

WPCAMR Regional Coordinator's Report

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LEGISLATIVE ROUNDUP

STATE

Relief Plan.

Governor Wolfe announced a \$1.7B relief plan that proposes new funding for the Growing Greener program. The plan would use American Rescue Plan money allocated to Pennsylvania last year to help with pandemic recovery, business and worker support, and climate action. PA 2022-2023 budget hearings will begin next week. This plan is separate from HB2020 listed below.

HB2020

Introduced on Feb 3, 2022, this bill seeks to establish a framework for a Growing Greener III program. It's sponsors are: SCHLEGEL, CULVER, QUINN, GUENST, MADDEN, SAPPEY, MILLARD, HENNESSEY, THOMAS, LONGIETTI, PICKETT, O'MARA, STEPHENS, BOBACK, MENTZER, STRUZZI, RADER, CIRESI, GILLESPIE, TWARDZIK, STAATS, OWLETT, ZIMMERMAN, HEFFLEY, BROOKS, SCHMITT, AND R. BROWN

This bill has been referred to the House Environmental Resources and Energy Committee.

HB 668

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for Mining and Reclamation Advisory Board.

Introduced by Representative R. Lee James (R - Venango). This legislation would add a member of the coal refuse reclamation to energy industry to the DEP's Mining and Reclamation Advisory Board. This bill passed the House in November 2021 and now goes to the Senate floor for a full vote.

SB1038

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for land reclamation financial guarantees;

and making an inconsistent repeal. Basically, civil penalties and money collected for violations related to a coal mining activity will be used to pay for construction costs and operation and maintenance costs associated with treating postmining pollutional discharges at ABS Legacy Sites as defined in 25 Pa.Code § 86.1.

Final Rulemaking for Manganese.

The state is working on final rulemaking for Manganese standard that could likely have a negative effect on the industry. Rachel Gleason from the PA Coal Alliance will discuss the issue at today's meeting.

FEDERAL

House Bills

- **RECLAIM Act HR1733** (*Previous number: H.R. 2156*)

RECLAIM was re-introduced in the previous Congress in the US House of Representatives April of 2019. The RECLAIM Act now reintroduced on March 10, 2021 would expedite the distribution of \$1B from the AML fund beginning in fiscal year 2022. The primary sponsor is Rep. Matt Cartwright (D-PA). GT Thompson (R-PA) was one of the original co-sponsors in the previous Congress and again is an original co-sponsor. This is a bi-partisan bill with 41 co-sponsors.

We understand that the main sticking points have been worked out by language changes. Those sticking points were: distribution of unused funds and the public comment period. RECLAIM still has a hard time moving along in Congress due to the lack of "pay for". It was ordered to be reported out of Committee in May 2021 and there has been no other movement on this bill and, given the Infrastructure funding, we don't expect any.

- **Community Reclamation Partnerships Act (CRPA) H.R.1146** (*Previous number: HR 315*)

This is the third iteration of this bill. A type of Federal Environmental Good Samaritan bill introduced in the House and reported out of committee, most of the work on this has been done through the Interstate Mining Compact Commission, TU and the States. This continues to be very promising. This bill proposes a way to protect watershed groups working on AMD by amending SMCRA. WPCAMR had supported CRPA but recognizes

it needs more work to be relevant to our community. It was reported out of the House Committee on Natural Resources by unanimous consent on May 26, 2021. If this measure does pass the House, it is unknown whether it will go anywhere in the Senate since there doesn't appear to be much interest from Senators. This bill is still out there but hasn't made any moves. We will continue to watch this bill closely.

Senate Bills

- **RECLAIM Act S.1455** (*No Previous number*)

On April 29, 2021, Senator Manchin introduced this Senate version of the House's RECLAIM Act. This is similar to Cartwright's bill in the House but is missing some that language. This bill has 4 co-sponsors (all Democrats) at this time including Senator Casey from Pennsylvania. It was referred to the Senate Committee on Energy and Natural Resources on April 29, 2021. Still no movement on this and, given the infrastructure funding, we doubt it will move.

WPCAMR's Reauthorization Work

We continued to head up the PA AML Campaign with Trout Unlimited and work with NAAML/IMCC. Now that re-authorization is completed, our group has moved on to the issues surrounding the implementation of the BiPartisan Infrastructure (BIL) funding. We continue participating in conference calls, etc. The National Association of Abandoned Mine Lands Programs (NAAML), of which, the State of Pennsylvania is a member, continues with their efforts to increase awareness about the importance of flexibility for the BIL funding.. We continue to work closely with the NAAML through our association with the PA AML Campaign.

One of the biggest issues we're looking to examine is can AMD Set Aside be pulled out of existing BIL grants now with the new language.

- **Sequestration**

At this time, it 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 although, considering the passage of the Bipartisan Bill that provides additional funding, it is considered unlikely the States will ever see the sequestered funds..

OTHER ITEMS

Quick Response

We continue to expend funds from QR9 and are taking applications for funding to conduct urgent repairs to water quality BMPs, not just for AMD-related projects but other water quality BMPs as well.

2022 Statewide AMR Conference

We've been working on planning the 2022 joint conference to be held in June 2022. Anne will have more information about our conferences and the planning.

Administrative

I continued working with our facilitator, Rita Coleman Graham, on Strategic Planning. I participated in Steering Committee meetings and led several work groups through the goals and objectives, and action steps.. We now have a first draft to be presented at this meeting.

I continue to perform the usual administrative duties and work with our Treasurer on account reconciliations, check signing, etc. We will be preparing for an audit starting in February 2022.

I also have been looking into getting additional funding for our programs through various foundations.

Other Meetings

- PA annual AMR conference planning committee, monthly conference calls and Zoom mtgs
- Weekly AML Campaign phone calls ongoing.
- Various phone calls from watershed groups and/or others.