

WPCAMR Regional Coordinator's Report

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Watershed Specialist Advocacy Project

We have good news. After all the dust has settled from the protracted state budget process in Harrisburg earlier this year, a significant affirmation in a time of cutbacks has emerged. DEP will continue to support Conservation District Watershed Specialists positions with dedicated funding for another two years. Clearly, DEP saw the tremendous value of these positions and worked hard to preserve them. The campaign by grass roots efforts, including the efforts put forth by WPCAMR, helped make the case. WPCAMR's efforts got its real strength through the response of conservation-minded groups and individuals who contacted state legislators and DEP which demonstrated the political will to continue the good work done by Watershed Specialists.

Andy's report details WPCAMR's outreach actions. In addition, as I've reported previously, our joint campaign with PACD solicited all of PA's Conservation Districts for success stories in which Watershed Specialists were instrumental. The Foundation for PA Watersheds provided additional resources for implementation. That project has yielded an information base of that was useful in guiding our efforts so far. It will continue to be useful as we look forward to keeping the value of Watershed Specialists fresh in the minds of those who will be instrumental in funding those positions beyond 2012.

We recommend that WPCAMR write letters of appreciation to selected individuals within state government acknowledging their efforts in this cause and suggest that other stakeholders make a similar effort.

Joe Pizarchik Confirmed as New OSM Director

On Friday, Nov 6, Joseph Pizarchik was confirmed by the U.S. Senate as President Obama's pick to be the Director of the Office of Surface Mining and Reclamation Enforcement. He succeeds the current acting director Glenda Owens, and former Director Brent Whalquist. Up until this point, Joe served as the Director of PA DEP's Bureau of Mining and Reclamation.

The process of Joe's confirmation was a rocky one in which he faced stiff opposition from activist environmental groups opposed to coal mining. Moderate environmental groups, WPCAMR included, that recognize the value in working in cooperation with mining operators were able to add a counterbalancing voice to the debate. I believe these efforts were helpful in Joe's eventual confirmation.

I personally have full confidence that Joe has all the right stuff to perform an outstanding job in his new position and believe he's the right person for the difficult job before him. He will be missed in Harrisburg.

NPDES Permits for Passive Treatment Systems?

We remain quite concerned about recent court decisions in West Virginia regarding the need to obtain NPDES permits for certain passive treatment systems, and more importantly, the reasoning accompanying the court's decision. Coupled with recent actions by activist environmental groups who are advocating that NPDES permits should apply to *all* AMD treatment systems regardless of circumstances suggests we should be concerned about having the burden of NPDES permits for the numerous passive

treatment systems in PA. We know we're not alone in this concern. DEP at high levels recognizes the threat. The same constituents that formed the "AML Campaign" (who advocated for what eventually became the 2006 reauthorization of SMCRA, WPCAMR included) are now engaged in exploring strategies to address the situation. Among the possibilities being considered are (a) permits for nonprofit organizations that recognize the value of reducing pollutant levels and (b) the pursuit of federal legislation for a national environmental Good Samaritan act that would explicitly limit liability for activities like passive treatment systems which improve legacy pollutant discharges. Both Andy and I are working closely on this issue.

Chemical Snapshots for PA's Passive Treatment Systems (Snapshot One partially complete)

Our FACTS grant is being used to organize two chemical snapshots of PA's publicly funded passive treatment systems. The first of the snapshots is all but complete with respect to sampling and analyses. We specifically acknowledge DEP (BAMR, DMOs, and regional watershed managers), without whose cooperation and manpower the snapshot would not have been possible. Stream Restoration, Inc. (SRI) (primary contractor for the grant), the Stream Team, individual watershed groups, and the Senior Environmental Corps were also indispensable. Roughly 200 passive treatment systems were sampled, the most comprehensive look at PA's AMD treatment systems ever. SRI is now in the process of assimilating and incorporating all of this information into Datashed, our internet data management system for treatment systems. This first snapshot is the shakedown cruise for Datashed, with many aspects of the system being strenuously exercised in other than a testing environment. We fully expect to experience (and hopefully resolve) problems during this phase, and anticipate the next snapshot will be smoother sailing.

Financial Challenges

We'd earlier in the year figured that with several DEP grants coming to an end at the same time (end of June) coupled with the hold back provision where as much as 20% of the full grant amount is held until the final report is accepted meant that we could expect cash flow to be tricky for a while. We certainly anticipated that we would have to dip into our line of credit and depend on the reserves we'd built up. What we did not anticipate was the budget impasse in Harrisburg and the length of time totally devoid of payments from Harrisburg for reimbursements. However, by very careful metering and internal shifts of the resources we had on hand, along with some money that eventually broke loose from our 319 program, we have been able to squeak through the most difficult part of our cash flow crunch. While we are still awaiting some overdue reimbursements from Harrisburg, we think the worst is likely over and our cash flow crunch will soon be a memory. Knowing that many other PA nonprofit organizations had far more difficulty than we did through the same period makes us thankful we were able to weather the storm as well as we did

Here's a summary of WPCAMR held grants formally ended earlier this year. Collectively, they have represented a significant amount of my time and energy.

Fully complete

1. 2008-09 DEP 319 funding for WPCAMR operations -319
2. Limestone Upflow Pond Optimization - IT
3. Activated Iron Solids treatment system - IT
4. South Sandy Watershed Association Startup Organization and Support – GG

Complete except for final reimbursement from DEP

5. Quick Response Program (I) – GG

6. FACTS (I) –GG
Complete except for final reimbursement from DEP and issuance of final payment to contractor.
7. In-situ Sulfate Reducing bacteria - IT
8. Lasaire Iron Oxidation / Removal – IT
Need to submit final report requiring information from contractor
9. OSM Rattlesnake Run, Clarion County - WCAP

It will be nice to be down to 3 active grants:

1. 2009-12 DEP 319 funding for WPCAMR operations.
2. Quick Response Program (II)
3. FACTS (II)

And two presently inactive grants:

1. Quick Response Program (III)
2. Iron Oxide Recovery: Statewide Implementation

It will be several months before we hear if we've been successful in our recent Growing Greener Plus submission of Quick Response(IV) for an additional \$100,000.

Saying good bye, good luck, and thank you to Bernie Hoffnar

Board member and longtime WPCAMR supporter Bernie Hoffnar has informed us that he and his wife are moving to New Mexico. Bernie asked that I extend his sincere appreciation for a job well done by all involved with WPCAMR, that it has been a pleasure being part of and working with our organization, and well wishes for the future. He also made sure to remind us there is still much to do in our extended battle with the problems from legacy mining and to keep going with what we've started. Bernie has for many years been very active in many aspects of the environmental movement in Pennsylvania and has without question made his mark. In his own way, he's been a pioneer in transforming Broad Top Township into a model township for positive environmental change. His presence and his wisdom will most certainly be missed. Thank you so much, Bernie. We wish you and your family the very best in this new chapter of your lives.

Operations and Maintenance Expense Estimator Worksheet

And while we're on the subject of Bernie, recall that he is a strong advocate of providing for needs as part of an AMD project, and even presented his methodology of estimating those costs to WPCMAR. I'd all but forgotten that I'd subsequently developed a simplified version of an Excel worksheet to make similar present value estimates for future O&M costs. It's available on [this meeting's webpage](#) for download. Give me a call if you can't make sense of it.

Mining Reclamation Advisory Board Meeting

At the most recent meeting of MRAB in October, the key issues (from my perspective) discussed were:

1. The NPDES issue referenced above. MRAB agrees this is an important issue and has informally advised DEP to continue to act proactively in finding mechanisms to deal with it, and further to keep MRAB abreast of the situation.
2. DEP is placing a new importance on TDS (total dissolved solids) as pollutants necessitating action to reduce levels. Without going into details, TDS levels have emerged as a hot button item in which the DEP is obliged to respond. It's a complicated issue and one made more difficult because of a lack of affordable ways to mitigate TDS levels. For those of us involved in passive treatment systems, this could have impact primarily because of generally higher levels of sulfates (a contributor to TDS levels) in mine discharges. I suggest WPCMAR consider requesting DEP to make a presentation of the TDS issue at a future WPCMAR meeting.
3. DEP is proposing to make significant increases for the price of mining permits. Mining operators are displeased with DEP's proposals. Future talks are planned to explore the issue.
4. MRAB approved sending a letter to EPA and appropriate legislators opposing the possible reclassification of Coal Combustion Waste (the ash resulting from burning coal in power plants) as a hazardous material. (I have produced the draft of that letter. I suggest WPCMAR consider using a variant of that letter for the same purpose.)

Geochemist's Workbench Short Course - for geochemistry geeks only

I attended an OSM short course on a software program called Geochemist's Workbench (GWB) for modeling, well, geochemistry. What's going on chemically at a particular mine discharge is an example of a situation where GWB could be very useful. It is able to quickly do thousands of calculations that are otherwise very tedious and possibly impractical by other means... informing the user of possibly useful interactions and subtleties. This would be the kind of tool a designer of an AMD treatment system needing to have a grasp of the multitude of chemical reactions that could occur might find quite useful and insightful. Call me if you'd like to know more.

2010 AMR Conference Planning

Andy and I are both active with this. See Andy's report for the details.

OSM Watershed Cooperative Agreement Program – a good change back to original rules

Andy and I were both active with this. See Andy's report for the details.

Watershed Census

I previously reported on our intentions of performing a census of PA watershed groups, in that there apparently is no up to date information on the active watershed organizations. As luck would have it, the Foundation for PA Watersheds, through a Growing Greener grant developing watershed sustainability, has already started a census with virtually the same intent. We are now collaborating on FPW's project. In fact, I've invited Gwen Johnson, who is working as the facilitator of that grant to give us a brief overview of the watershed sustainability project.