

WPCAMR Regional Coordinator's Report

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Planning for Pennsylvania's future in AMR

Since the last WPCAMR Quarterly in February, I don't have a significant update on the planning process in Pennsylvania that surrounds the 2006 amendments of SMCRA Title IV and how that will ultimately will translate into a revised blueprint for AMR in PA. DEP is, of course, the most significant entity in the process, and after having collected initial public input during 2007 and early 2008 is now in the phase of working through the job of creating the revised framework... indeed a daunting undertaking. As such, we have not yet seen a great deal from that process from the Department. Here are items we can report :

- The long-promised OSM rule-making for the revised SMCRA Title IV has still not been offered (with the minor exception discussed in the next point). Our understanding is it may be forthcoming any time now. We are particularly interested in how water (AMD) issues will be addressed, which could have far-reaching impacts on how Title IV, and more particularly, Set-aside funding might be used. I'm especially interested in how the term "hydrologic unit" is interpreted.
- OSM has requested comments on proposed reming incentives for reclamation associated with waste-coal (gob piles). The proposed rule-making would waive the per-ton reclamation fee for reming a gob-pile if, without the incentive, the gob pile would not otherwise be removed, and the cost of the incentive is less than the actual reclamation costs. For PA, this amounts to a gesture only, in that virtually all waste coal is already exempt from the fee because the value of the gob doesn't reach the threshold of being marketable coal.
- DEP announced in March that up to \$2 million in state dollars would be allocated to unmet Operations and Maintenance needs of AMD treatment facilities... very welcome news. Exactly how that funding would be implemented is yet to be determined.
- A number of coal companies are suing the US Dept. of Interior to cease collecting reclamation fees (and refund what has been collected) on coal exported from the US, contending the practice is unconstitutional. If they are successful, Pennsylvania's annual AMR grant will be negatively impacted. The case is being decided by a federal appellate court .
- The Mining Reclamation Advisory Board (MRAB) again failed to take up the issue of taking on the advisory function for PA's AMR program.
- DEP has announced it will hold a focus group meeting in June (invitation only) to review a draft of "Mine Drainage Treatability and Project selection Guidelines" produced by an internal workgroup. This guidance, once finalized, would represent a very significant piece of

Pennsylvania's planning for future AMD work, especially as it relates to Title IV funding and the set-aside program. We also anticipate a DEP presentation on the topic at our annual conference in August.

Preparing for the Annual AMR Conference

WPCAMR is the lead organization in this year's AMR conference, Aug 11-14, in State College. As such, it currently represents a major focus of our overall workload. Watershed Coordinator Andy McAllister is serving admirably as the coordinator for the conference, and his report will cover the overall progress.

I'm serving as "Roving Shortstop" and have a variety of duties. Currently my most significant duty has been implementing the conference website. It's approaching a final form and is just about as up-to-date as it can be given where we are in the over-all process. Visit it at <http://treatminewater.com>. I will also be the primary administrator of fiscal matters (with guidance from our budget committee). Dealing with conference registrations also falls under my purview. Most of that process will be done electronically with procedures I've established (still a work in progress) and will hopefully be useful for future conferences as well as this one.

WPCAMR successful in three awards in latest DEP grant round.

In the recent grant awards announced by DEP, WPCAMR was the recipient of three:

1. A Section 319 award of \$121,500 for WPCAMR's base funding for the fiscal year 2008-09. This is the perennial award that WPCAMR relies on for having a staff and office. This is our lifeblood and we thank and appreciate the ongoing support of the DEP's Bureau of Watershed Management for its stalwart support of the Coalition.
2. A Growing Greener Grant of \$100,000 for "Quick Response II: Fiscal Management for Quick Response Repair of Growing Greener-Type Projects". This essentially extends our on-going Quick Response program to provide a relatively easy and quick avenue for funding of emergency repairs for passive treatment systems and other Growing Greener type projects.
3. A Growing Greener Grant of \$100,000 for "Iron Oxide Recovery: Statewide Implementation". This is a fiscal pass-thru in cooperation Iron Oxide Recovery (started by Bob Hedin). IOR's processing plant in Clarion County takes iron oxide sediment and processes it into a marketable pigment. Here's the overall goal of the project:

One thousand tons of Iron Oxide will be recovered and transported by truck to the IOR Processing Plant in Clarion County from AMD passive treatment facilities. Where recovery costs and/or transportation costs are higher than the iron-oxide sludge value, a transportation subsidy makes the project feasible. This will allow the removal of iron oxide sludge (a maintenance item) at no cost to care-givers of the passive treatment

system, and provide a beneficial outlet for the material that would otherwise need to be land-filled.

“Tell Us About an Improved Pennsylvania Stream” campaign

As a deliverable for our 319 grant, we are charged with identifying streams that may be candidates to be removed from the Integrated List’s impaired streams (formerly the 303(d) list) because of measures taken to improve water quality, e.g. passive treatment systems. The premise is WPCAMR, with our ties to Conservation Districts and watershed groups, should be able to learn of situations where water quality improvements have been observed locally, but have not been more widely reported. As a matter of course, we have solicited reports of such improvements with our contacts, but have largely come up empty. We’ve found it necessary to expand our search using additional avenues.

First, we’ve developed an on-line form where we can collect information about improved PA streams from anyone having a computer with access to the internet. The form itself is pretty simple to fill-in and is meant to generate enough information so that we can follow up with later. The form is available on the WPCAMR website at <http://wpcamr.org/projects/GotABetterStream/index.html> .

We devoted an issue of “Abandoned Mine Posts”, our on-line email newsletter, to soliciting this information and pointing to this form. We also sent out letters to every Conservation District Watershed Specialist in our service area with a similar solicitation.

We know the form works because we’ve received three responses by two people. (Thanks Pam and Bob.) We would think that there must be significantly much more improvement than we’ve unearthed so far.

Any ideas on how to identify streams showing environmental improvement would be greatly appreciated.

Getting the WPCAMR administrative house in order

We continue in our campaign of getting and staying on top of our administrative workload. We are staying pretty-well caught up with all routine administrative chores.

WPCAMR Inventory

One long-time goal is coming close to being fully implemented: having an inventory of WPCAMR’s physical assets... our furniture, equipment, etc. I implemented an Access database for this purpose. Using our label printer, I’ve generated inventory tags we affix to our stuff, and using a digital camera we take pictures of the inventory items that become part of the database. It’s actually a pretty slick process of inventorying our assets this way. The photographs are easily imported and serve mainly as the “thousand words” of description. Christie, our part-time administrative helper, is doing most of the inventory work now that the system is set up. When I get some spare time, I’d like to document how to use the database system and offer it to watershed groups to help in their administrative process.

WPCAMR declines becoming fiscal sponsor for Rattlesnake Run Project

At our last meeting, I informed the board that WPCAMR has been requested to take over administration of a \$110,825 Growing Greener AMD passive treatment project on Rattlesnake Run formally sponsored by the Lucinda Watershed Association. In examining the request with DEP's Grant Center, we learned that we could not take over just as the fiscal sponsor, but would have the full obligations of administering the project and would be responsible for future O&M obligations. In other words, the existing contract would be transferred from the current sponsor to WPCAMR in its totality. (The current sponsor of the grant was willing to agree to taking on O&M responsibilities, but that would be an agreement with the current sponsor and WPCAMR. Should that arrangement break-down, DEP would hold WPCAMR responsible for the contractual O&M obligations.) All things considered, we decided it was against WPCAMR's best interests to enter into this agreement. We did, however, offer to provide to the current sponsor administrative and other assistance should they choose to keep the contract with DEP. Since we have had no response to the offer, we assume this issue is closed.