

WPCAMR Regional Coordinator's Report

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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 in 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.

Other Items of State Interest

New DEP Secretary

Governor Josh Shapiro has picked Rich Negrin to lead the Pennsylvania DEP. Negrin has been Vice President of Regulatory Policy and Strategy at Commonwealth Edison, but also has background in government service. He previously served as managing director of the City of Philadelphia under former Mayor Michael Nutter, as well as a prosecutor in the Philadelphia District Attorney's office. He awaits confirmation by the Senate.

- **Manganese Ruling**

The Environmental Quality Board this summer voted 16-3 in favor of a regulation that would limit the amount of manganese discharged into streams and waterways to 0.3 mg/L, far below any existing limit placed on mining, coal and industrial operators. The Independent Regulatory Review Commission took up the ruling at their September 15th meeting. DEP withdrew the proposed regulation in November.

FEDERAL

House Bills

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

This was the third iteration of this bill and still no major movement. A type of Federal Environmental Good Samaritan bill introduced in the House and reported out of committee, most of the work on this language 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 April 25, 2022. We do not know if it will be re-introduced in this new Congress.

Senate Bills

- **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 passed this fall with some changes (ie, allowing this set aside to be used for subsidence and mine fires). We are very grateful for all the hard work to get this bill passed. DEP attendees may have more specific information at this meeting about this AML set aside.

WPCAMR's Reauthorization Work

With reauthorization having passed and the Infrastructure funding secured along with the STREAM Act passed, the AML Campaign continues to meet with regard to implementation of the Infrastructure funding. .

OTHER ITEMS

Quick Response

We are still 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 won't use up all the QR9 funding so I requested an extension to that grant until December of 2023.

We have received notice from DEP that our Growing Greener application for QR10 has been approved. We are waiting on the contract paperwork to be signed.

We also requested 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 through a WCAP grant. I understand the WCAP applications have closed as of October 31st. We do not know if we received that grant yet.

2023 Statewide AMR Conference

We have begun working on the planning for the 2023 conference. 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.

As directed by the strategic plan, I assembled a small group to look over the existing by-laws and see if there was a need for updating or change. I reported back in November that we didn't see anything that needed to be changed.

Our auditor, Martha Henninger, owner of Henninger Associates, has sold her business to several of her employees who are keeping the business name for now. Martha is retired but said she will stay on to assist them until next spring when tax season is over.

Other Meetings

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