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August 14, 2024

LEGISLATIVE ROUNDUP

STATE

- **SB111**

Amends the Surface Mining Conservation and Reclamation Act adding language requiring the following to be transferred by the Department of Environmental Protection into the Reclamation Fee O&M Trust Account: civil penalties collected for a violation of The Clean Streams Law which is any manner connected with or related to coal mining activities; and moneys collected as a result of a violation of any rule, regulation or order of the department or condition of any permit issued under The Clean Streams Law which is in any manner connected with or related to a coal mining activity. Further provides all of these civil penalties and moneys shall be used to pay for construction costs and operation and maintenance costs associated with treating post-mining pollution discharges at ABS Legacy Sites.

SB111 was introduced on Jan 18, 2023 and referred to Environmental Resources and Energy in the Senate the same day. Still no movement on this bill. Unlikely it will move.

- **HR185**

PA House Rep Webster (D) introduced a resolution to direct the Joint State Government Commission to study the usage of geothermal energy in abandoned mining locations. By way of background, geothermal energy uses the consistent heat output of the subsurface earth to create energy or regulate temperatures in residential, commercial, and industrial capacities. HR185 passed a Committee Roll Call Vote on October 16, 2023 and was adopted November 14, 2023 in the House This resolution was previously introduced in 2022.

<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=H&SPick=20230&cosponId=41187>

<https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2023&sind=0&body=H&type=R&bn=185>

FEDERAL

House Bills

- **Community Reclamation Partnerships Act (CRPA) H.R.6233 (*Previous number: HR 1146*)**

This is the third iteration of this bill. It was debated on April 9th and passed the House. It was received in the Senate and referred to the Committee on Energy and Natural Resources. It is still in Committee.

WPCAMR had supported CRPA in the past, but recognizes it needs more work to be relevant to our community. The IMCC and states, which had previously supported this bill, recognize that a better bill could be fashioned modeled after the current Hard Rock Good Sam bill in Congress and are not that supportive of CRPA. Given the past history of this bill, it is unlikely it will move forward.

Somewhat related to this topic is the Hard Rock Good Sam bill (S 2781) introduced by Sens Risch (R-ID) and Heinrich (D-NM) that made it out of the Senate Committee and now needs to go through the House. It has had broad bi-partisan support from the Senate. This bill, in order to go through the House, needs to go through several committees of jurisdiction. We understand that one of the chairs of these House committees doesn't like Good Sam bills like this and isn't likely to help it along. TU has been the main push for this Hard Rock Good Sam bill. The proposed program is a "pilot" program which would provide no more than 15 remediation permits. If this goes through and is successful, it may be a model for a coal Good Sam bill as stated in the previous paragraph.

Additional House Bills Introduced

HR 7941 Bond Improvement and Reclamation Assurance Act. Referred to committee April 2024.

<https://www.congress.gov/bill/118th-congress/house-bill/7941>

Requires regulators to consider important financial and environmental factors when calculating and recalculating bond amounts.

HR8062 Stream Protection and Vegetation Restoration Act. Referred to committee April 2024.

https://beyer.house.gov/uploadedfiles/beyer_104_xml.pdf

Imposes strict deadlines for coal mine reclamation and increases monitoring of surface and groundwaters during mining and cleanup.

The above bills were referred to the House Natural Resources Committee

Reauthorization Work

With reauthorization having passed and the Infrastructure funding secured along with the STREAM Act passed, the AML Campaign continues to meet weekly with regard to understanding and potentially mitigating issues surrounding implementation of the Infrastructure funding and the STREAM Act.

OTHER ITEMS

Quick Response

We have finished expending funds from QR9 and received the final reimbursement this spring after the acceptance of the final report. We are taking applications for funding to conduct urgent repairs to water quality BMPs, not just for AMD-related projects but other water quality BMPs under our Growing Greener-funded QR10 grant .

We also have a Watershed Cooperative Agreement Program grant from OSMRE, to provide funding for materials for Quick Response-type projects that deal only with AMR. This grant is only for AMD projects and expires in January of 2025. We intend to ask for an extension. So far, not a lot of takers on that program but I suspect we will have more in the future.

Related to OMR, OSMRE may have funding to begin a passive treatment OM&R grant program different from WCAP. We are not sure when this program will begin.

2024 Statewide AMR Conference

The conference will be held October 22 – 24th at Ramada State college. Anne will have more information about our conference and the planning.

Administrative

I continued to perform the usual administrative duties and work with our Treasurer Kelly Williams on account reconciliations, check signing, etc. Due to the holdback on our 319 funding (which provides the bulk of our payroll and benefits expenses, we had to draw upon our Operational Reserve Account and in July, begin withdrawing from our Line of Credit. The end of any 319 grant cycle is challenging due to the holdback. At the time of the writing of this report (August 6, 2024) we are experiencing delays from our CRP check which L&I says is an “obligation” but, as always, when they look into it, there is not “obligation” and they usually give us a clearance certificate within one day. Additionally, another challenge is the fact that we haven’t received any Administrative funding from all of our WCAP grants because there hasn’t been any draw on those funds by the individual project sponsors yet.

Additionally, I am in conversation with our Treasurer to see if she agrees to forego our annual financial review from the accountant. Originally, this was done so the bank had our financials each year. The bank apparently has changed their protocol and has not needed those financials for the past 3 years. So, partly to save money, I’m looking at doing a review every other year and just have our accountant do our taxes this year.

The ARIPPA 2024 awards will be presented today by Anne.

We also continue to participate in a grant-funded project (along with SRI and EPCAMR) to determine the watershed community’s needs with regard to administering IIA and/or AMLER projects. This project has provided some funding for WPCAMR for the past few months. The final report and final reimbursement is scheduled for October 2024.

We’re also running the AMD passive treatment course again this September thanks to the cooperation of DEP BAMR and OSMRE and the Foundation for PA Watersheds for their funding support. EPCAMR will continue to assist with the class.

Other Meetings

- PA annual AMR conference planning committee
- Weekly AML Campaign phone calls ongoing.
- Various phone calls from watershed groups and/or others.
- Phone interview in early August with a reporter for inside climate news.