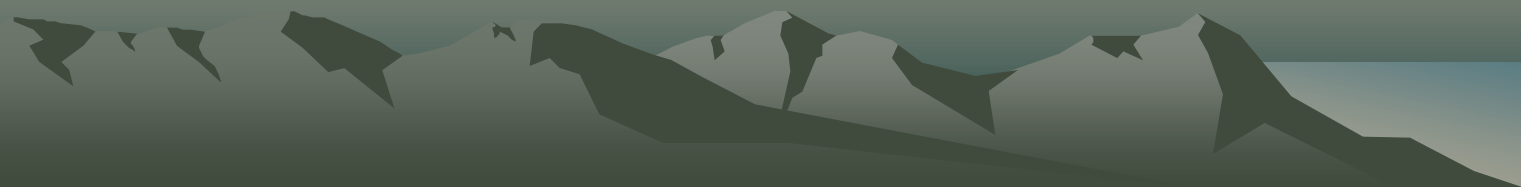
Mount View High School



Hatfield & McCoy Trail



Twisted Gun Golf Course



Columbia Flooring Inc.



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