

WPCAMR Regional Coordinator's Report

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LEGISLATIVE ROUNDUP

STATE

Senate Bill #411 in the PA General Assembly

Last year, Senate Bill #1346 was introduced in the Senate. In a nutshell, that bill addresses liability issues for landowners and shale gas companies who wish to use AMD for gas well development. The sponsors were: Kasunic, Yudichak, Soloby, Hughes, and Fontana. The Bill was referred to the Environmental Resources and Energy Committee in the Senate in November. The bill didn't move but we were confident that it would re-surface in the new session.

Now that the new session is underway, SB 411, which is essentially a mirror image of #1346, has hit the ground. SB 411 is INTRODUCED BY KASUNIC, YUDICHAK, SOLOBAY, WOZNIAK, BREWSTER, ARGALL, WHITE, BAKER, HUTCHINSON, ERICKSON, VULAKOVICH, VOGEL, FERLO, BOSCOLA, ALLOWAY AND DINNIMAN on FEBRUARY 4, 2013. So far, this bill appears to limit liability to the "owner/operator" of a treatment system, a landowner, or the industry company which wishes to use the treated mine water for gas extraction. This seems to include those participating in treatment of discharges on bond forfeiture sites. I would like to get clarification on some of the exceptions listed in Section 5, particularly as they relate to "payment".

FEDERAL

AML Funds Update

During the fall, we began to be concerned that the funds from Title IV may be sequestered to reduce the federal budget deficit in January. Fortunately, due in part to the letter writing campaign spearheaded by WPCAMR, our Pennsylvania delegation became quickly educated on the matter and on the importance of preserving PA's Title IV funding. I did hear back from Senator Toomey. That email is in your meeting packet.

Fortunately, the sequester was averted...temporarily. Discussions continue to occur in DC regarding the sequester that will take effect March 1st unless an agreement can be reached to reduce spending. Also, given the administration's goals laid out in the past iterations of the federal budget over the years, it seems apparent that the administration and Congress will continue an assault on the AML Fund and how those funds are disbursed to the state (eg. OMB wants the creation of a "panel of experts" from all over the country who would determine if Pennsylvania gets the funding that is its due rather than have the state make those determinations itself). During December, I continued working with the AML Campaign and the State to educate our decision makers on this vital issue and began to work as Chair of the AML Campaign, on a resolution and preparations for any attacks

on the AML Fund. This resolution, outlining the importance of the AML Fund to Pennsylvania's reclamation efforts, is a first step to defending Pennsylvania's Title IV grant and preserving the existing mechanism for Title IV funding distribution to the state.

MINE WATER USE

The Potential For WPCAMR's Involvement With A Mine Water Use Project

At the May WPCAMR meeting, the Board agreed to get an attorney on retainer to look over the confidentiality agreement for this potential project. Over the summer, Greg Phillips and I had discussions with our Attorney and the Attorney for the gas company. WPCAMR's attorney had questions regarding the agreement and I forwarded those questions to the attorney for the gas company. As requested by Greg at the November meeting, I sent a letter to the company seeing if we can get a timeline for the potential project and to see where we are at.

The company's attorney communicated with me in January saying, "We have some internal discussions set to take place in the next few weeks regarding potential AMD use. I am going to need to table the Confidentiality Agreement for this project until after those discussions take place. I will check back with you in February. I apologize for the delay." I will continue to stay in touch with the company and will report developments to the board.

OTHER ITEMS

WPCAMR Strategic Planning

Since the May 2012 meeting, the WPCAMR Strategic Planning efforts have been ongoing. In December, at the request of the WPCAMR Board, we organized a teleconference of our Alternates/delegates to discuss prioritization of the draft Strategic Plan Strategies. Priorities were determined and an update was sent to Tom Grote, our facilitator, to make changes. The draft was sent to the steering committee for any additional comments/corrections and is presented at this meeting for additional comment and passage by the Board.

2013 Statewide AMR Conference

The 15th Annual Statewide AMR Conference will be August 8-10, 2013. The venue for the Conference is, once again, the Ramada Inn and Conference Center in State College. The conference planning committee is currently accepting abstracts to be considered for presentation slots. The conference website is: www.treatminewater.com

Anne will also provide more information on the activities surrounding the conference planning in her report.

2012 Financial Audit

Our auditor will be communicating with me over the next month to work with her on our 2012 financial audit.