



west virginia department of environmental protection

Division of Mining and Reclamation
601 57th Street SE
Charleston, WV 25304
Phone-(304)926-0490
Fax-(304)926-0456

Bob Wise, Governor
Stephanie R. Timmermeyer, Cabinet Secretary
www.wvdep.org

MEMORANDUM

TO: DMR Staff
FROM: F. Joseph Parker, Acting Director
DATE: November 10, 2004
SUBJECT: Coal Bed Methane

The West Virginia Surface Coal Mining and Reclamation Act (WVSCMRA) covers, among other things, surface disturbances associated with coal mining. Accordingly, sites for coal prospecting boreholes and degasification of coal mines are to be covered by applicable mining permit. However, jurisdiction over exploration for coal bed methane and production wells for coal bed methane (CBM) gas is not subject to WVSCMRA.

Specifically, WVSCMRA applies where coal seams are being processed (burned, heated, liquefied, etc.) in situ to extract the coal itself in a gaseous or liquid state and where degasification holes are solely for the purpose of ventilating an underground mine.

At the point these degas holes become CBM production wells they are no longer covered under WVSCMRA. If there is a WVSCMRA permit, the area, including the road to the well, can be deleted from the permit by changing the post mining land use and applying for release on the areas to be used. This would be similar to the process outlined in the I & E Handbook, Series 12, Page 16.

This memo applies only to WVSCMA. Other permits may be required such as groundwater protection, oil and gas or air quality to name a few.