

WPCAMR Regional Coordinator's Report

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LEGISLATIVE ROUNDUP

STATE

- SB 368. Introduced January 30, 2015 by Sen. White, providing for a waste coal energy and reclamation tax credit. Currently in appropriations committee as of June 25, 2015. No current movement.
- HB1370. Introduced June 29, 2015 by Rep. Gibbons. Both for establishing a coal refuse energy and reclamation tax credit. HB was referred to Committee on Environmental Resources and Energy on June 29, 2015. No current movement.

FEDERAL

House Spending Bill

- During the fall, the House of Representatives passed a spending bill they had fashioned earlier in the year. This bill had a provision to distribute funding to several coal mining states in the east that have extensive AML problems. This one shot distribution appears to be the House's answer to the Administration's stalled Power +/AMLER proposal. Like the AMLER proposal, the House spending bill requires that the funds be used for AMR in areas that would benefit most from job creation. We understand that the DEP has received authorization to utilize these funds but, as of today, we're still not sure as to how these funds are to be specifically used and which on projects the DEP would like to use these funds.
- **H.R. 4456 (RECLAIM Act of 2016)**
A House Resolution that came out on February 3rd. This resolution is a mirror of the AMLER portion of the President's "Power +" plan from last year. This proposed bill has some measure of bi-partisan support but we're not sure where the states stand with it. After working with the PA AML Campaign and NAAMLPL providing comments to this proposed legislation, we're waiting to hear back as to which suggested changes are going to be included. We understand that this bill may have a hearing scheduled in DC, probably in mid to late May. If it doesn't get a hearing in Congress soon, nothing will

likely happen over the summer due to the elections. There is a possibility the bill could move during the lame duck session this fall. We will keep abreast of the situation.

- ***SMCRA Fee Re-authorization***

We continue to work with the PA AML Campaign/TU/State on re-authorization of the Title IV fees for SMCRA, participating in conference calls, etc. There isn't much going on in DC that could accelerate reauthorization except for the newly released RECLAIM Act. There is a possibility that the RECLAIM Act may be a vehicle to try to get reauthorization passed, but I believe it to be a remote possibility since we haven't heard if its sponsor is interested in amending his bill.

Operations and Maintenance Funding

- **H.R. 3844 (Rep. Jody Hice, Ga), “Energy and Minerals Reclamation Foundation Establishment Act”** This is a bill that proposes to set up a foundation (somewhat akin to the National Fish and Wildlife Foundation) that is able to accept donations from the private sector then grant out funds to assist with orphan well or abandoned hardrock and coal reclamation. The idea seems sound but there may be challenges with the particulars on this and how it is implemented. The bill proposes start-up funds to be directed to the foundation. It is unclear as to how this bill will “score” in DC and where the offsets would occur to account for the federal funds that are to be directed to this program. We do not want this program, if passed, to be a substitute for any other funding for OM&R for our region. WPCAMR and TU will continue working on a potential OM&R funding plan that may be much more effective in providing federal funds to our watershed groups and districts. A hearing at the House Natural Resources Committee’s subcommittee on Energy and Mineral Resources was held on November 4th. Still no movement on this bill.
- **RECLAIM Act.** The newly released bill (HR4456), the “RECLAIM Act” (discussed previously) allows for operation and maintenance funding but only for new treatment systems created under the funding from RECLAIM. The PA AML Campaign suggested changes to the language of RECLAIM that would also fund existing treatment systems funded through SMCRA Title IV. However, we have yet to see if those changes will be accepted by Rep. Rogers.

Federal Good Samaritan Protection

- **H.R. 3843 (Rep. Doug Lamborn-Co), “Locatable Minerals Claim Location and Maintenance Fees Act of 2015”** . This bill was also introduced in October 2015 to authorize for a 7-year period the collection of claim location and maintenance fees (hardrock mining), and for other purposes. H.R. 3843 is part of the Committee’s three-pronged response to the Gold King Mine and the Standard Mine spills that occurred in Colorado in August and September of this year, which the Committee is continuing to

investigate. This bill centers largely on hardrock sites and uses fees to set up a database for hardrock sites but Title III of this bill proposes Good Samaritan protection for those working on abandoned mine sites (coal and hardrock). While not exactly what watershed groups across the country want (for either hardrock or coal) but this is nevertheless, a very good beginning. Many stakeholders, including WPCAMR, are providing input into Congress's understanding of the issue and we hope that the momentum will continue to build.

We have been working with Trout Unlimited, the state, and the Interstate Mining Compact Commission, to come up with a federal Good Sam draft bill that is modeled on the State's Good Sam Law and addresses our community's needs. The IMCC has been instrumental (along with TU) in working with legislators in DC and Representatives Lamborn and Thompson. So far, we have received promising news that Rep. Lamborn may include the coal Good Sam proposal as an amendment to his HR3843 Bill. This is a long process but these are very encouraging signs. The IMCC tells us that the eastern Good Sam coal proposal is being received well by the mining states.

Sequestration

- Still goes on with PA losing funding from its annual Title IV grant. Part of what the AML Campaign is looking for is an end to the sequestering of Title IV grant funds.

Waste Coal to Energy

- Representative Rothfus (Pennsylvania) has developed the "Sense Act". WPCAMR has supported this initiative. There was a hearing in the House subcommittee for Energy and Commerce. Our President, Dennis Beck was able to travel to DC to testify with regard to this proposed legislation and the value of the waste-to-coal power industry as it pertains to reclamation. There doesn't seem to be any movement on the bill at this time.

OTHER ITEMS

Quick Response

We are currently finishing up expending funds from QR6 and continuing expending funds from QR7. We will likely have to apply for Growing Greener funding to continue the Quick Response program after the QR7 grant is finished.

2016 Statewide AMR Conference

Planning for the 2016 annual conference continues. We have been working with IUP on a contract for the IUP Kovalchik Center. We do not have one in hand yet. Anne will provide a more in-

depth update of the conference in her report.

Administrative

Chelsea and I have been working on the various duties of the Treasurer. I continued to get items ready for our 2015 audit.

There is one item to note. As many of you may be aware, Robb Piper, the District Manager of Cambria CD, is retiring. Robb has been a tireless advocate of Abandoned Mine Reclamation and a very active member of WPCAMR. We wish him well in his retirement and want to thank him for his years of service to WPCAMR and our larger AMR community!

Other Meetings

- I attended an in0person meeting of the PA AML Campaign in Huntingdon, PA and was part of conference calls with the PA AML Campaign during this quarter.
- I traveled to State College and gave a presentation about OM&R funding at the West Branch Susquehanna Symposium on April 14th. at the PACD winter meeting in State College this week.