

Pennsylvania's Surface Mining Control and Reclamation Act Funded Abandoned Mine Lands Program: Past, Present, and Future

The Pennsylvania Department of Environmental Protection (DEP), Bureau of Abandoned Mine Reclamation (BAMR), administers the federal Abandoned Mine Lands (AML) program to address the highest priority problems resulting from coal mining that occurred prior to the passage of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). BAMR receives annual grants from the U.S. Department of Interior Office of Surface Mining Reclamation and Enforcement (OSMRE) and is funded by a per ton fee on coal mined nationwide (\$0.28/ton for surface mined coal and \$0.12/ton for underground mined coal). AMLs are plagued by health and safety hazards, environmental degradation, as well as diminished economic opportunities. The AML Programs reclaim hazards such as mine subsidence, mine fires, hazardous mine openings, contaminated or diminished water supplies, coal refuse piles (culm banks), abandoned mine drainage (AMD), and dangerous highwalls with no liability or cost to the current landowners. More information about Pennsylvania's AML Program can be found at BAMR's website: www.dep.pa.gov/AML.

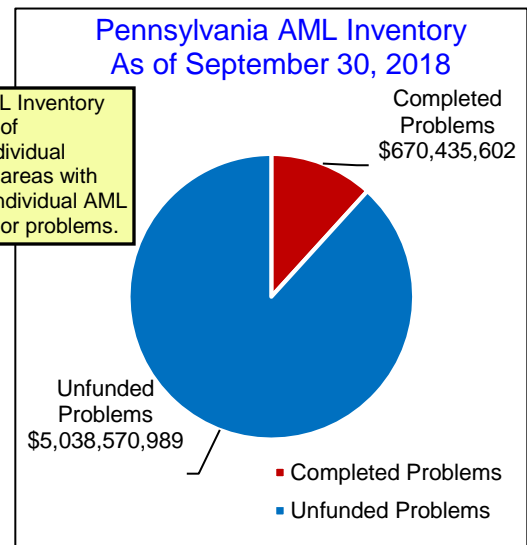
KEY ISSUES

- ✓ The current AML fee is set to expire in 2021 leaving billions of dollars in unreclaimed abandoned mine hazards across the nation with no resources. The Interstate Mining Compact Commission (IMCC) and the National Association of Abandoned Mine Land Programs (NAAML), of which Pennsylvania is a member of both, strongly support the reauthorization of the AML fee collection to extend to 2036.
- ✓ The Pennsylvania AML Campaign, a coalition of conservation districts, watershed groups, and other NGOs also support reauthorization of the AML fee collection.
- ✓ In the most recent reauthorization (2006), BAMR was projected to receive \$1.36 billion in AML Grants. However due to several factors, primarily a reduction in national coal production and federal budget sequestration, Pennsylvania is now projected to receive only \$695 million.
- ✓ Without reauthorization, the AML Program will end following the distribution of the remaining funds in the AML Trust Fund. Pennsylvania would receive significantly smaller AML grants for 10-12 years after 2022.
- ✓ In Pennsylvania, the AML grants are the sole source of funding to address AML problems including emergencies such as sudden mine subsidence events and other problems. BAMR addresses roughly 77 emergencies per year with an average construction cost of \$3.91 million per year.
- ✓ Pennsylvania currently has inventoried over 287,000 acres of land in need of reclamation, and the estimated construction cost to complete this important work is expected to exceed \$5 billion.
- ✓ Approximately 10% of Pennsylvania's land area has been undermined by underground coal mining operations.
- ✓ Pennsylvania also has over 5,500 miles of streams which are degraded by abandoned mine drainage.
- ✓ Since the 2006 reauthorization, Pennsylvania's coal operators paid \$97.9 million in fees on coal produced in Pennsylvania. During that period Pennsylvania has received AML grants totaling \$506.8 million (after sequestration).

ACCOMPLISHMENTS

With the \$1.26 billion in grant funds, Pennsylvania's AML Program has operated since 1980 and has reclaimed thousands of dangerous sites left by abandoned coal mines and treated or abated over 10 billion gallons of AMD annually resulting in increased safety and improved environment for the citizens of Pennsylvania.

- Over 91,400 acres of high priority abandoned coal mine sites have been reclaimed.
- Hazards associated with more than 1,880 open mine shafts and portals have been eliminated.
- Over 1,433,000 linear feet (271 miles, the equivalent of a trip from Harrisburg to Erie) of dangerous highwalls are no longer a threat to people.
- Over 1,800 acres of dangerous piles and embankments have been eliminated and the land reclaimed.
- Over 2,500 AML impacted water supplies have been replaced with clean and reliable water lines and \$142.8 million has been dedicated to abating or treating abandoned mine drainage to improve water quality.



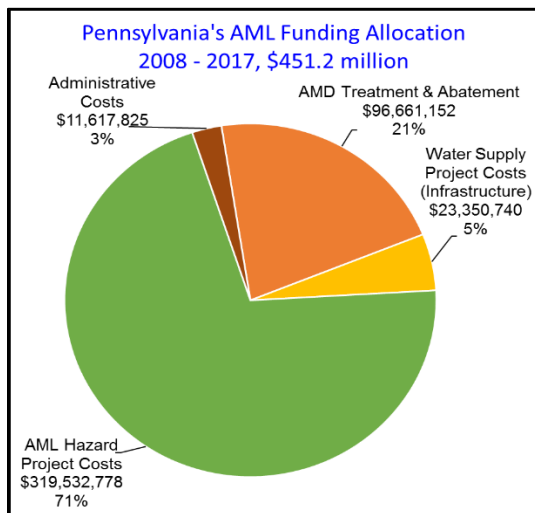
ECONOMIC IMPACTS

- Pennsylvania's AML funding is reinvested into Pennsylvania's economy through jobs, construction, and purchasing materials, equipment, and supplies. In addition, for every federal dollar spent for construction, \$1.59 (according to IMCC) in the form of labor income, state and local tax revenue, and construction value improvements are returned to the economy.
- The Pennsylvania Fish and Boat Commission estimates that over \$106,000 per mile could be generated in the local economy annually by restoring AMD impacted streams.
- AML sites impact 43 of Pennsylvania's 67 counties and even more downstream. Eliminating AML hazards and treating AMD has positive impacts on millions of Pennsylvanians.

Despite these impressive accomplishments, over \$3.9 billion of high-priority AML problems still exist in Pennsylvania and will continue to threaten the public health and safety of its citizens until they are reclaimed.

AML INVENTORY (e-AMLIS)

AML Programs continually revisit and inventory both land and water impacted by past mining (primarily coal mining). While a considerable number of AML hazards are addressed each year, many new AML problems are discovered and added to the inventory. OSMRE maintains a national inventory of AML problems (known as e-AMLIS) which provides the information needed to implement the AML Program in accordance with SMCRA.



STATE AND TRIBAL AML PROGRAMS

The AML Programs have been around since the early 1980's following the passage of SMCRA in 1977 and have demonstrated success to "promote the reclamation of mined areas left without adequate reclamation prior August 3, 1977, and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger the health or safety of the public."

State and Tribal AML Programs are making efficient nationwide progress with AML reclamation. They are providing timely responses to new abandoned mine hazards that arise, including emergencies. The AML Programs are excellent at public outreach and engage community partners in reclaiming the lands to meet the needs of the landowners and the communities. For more information, see www.ourworksnotdone.org.

The Pennsylvania AML Program has spent 76% of its AML grants on planning, engineering, and construction of AML projects. This correlates to both good paying jobs and restored land and water. Pennsylvania has also committed 21% of its annual grants to the AMD-Set Aside Program for acid mine drainage mitigation and has spent only 3% of its annual grants on administration.¹

PROGRAM LOSS

The AML Program provides significant economic, environmental, and public safety benefits to the citizens of Pennsylvania. The loss of the federal AML program will have significant negative impacts on Pennsylvania including:

- Loss of **\$750 million** in future federal funding.
- Loss of approximately **\$80 million** annually contributed to Pennsylvania's economy through construction contracts, service contracts, salaries, and state and local tax revenues.
- Over **75 AML Emergencies** costing approximately **\$4 million** annually to address will continue to occur with no source of funding.
- Discontinuation of approximately **40 contracted AML projects** annually resulting in the **loss of 1,000s of full and part time jobs** directly and indirectly supported by the federal AML grant funding.
- Approximately **270 miles of restored streams** in Pennsylvania could revert to degraded conditions.
- Loss of an estimated **\$28.6 million in economic benefits** each year to local communities due to degraded water quality as well as reduction in fishing and boating use.

For more information, visit www.dep.pa.gov.

¹ Values provided by OSMRE's AML Mandatory Grant Status FY08 – FY17 (FBMS) as of February 22, 2018.

2020 AML Emergency Projects Summary

As of 12/31/2020;

- 63 Total Projects
 - 49 Blanket (Small) FOF projects
 - 15 projects Wilkes Barre Office
 - 34 projects Cambria Office
 - 49 of the 49 small projects constructed by the AD and BD Crews
 - 14 Individual FOF projects
 - 9 Cambria Office***, 5 Wilkes Barre Office
 - 7 Subsidence (structures) projects**
 - 1 Stream loss subsidence
 - 1 Dangerous Slide project
 - 2 Vertical Opening projects
 - 1 Dangerous Impoundment project*
 - 1 Basement Mine Gas project
 - 1 Mine fire project

*McDonald mine pool project addressed by the BD Crew

** Includes the Fairhope EMER encompassing 13 structures

*** includes 1 mine fire project designed by HBG
- Total estimated emergency project cost to date: **\$2,755,260**
 - Small project cost: **\$249,560**
 - Individual project cost: **\$2,505,700**

2020 AML/AMD Project Summary
(Preliminary Totals)

2020 Completions

	Count	Acres	Cost
As of December 14, 2020	124	153	\$ 8,762,990

	Count	Acres	Cost
Future Completions (Active Projects)	66	1,254	\$ 142,567,672

	Count	Acres	Cost
Design Projects (Future Contracts)	79	1,466	\$ 100,037,560