

WPCAMR Regional Coordinator's Report

Andy McAllister

May 12, 2022

LEGISLATIVE ROUNDUP

STATE

- **HB2020**

Introduced on Feb 3, 2022 by Rep Schlegel Culver, this bill seeks to establish a framework for a Growing Greener III program. There are 25 co-sponsors. This bill has been referred to the House Environmental Resources and Energy Committee on Feb 3, 2022. Still no movement yet on this bill.

- **HB604**

This bill, sponsored by Rep. Fritz, addresses permit decision delays by establishing a permitting framework at DEP to ensure that decisions on permits are rendered reliably and in a timely manner.

This bill passed the House by a 115 to 85 vote on April 11th. It has been referred to the State Environmental Resources and Energy Committee. If it were to eventually pass the Senate, Governor Wolf would likely veto the bill.

- **Regional Greenhouse Gas Initiative**

Pennsylvania has become the first major fossil fuel state to join the Regional Greenhouse Gas Initiative. The final rule authorizing the state to join the compact was published on April 23, 2022. Fossil fuel power plants with a capacity of 25 megawatts or more in the state must now buy a credit for every ton of carbon dioxide (CO2) they emit. Fortunately, 12.8 million allowances have been set aside for coal refuse reclamation to energy facilities to allow them to continue to their role in helping address AML problems

FEDERAL

House Bills

- **STREAM Act. H.R.7283**

Sponsored by Rep. Cartwright (D-PA) and cosponsored by McKinley (R-WV), Trone (D-MD), and Doyle (D-PA).

This is the companion bill and mirror image to the STREAM Act put forward by Senator Casey. See description in S 3957.

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

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 60 co-sponsors at this time.

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”. There has been no other movement on this bill and we don’t expect any especially since the states now receive Infrastructure funding.

- **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. 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. The longer this bill continues, the less likely it appears to have a future.

Senate Bills

- **RECLAIM Act S.1455**

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 of 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 we don’t expect any.

- **STREAM Act S. 3957**

Sen Bob Casey (D-PA) and co-sponsored by Sen. Mike Braun (R-IN)

To amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes.

This bill is significant in that it proposes a 30% set aside for the Infrastructure funding, similar to what is allowed to be set aside from the SMCRA grant. It was introduced into the Senate on 3/30/22, read twice and referred to the Committee on Energy and Natural Resources. There is support building for this bill. We will watch this bill closely.

WPCAMR's Reauthorization Work

With reauthorization having passed last fall, the AML Campaign continues to meet with regard to implementation of the Infrastructure funding. We continue to encourage the support of the STREAM Act from Senator Casey. That bill proposes to allow a set aside from the Infrastructure funding. We hope that decision-makers will continue to support this bill as it allows more flexibility in how PA will spend the infrastructure funding.

Potential for OM&R funding through (Infrastructure Investment and Jobs Act) IIJA

As the particulars of how the State will implement the Infrastructure funding and guidance from OSMRE become apparent, we find ourselves potentially well-situated for funding for OM&R. Depending on what is allowed, WPCAMR may be able to further flesh out it's OM&R Hub idea along with its partners and implement a program that is best suited to deal with the OM&R problem. It is our understanding that the DEP is close to being able to explain how the IIJA funding can be implemented and how they could maximize all their federal funding (AMLER, Title IV, and IIJA) to deal with OM&R needs.

OTHER ITEMS

Quick Response

We now are expending 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. We will be requesting permission from the Board to apply to Growing Greener for this round for \$150,000 for a Quick Response 10 starting perhaps next year. Although we have close to \$100,000 left in QR9, there have been a lot of larger requests for funding and we

may run out by this time next year.

We also intend to request permission to apply for several Watershed Cooperative Agreement Program grants from OSMRE to act as a fiscal sponsor. One of these is for WPCAMR itself, to provide funding for materials for Quick Response projects.

Potential project

We were approached by Phil Hunter from a consulting firm regarding being a fiscal sponsor for an AMLER project that initially was presented to DEP in late 2019 but due to Covid, was delayed until now. He is requesting that WPCAMR be the fiscal sponsor for this multi-million dollar pilot project to grow and process hemp on abandoned mine lands. He has been invited to zoom our meeting today at 11:30am.

2022 Statewide AMR Conference

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

Administrative

We have cleaned up the draft Strategic Plan and are seeking approval from the Board to accept the Plan and begin implementation.

I continue to perform the usual administrative duties and work with our Treasurer on account reconciliations, check signing, etc. I am just beginning to work with Henninger Associates for our annual financial audit.

As of the February meeting, we have a new Treasurer, Robert Sabo from the Indiana Conservation District. I have been working with Bob to get him signed on as a signatory on the accounts and to begin doing the work of the Treasurer's office.

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.
- Initiated a zoom call with Phil Hunter regarding his request that WPCAMR be a fiscal sponsor for an AMLER project regarding Hemp on AML.
- Participated and interviewed for Altoona TV station at an ARIPPA/PFBC press event/fish stocking.