



Pennsylvania
Department of Environmental Protection
Aggregate Advisory Board
2022 Annual Report



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

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CHAIR MESSAGES

“The Pennsylvania Department of Environmental Protection (DEP) considers the valuable input of its more than two dozen advisory committees vital in carrying out our mission to protect Pennsylvania's air, land and water from pollution and to provide for the health and safety of its citizens. The aggregates industry – representing stone, sand and gravel and dimensional stone – is an essential part of Pennsylvania’s economy through its strong employment base and the important role its products play in building, feeding and connecting our communities. Members of DEP’s Aggregate Advisory Board represent industry, the legislature, county conservation districts and citizens. Through the Board, they regularly share their expertise and knowledge with DEP on issues relating to non-coal mining. This collaborative approach results in commonsense regulations and policies built on sound science.

I look forward to continuing the good working relationship with the members of the Board to find the most efficient ways to promote environmental compliance while fostering the growth of this important industry.”

John Stefanko

Deputy Secretary for Active and Abandoned Mine Operations (AAMO)
Pennsylvania Department of Environmental Protection



“The aggregates businesses in Pennsylvania are the foundation that builds towns and cities and the connections – roads and bridges – between them. The transportation industry in Pennsylvania is completely dependent on our aggregates to build roadways, airports, distribution centers, tunnels, bridges, etc.

DEP advisory boards play a critical collaborative role in addressing issues that affect the industry in a manner that is effective, transparent and comprehensive for the Department, the stakeholders and the legislature. The Aggregate Advisory Board brings together industry, citizens, legislative members and the Department in a coordinated setting that allows for a free exchange of understanding, knowledge, ideas and scientifically-based, technically accurate solutions to upcoming and active challenges faced by the Commonwealth of Pennsylvania. On behalf of all members of this Board, we look forward to continuing open, candid discussions relating to noncoal mining at these Board meetings.



It is an honor to continue serving as Vice-Chair of the Aggregate Advisory Board. I commend the Department of Environmental Protection for the work done with this Board.”

Paul Detwiler, III
President and Chief Executive Officer
New Enterprise Stone and Lime Co., Inc.

HISTORY AND PURPOSE OF THE BOARD

On October 25, 2013, Senator Joseph Scarnati and Senators Yaw, Kasunic, Mensch, Vulakovich, White, Alloway, Yudichak, Solobay and Costa introduced [Senate Bill 1155](#) (Appendix A). In the [Co-Sponsorship Memorandum](#) dated September 10, 2013, Senator Scarnati indicated the creation of this advisory board was to assure that the policy decisions and changes from the Pennsylvania Department of Environmental Protection (DEP) regarding aggregate mining would be made with input from stakeholders, both from the aggregate mining industry and Pennsylvania citizens, to assure that these issues are properly vetted, and the decisions are made in a thorough and comprehensive manner.

The Aggregate Advisory Board (Board) was created by the enactment of Senate Bill 1155 as [Act 137 of 2014](#) (Appendix B), which was signed by Governor Corbett on Sept. 24, 2014, and took effect 60 days later. The Board was created to assist the DEP Secretary to spend funds for the purposes provided by Section 17, “Noncoal Mining Conservation and Reclamation Fund,” of the Commonwealth’s Noncoal Surface Mining Conservation and Reclamation Act ([Act 219 of 1984](#)), and to advise the DEP Secretary on all matters pertaining to surface mining as defined in Section 3, “Definitions,” of the Noncoal Surface Mining Conservation and Reclamation Act. This includes, but is not limited to, experimental practices, alternate methods of backfilling, obligations for preexisting pollution liability, alteration of reclamation plans, reclamation fees and bonding rates and methods.

At [the first meeting in May 2015](#), the Board determined meetings would be in the months of February, May, August, and November of each calendar year. Act 137 of 2014 requires the Board to prepare an annual report of its activities to be submitted to the Environmental Resources and Energy Committee of the Senate and the Environmental Resources and Energy Committee of the House of Representatives.

MEMBERSHIP

The structure of the Board’s membership is set by Act 137 of 2014. The Board is comprised of the DEP Secretary (chair), three aggregate surface mining operators, four members of the public from DEP’s Citizens Advisory Council, one member from county conservation districts, one Senate member from the majority party, one Senate member from the minority party, one House member from the majority party, and one House member from the minority party.

Each member is appointed for a two-year term, except that half of the initial members served for three years. The Board meets at least quarterly to carry out its duties. All actions of the Board are by majority vote. The Board’s 2021 members and alternates are detailed on pages four and five of this report. A list of current members as well as other information can be found on [the Board’s webpage](#) on DEP’s website.

OFFICERS

At the initial May 13, 2015, meeting of the Board, then -Secretary John Quigley assigned his chair position to Deputy Secretary for Active and Abandoned Mine Operations (AAMO), John Stefanko. Elected by the Board as Vice -Chair is Paul Detwiler, III, President and Chief Executive Officer, New Enterprise Stone and Lime Co, Inc.

COMMITTEES AND RESPONSIBILITIES

At the Board’s May 2015 meeting, two committees were formed: the Regulatory, Legislative and Technical (RLT) Committee and the Annual Report Committee.

The purpose of the RLT Committee was first discussed at the May 2015 meeting and the following purpose was ultimately approved:

“The Regulatory, Legislative and Technical Committee of the Aggregate Advisory Board is tasked with evaluating, recommending and/or advising the Aggregate Advisory Board regarding existing and proposed legislation, regulations, guidance, policies, white papers and other non-regulatory agenda items, as they relate to the aggregates (stone, sand and gravel, bluestone and other industrial minerals) industry in Pennsylvania.”

The purpose of the Annual Report Committee is to fulfill the requirement of Act 137 of 2014 for an annual report of the Board's activities. This report is to be submitted to the Environmental Resources and Energy Committee of the Senate and the Environmental Resources and Energy Committee of the House of Representatives.

At the May 2015 Board meeting, the Board voted unanimously to designate six persons to serve as members of the RLT Committee: Representative Bryan Barbin; Paul Detwiler, III; Richard Fox; William Ruark; Mark Snyder; and Thaddeus Stevens. Robert Hughes is also designated as a member of the Committee. The RLT Committee members have changed over the years, and currently include Paul Detwiler, III (RLT Committee chair); Thaddeus Stevens; Robert Hughes; Timothy Weston; and Mike Hawbaker.

The noncoal mine permit fees are currently required to be evaluated every three years under DEP's noncoal mining regulations at [25 Pa. Code Chapter 77](#). DEP increased these fees on a six-year phased basis effective January 2020. Current fees can be found in [25 Pa. Code § 77.106](#).

2022 MEETINGS

Full Board meetings were held February 1, 2022; May 3, 2022; August 4, 2022; and November 3, 2022. The location for the 2022 field trip, held in conjunction with the August 4th meeting, was Hanson's (now Heidelberg Materials) Springfield Pike underground mine in Connellsville, PA. In addition to DEP personnel, industry, legislative and academia persons attended.

As begun during the COVID pandemic, the Department continues to offer these meetings in a virtual format, as well as in person in 2022.

As is typical, in 2022 meetings, the Board received general updates on noncoal mining matters related to updates from the Bureau of Mining Programs (BMP): regulatory and non-regulatory agendas; National Pollutant Discharge Elimination System (NPDES) permitting; program overviews (facilities and applications); E-Permitting and E-Discharge Monitoring Reports (eDMR); Permit Applications; Small Noncoal Processing Time and Applications in Process; Noncoal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations (including revenues and expenditures); Clean Water Fund Mining Fee Revenues; and, Bonding and Bond Forfeitures. The Board also received regular updates from the Bureau of District Mining Operations (BDMO).

MAJOR DISCUSSIONS/ACTIVITIES

In 2022, the Aggregate Advisory Board engaged in the following discussions and activities:

- E-Permitting and E-Discharge Monitoring Reports
- Clean Water proposed manganese rulemaking
- Bond Forfeitures, mapping and list, dollars
- Emergency repairs expenditures
- Department revenue and expenditures
- Engineering Manual challenges
- Permit Supplement for naturally occurring asbestos (NOA)
- Geology Module screening question
- New Standard Operating Procedures (SOPs)
- Production Report
- Environmental Justice Program
- Chapter 77 Noncoal Mining regulations revisions
- District Mine Offices personnel changes and workload issues

For more details on these discussions and activities, please refer to the minutes from the Board's 2022 meetings, which are found in Appendix D.

AGGREGATE ADVISORY BOARD MEMBERS (as of July 2021)

<p>Patrick W. McDonnell, Chairperson Secretary PA Department of Environmental Protection 400 Market Street, 16th Floor P. O. Box 2063 Harrisburg, PA 17105-2063</p>	<p>Robert Hughes Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR) 101 South Main Street Ashley, PA 18706</p>
<p>Thomas J. Bryan Tri-State River Products, Inc. 100 South 3rd Street Pittsburgh, PA 15219-1128</p>	<p>The Honorable Ryan Mackenzie PA House of Representatives 160A East Wing P.O. Box 2134 Harrisburg, PA 17120-2134</p>
<p>The Honorable Mike Carroll PA House of Representatives 300 Main Capitol Building PO Box 202118 Harrisburg, PA 17120-2118</p>	<p>William M. Ruark Meshoppen Stone, Inc. 524 SR 4015 Meshoppen, PA 18630</p>
<p>The Honorable Carolyn T. Comitta Senate of Pennsylvania Room 457, Main Capitol Building PO Box 203019 Harrisburg, PA 17120</p>	<p>Thaddeus K. Stevens Citizens Advisory Council Sylvan Glen, Inc. Sylvan Glen Road P.O. Box 61 Gaines, PA 16921</p>
<p>Lori Dayton Citizens Advisory Council Specialty Granules, LLC (SGI) 20 East 6th Street Waynesboro, PA 17268</p>	<p>R. Timothy Weston Citizens Advisory Council K& L Gates LLP 17 North 2nd Street, 18th Floor Harrisburg, PA 17101</p>
<p>Paul Detwiler, III, Vice-Chairperson New Enterprise Stone and Lime Co. 3912 Brumbaugh Road P. O. Box 77 New Enterprise, PA 16664</p>	<p>The Honorable Gene Yaw PA Senate Room: 362 Main Capitol Senate Box 203023 Harrisburg, PA 17120-3023</p>
<p>William C. Fink Citizens Advisory Council Country View Family Farms (CVFF) 1301 Fulling Mill Road, Suite 3000 Middletown, PA 17057</p>	

AGGREGATE ADVISORY BOARD ALTERNATES (as of July 2021)

<p>Griffin Caruso PA House of Representatives Environmental Resources and Energy Committee 28 Ryan Office Building PO Box 202217 Harrisburg, PA 17120-2217</p>	<p>Keith Salador (now Ian Irvin) Executive Director Citizens Advisory Council PO Box 8459 13th FL, RCSOB Harrisburg, PA 17105-8459</p>
<p>Emily Eyster Legislative Director & Executive Director Senate of Pennsylvania Room 457, Main Capitol Building PO Box 203019 Harrisburg, PA 17120</p>	<p>John Stefanko, Deputy Secretary Active and Abandoned Mine Operations PA Department of Environmental Protection 400 Market Street, 16th Floor P. O. Box 2063 Harrisburg, PA 17105-2063</p>
<p>D. Michael Hawbaker Glenn O. Hawbaker, Inc. 1952 Waddle Road State College, PA 16803</p>	<p>Nick Troutman, Communications Director PA Senate – Office of Senator Gene Yaw 362 Main Capitol Building P. O. Box 203023 Harrisburg, PA 17120</p>
<p>Michael Hewitt, Program Manager Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR) 101 South Main Street Ashley, PA 18706</p>	<p>Peter Vlahos, President PA Aggregates and Concrete Association 2040 Linglestown Road Harrisburg, PA 17110</p>
<p>Ronald Kurpiel, Vice-President/General Manager Hanson Aggregates, Western PA (now Heidelberg Materials) Breakneck Road Connellsville, PA 15425</p>	

Appendix A – Senate Bill 1155

PRIOR PRINTER'S NOS. 1529, 1806

PRINTER'S NO. 2112

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1155 Session of
2013

INTRODUCED BY SCARNATI, YAW, KASUNIC, MENSCH, VULAKOVICH, WHITE,
ALLOWAY, YUDICHAK, SOLOBAY AND COSTA, OCTOBER 25, 2013

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 9, 2014

AN ACT

Amending the act of May 31, 1945 (P.L. 1198, No.418), entitled, as amended, "An Act providing for the conservation and improvement of land affected in connection with surface mining; regulating such mining; providing for the establishment of an Emergency Bond Fund for anthracite deep mine operators; and providing penalties," establishing the Aggregate Advisory Board.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 18 of the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, is amended by adding a subsection to read:

Section 18. Surface Mining Conservation and Reclamation Fund; Remining Environmental Enhancement Fund; Remining Financial Assurance Fund; Department Authority for Awarding of Grants.--* * *

(g.1) There is hereby created an Aggregate Advisory Board to assist the secretary to expend the funds for the purposes provided by section 17 of the act of December 19, 1984 (P.L.1093, No.219), known as the "Noncoal Surface Mining Conservation and Reclamation

Act," and to advise the secretary on all matters pertaining to surface mining, as defined in section 3 of the "Noncoal Surface Mining Conservation and Reclamation Act," which shall include, but not be limited to experimental practices, alternate methods of backfilling, obligations for preexisting pollution liability, alteration of reclamation plans, reclamation fees and bonding rates and methods. The board shall function as follows:

(1) The board shall be comprised of the secretary; three (3) aggregate surface mining operators; four (4) public members from the Citizens Advisory Council, who shall be appointed by the council; one (1) member from the County Conservation Districts, who shall be appointed by the State Conservation Commission; four (4) members of the General Assembly, two (2) from the Senate, one (1) member from the majority party and one (1) member from the minority party, who shall be appointed by the President pro tempore, and two (2) from the House of Representatives, one (1) from the majority party and one (1) from the minority party, who shall be appointed by the Speaker of the House of Representatives.

(2) The secretary shall chair the Aggregate Advisory Board and appoint the members from the aggregate industry.

(3) All members shall be appointed for a term of two (2) years, except that one-half of the initial members shall serve for three (3) years.

(4) All actions of the board shall be by majority vote. The board shall meet upon the call of the secretary, but not less than quarterly, to carry out its duties under this act. The board shall select from among its members a chairperson and such other SUCH officers as it deems appropriate.

(5) The board shall prepare an annual report on its activities and submit the report to the Senate Environmental Resources and Energy Committee and the House Environmental Resources and Energy Committee.

* * *

Section 2. This act shall take effect in 60 days.

Appendix B – Act 137 of 2014

SURFACE MINING CONSERVATION AND RECLAMATION ACT - AGGREGATE ADVISORY BOARD

Act of Sep. 24, 2014, P.L. 2480, No. 137

Cl. 52

Session of 2014

No. 2014-137

SB 1155

AN ACT

Amending the act of May 31, 1945 (P.L.1198, No.418), entitled, as amended, "An act providing for the conservation and improvement of land affected in connection with surface mining; regulating such mining; providing for the establishment of an Emergency Bond Fund for anthracite deep mine operators; and providing penalties," establishing the Aggregate Advisory Board.

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(1) The board shall be comprised of the secretary; three (3) aggregate surface mining operators; four (4) public members from the Citizens Advisory Council, who shall be appointed by the council; one (1) member from the County Conservation Districts, who shall be appointed by the State Conservation Commission; and four (4) members of the General Assembly, two (2) from the Senate, one (1) member from the majority party and one (1) member from the minority party, who shall be appointed by the President pro tempore, and two (2) from the House of Representatives, one (1) member from the majority party and one (1) member from the minority party, who shall be appointed by the Speaker of the House of Representatives.

(2) The secretary shall chair the board and appoint the members from the aggregate industry.

(3) All members shall be appointed for a term of two (2) years, except that one-half of the initial members shall serve for three (3) years.

(4) All actions of the board shall be by majority vote. The board shall meet upon the call of the secretary, but not less than quarterly, to carry out its duties under this act. The board shall select from among its members such officers as it deems appropriate.

(5) The board shall prepare an annual report on its activities and submit the report to the Environmental Resources and Energy Committee of the Senate and the Environmental Resources and Energy Committee of the House of Representatives.

* * *

Section 2. This act shall take effect in 60 days.

APPROVED--The 24th day of September, A.D. 2014.

TOM CORBETT

Appendix C – Aggregate Advisory Board Bylaws

(Adopted May 13, 2015)

ARTICLE I Authorization

The Aggregate Advisory Board is authorized and organized pursuant to Section 18(g.1) of the Pennsylvania Surface Mining Conservation and Reclamation Act (the act of May 31, 1945 (P.L.1198, No.418), as amended by Act 137 of 2014) (52 P.S. § 1396.18).

ARTICLE II Purpose

The purpose of the Aggregate Advisory Board is to assist the Secretary of the Department of Environmental Protection to expend the funds for the purposes provided by Section 17 of the Act of December 19, 1984 (P.L.1093, No. 219), known as the “Noncoal Surface Mining Conservation and Reclamation Act,” and to advise the Secretary on all matters pertaining to surface mining, as defined in Section 3 of the “Noncoal Surface Mining Conservation and Reclamation Act,” which shall include, but not be limited to, experimental practices, alternate methods of backfilling, obligations for pre-existing pollution liability, alteration of reclamation plans, reclamation fees and bonding rates and methods.

ARTICLE III Members

The Board shall be comprised of:

- The Secretary of the Department of Environmental Protection (Secretary),
- Three aggregate surface mining operators, who shall be appointed by the Secretary,
- Four members of the Citizens Advisory Council, who shall be appointed by the Council,
- One member from the County Conservation Districts, who shall be appointed by the State Conservation Commission,
- Four members of the General Assembly:
 - Two from the Senate:
 - One from the majority party and one from the minority party, both of whom shall be appointed by the President Pro Tempore,
 - Two members from the House of Representatives:
 - One from the majority party and one from the minority party, both of whom shall be appointed by the Speaker of the House of Representatives

Board members may designate an official alternate. The Chair shall be notified, in writing, of such alternate.

The Chair is the Secretary of the Department of Environmental Protection or his departmental designee. All other members shall be appointed for a term of two years, except that one-half of the initial members shall serve for three years. Members may be reappointed.

The Board may recommend to the appointing authority removal of any member not attending, or not represented by a designee, at two consecutive board meetings in a year.

ARTICLE IV Officers

The officers of the Board shall be the Chair and a Vice Chair. The election of a Vice Chair, by majority vote of the Board members present, shall take place at the first meeting of the Board every two years. The term shall begin immediately upon election. In the event the Vice Chair resigns from said office or ceases to be a member of the Board, an election shall be held to fill that seat for the remainder of the Vice Chair’s unexpired term.

It shall be the duty of the Chair to preside at all meetings of the Board, call special meetings, prepare and distribute the meeting agenda in consultation with the Department, and perform other such duties as pertain to the office.

It shall be the duty of the Vice-Chair to perform the duties of the Chair in his/her absence. The Vice Chair shall also assist the Chair in the performance of such duties as may be assigned by the Chair.

ARTICLE V Committees

The Board may establish committees, as deemed necessary, with each committee assigned specific mission when it is formed.

Committees shall be established by a majority vote of those members attending a regular or special meeting of the Board.

The committee chair shall be selected by its members. The committee chair will be responsible for calling committee meetings, requesting needed assistance from the Department, and reporting to the Board. The committee chair shall receive necessary program and administrative support from the Department.

The Board Chair shall appoint a committee to prepare the Annual Report, as mandated by Section 18(g.1) of the Pennsylvania Surface Mining Conservation and Reclamation Act, to be submitted to the Senate Environmental Resources and Energy Committee and the House Environmental Resources and Energy Committee.

A listing of the committees and their statements of purpose shall be maintained as an Appendix to these bylaws. Changes to the Appendix shall not constitute a change to the bylaws.

ARTICLE VI Voting

Each member of the Advisory Board shall be entitled to exercise one vote in each matter placed before the Advisory Board for which a vote is called. Decisions of the Advisory Board shall be by vote of the majority. A majority of the Board members constitutes a quorum, and no voting shall be done without a quorum. Votes must be made by the member or their designated official alternate; voting will not be done in absentia, by proxy or by stand-in representatives.

In the event that the position of the Advisory Board must be determined, and a meeting cannot reasonably be rescheduled, members may participate in the meeting and vote by telephone conference call or other electronic means.

ARTICLE VII DEP Administration

Representatives from the Office of Active and Abandoned Mine Operations shall provide program liaison and administrative support to the Aggregate Advisory Board. Program liaison support shall include framing of issues for the Advisory Board, providing necessary information for Advisory Board discussions, and assisting with the development of agendas, projects and meeting schedules.

Administrative support shall be performed by an employee designated by the Department. It shall be his/her duty to function as the recording and corresponding assistant, as assigned by the Department. Included among these duties shall be:

- To give public notice of the meetings and agendas for the Board and the committees two weeks in advance on the Department's website, and by email to Board members.
- To record full Board minutes and keep a permanent file of the minutes of meetings of the Board and committees. Minutes of the meetings of the Board and of Committees shall be distributed to the full membership of the Board. Minutes should be reviewed by the Board Chair and/or committee chair prior to distribution.
- To conduct both outgoing and incoming correspondence and to maintain a permanent file of such correspondence.
- To review and approve travel and subsistence expenses.
- To perform other such duties as may be requested by the Board.

ARTICLE VIII Meetings

Meetings of the Board shall be open to the public and shall be held at least quarterly or at the call of the Chair.

A majority of the Board members shall constitute a quorum. A majority of the members present at a meeting of the Board may act for the full Board. The Chair shall have the same rights, privileges and obligations as all Board members.

Members who miss two or more consecutive meetings of the Board may be recommended by the Board to the Secretary for removal from the Board.

ARTICLE IX Amendments of Bylaws

The Bylaws may be amended at any meeting of the Advisory Board by two-thirds majority vote of the members of the Board present at the meeting, provided there is quorum, and that written notice of such change has been sent to each member at least one month prior to the meeting.

ARTICLE X Board Representation

The Board shall act as a body in all matters before it and only the Chair or his or her designee, or the Board's designee, shall speak on behalf of the Board.

ARTICLE XI Parliamentary Authority

On items not covered by these Bylaws, Robert's Rules of Order shall be the final authority.

Appendix D – 2022 Board Meeting Minutes

AGGREGATE ADVISORY BOARD (BOARD)

Wednesday, February 2, 2022

Hybrid Meeting (via Microsoft Teams)

VOTING MEMBERS OR ALTERNATES PRESENT:

Peter Vlahos (Alternate – PA Aggregates and Concrete Association (PACA))
Griffin Caruso (Alternate – PA House of Representatives)
Mike Hawbaker (Member – Glenn O. Hawbaker, Inc.)
William Ruark (Member – Meshoppen Stone, Inc.)
Lori Dayton (Member – Specialty Granules, LLC/Citizen’s Advisory Council (CAC))
Paul Detwiler, III (Member – Enterprise Stone and Lime)
Rep. Thomas Carroll (Member – PA House)
John Stefanko (Alternate - DEP – Active and Abandoned Mine Operations (AAMO))
Emily Eyster (Alternate – PA Senate)
Nick Troutman (Alternate – PA Senate)
Rep. Ryan Mackenzie (Member – PA House of Representatives)
Ronald Kurpiel (Alternate – Hanson Aggregates)
Thaddeus Stevens (Member – Sylvan Glen, Inc.)
Timothy Weston (Member – Citizens Advisory Council (CAC))

OTHER ATTENDEES:

Bill Allen (DEP – Bureau of Mining Programs (BMP))
Bruce Carl (DEP – BMP)
Sharon Hill (DEP – BMP)
Greg Greenfield (DEP – BMP)
Geoff Lincoln (DEP – BMP)
Eric Oliver (DEP – BMP)
Kevin Bogdan (DEP – BMP)
Melanie Barber (DEP – BMP)
Gregory Shuler (BMP – DEP)
Seth Pelepko (DEP – BMP)
Daniel E. Snowden, D.Ed. (DEP – BMP/Board Liaison)
Dan Sammarco (DEP – Bureau of District Mining Operations (DMO))
Kristen Schlauderaff (DEP – Bureau of Clean Water (BCW))
Manyi Liu (DEP – BCW)
Michael Lookenbill (DEP – BCW)
Michelle Moses (DEP – Legal)
Amy Berrios (DEP - AAMO)
Roland Gensel (DEP – AAMO)
Abbey Cadden (DEP – Policy Office)
Kate Cole (DEP – Policy Office)
Brian Chalfant (DEP – Policy Office)
Christopher Minott (DEP – Legal)
Josie Gaskey (Guest – PACA)
Rachel Gleason (Guest – PA Coal Alliance (PACA))
Matthew Fritch (Guest – Philadelphia Water Department (PWD))

CALL TO ORDER/INTRODUCTIONS:

The meeting was called to order at approximately 10:00 a.m. Board members introduced themselves, as did all DEP personnel and other guests in the audience.

PACA ANTI-TRUST STATEMENT:

The Board reaffirmed its adherence to PACA's anti-trust statement, both in letter and spirit. This requirement extends to industry members and alternates on the Board.

APPROVAL OF MINUTES:

The motion to approve the minutes from the November 3, 2021 meeting was put forward by Mr. Weston and seconded by Mr. Detwiler and was approved without objection.

CORRESPONDENCE:

There was no new correspondence.

COMMITTEE REPORTS:

The Board's Regulatory, Legislative and Technical (RLT) Committee did not meet since the previous meeting.

DELIVERABLES

There were no deliverables requested by the Board at the last meeting.

BUREAU OF MINING PROGRAMS UPDATES:

The Board was provided with updates on the following topics:

- **Small Noncoal Applications Breakdown:**

Ms. Hill provided the Board with detailed information regarding the distribution of applications across the District Mining Offices (DMOs) for the entirety of 2021.

- **Non-Regulatory Agenda:**

While reviewing the Engineering manual, the DEP realized a new approach to the document was needed. The length of the document means that review takes significant time, and the organization of the document means that updating it might cause conflict with other forms. The DEP would like a joint meeting between the Aggregate Advisory Board and, the Mining and Reclamation Advisory Board (MRAB) RLT Committees to discuss an overall overhaul.

- **Regulatory Agenda:**

The Final Rulemaking for the Chapter 77 regulations is tentatively scheduled to be presented before the Environmental Quality Board (EQB) in the Spring.

- **Technical Items:**

A new Standard Operating Procedure (SOP) for Sediment Ponds was developed. This SOP would not apply to existing designs and is available on the BMP website. The Streams and Wetlands SOP is still in draft.

- **National Pollutant Discharge Elimination System (NPDES) Permitting:**

Monthly calls with the United State Environmental Protection Agency (US EPA) have continued, but no serious issues require being brought to the Board's attention.

- **Program Overview (Facilities and Applications):**

- Between March 2016 and December 2021, the numbers of inspectable units decreased overall for small facilities (both <2,000 tons/year and <10,000 tons/year), and large facilities (>10,000 tons/year).
- GP-105 Operator permits increased, while GP-103 Operator Permits decreased.
- Between 2017 and 2021, the ranges for various application types included the following:
 - Licenses: between 1,1354 (2017) and 961 (2020), with 1015 for 2021.
 - Large Facilities (New): between 9 (2018) and 6 (2019), with 18 for 2021.
 - Small Facilities (New): between 43 (2017) and 23 (2020), with 30 for 2021.
 - NPDES (New): between 33 (2018) and 11 (2020), with 30 for 2021.
 - NPDES (Renewal): between 84 (2018) and 46 (2019), with 76 for 2021.
 - Pre-Applications: between 7 (2019) and 3 (2017), with 7 or 2021.

- **Bonding and Bond Forfeitures:**

- Between 2015 and 2021, the number of bond forfeitures for large operators ranged from a low of 0 (2016, 2018) to a high of 3 (2015), with 1 for 2021.
- Between 2015 and 2021, the number of bond forfeitures for small operators ranged from a low of 3 (2019) to a high of 34 (2015), with 13 for 2021.

- **E-Permitting and E-Discharge Monitoring Reports (E-DMR):**

- Seven-hundred eighty (780) individual permits have been submitted through the eDMR system.

- **Non-Coal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations:**

- As of the latest report, there is over \$2.7 million in cash collateral, \$2.8 million in payments in lieu of bonds, and over \$10.3 million in bond fund reclamation.
- The NCSMR fiscal report showed about \$973,000.00 in general operations monies, with about \$2.5 million in collateral and over \$1.4 million in restricted bond monies.

- **Clean Water Fund (CWF) Mining Fee Revenue:**

Between Fiscal Year (FY) 2012-2013 and FY 2020-2021, CWF mining fee revenues ranged from a low of \$247,800.00 (FY 2012-13) to a high of \$794,124.00 (FY 2019-2020), with \$113,375.00 collected for FY 2021-2022.

NEW BUSINESS:

Update from District Mining Offices

Mr. Sammarco provided the Board with an update on DMO operations. The DMOs are continuing to fill vacant positions. Of 16 vacant positions, several are in the selection stage, and replacements continue. Randy Shustack will be the Pottsville District Mining Manager effective at the end of February.

The DMO is finishing a LEAN HMR program through Greenport. The testing phase has been concluded, and the anticipated live date is April 7.

Manganese Water Quality Standards

Ms. Schlauderaff, Bureau of Clean Water, presented DEP's draft final-form rulemaking: Water Quality Standards for Manganese and Implementation. Based on available, peer-reviewed science, applicable existing laws, regulations and policies, as well as the public comments received on the proposed rulemaking, DEP intends to make the following recommendations to EQB: the deletion of the existing Potable Water Supply criterion for manganese of 1.0 mg/L from 25 Pa. Code§ 93.7, Table 3; the addition of a human health toxics criterion of 0.3 mg/L to 25 Pa. Code§ 93.8c, Table 5; and maintenance of the point of compliance for the human health manganese criterion at the point of discharge consistent with section 96.3(c). The DEP expects to present its recommendations on the final-form rulemaking to the EQB in the spring of 2022. Following the presentation, questions were asked regarding the rulemaking process and implementation of the rule. The Board noted its continued opposition to this rulemaking, both by industry members and by members of the Board, including Rep. Mackenzie.

Bond Forfeiture Reclamation Obligations

Mr. Stefanko informed the Board of the creation of a Noncoal Abandoned Mine Lands (AML) program, currently still in development. The latest status is that due to money not being appropriated to it through the legislation, a continuing resolution to fund it would be necessary.

Reclamation and Safety Award

PACA and the BMP are working together to create an award for Reclamation and Safety in hopes to recognize how the industry values the safety of its employees and for reclaiming its sites. Updates will continue as the idea is developed.

Deliverables

The Board requested that the facilities table in the BMP update include year by year trends for the reportable permits, a case law for water supply replacement activities as it relates to the revisions to the guidance documents, and to keep track of potential impacts from the final Manganese Water Quality Standard towards future reclamation activities at Noncoal operations.

ADJOURNMENT/NEXT MEETING:

A motion to adjourn was unanimously accepted by the Board. The meeting concluded at approximately 11:20 a.m. The next scheduled meeting will be held on May 4, 2022, in Conference Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting is also available remotely via Microsoft Teams.

AGGREGATE ADVISORY BOARD (BOARD)

Wednesday, May 4, 2022

Hybrid Meeting (via Microsoft Teams)

VOTING MEMBERS OR ALTERNATES PRESENT:

Peter Vlahos (Alternate – PA Aggregates and Concrete Association (PACA))
Griffin Caruso (Alternate – PA House of Representatives)
William Ruark (Member – Meshoppen Stone, Inc.)
Paul Detwiler, III (Member – Enterprise Stone and Lime)
Rep. Ryan Mackenzie (Member – PA House of Representatives)
John Stefanko (Alternate - DEP – Active and Abandoned Mine Operations (AAMO))
Emily Eyster (Alternate – PA Senate)
Nick Troutman (Alternate – PA Senate)
Timothy Weston (Member – Citizens Advisory Council (CAC))

OTHER ATTENDEES:

Nathan Houtz (DEP – Bureau of Mining Programs (BMP))
Sharon Hill (DEP – BMP)
Greg Greenfield (DEP – BMP)
Geoff Lincoln (DEP – BMP)
Eric Oliver (DEP – BMP)
Kevin Bogdan (DEP – BMP)
Melanie Barber (DEP – BMP)
Michaela Plazek (DEP – BMP)
Seth Pelepko (DEP – BMP)
Daniel E. Snowden, D.Ed. (DEP – BMP/Board Liaison)
Dan Sammarco (DEP – Bureau of District Mining Operations (BDMO))
Richard Tallman (DEP – Pottsville DMO)
Christopher Minott (DEP – Regulatory Counsel)
Amy Berrios (DEP - AAMO)
Sarah Pinter (DEP – Policy Office)
Josie Gaskey (Guest – PACA)
Michael Clark (Guest – New Enterprise Stone and Lime Co.)
Donald Elly (Guest – Allan Myers, Inc.)
Andrew Gutshall (Guest – Lehigh Hanson)

CALL TO ORDER/INTRODUCTIONS:

The meeting was called to order at approximately 10:00 a.m. Board members introduced themselves, as did all DEP personnel and other guests in the audience.

PACA ANTI-TRUST STATEMENT:

The Board reaffirmed its adherence to PACA’s anti-trust statement, both in letter and spirit. This requirement extends to industry members and alternates on the Board.

APPROVAL OF MINUTES:

The Board requested that the minutes from the February 2, 2022 meeting be updated to include a more thorough transcription of the Manganese Water Quality Standards discussion. The revised minutes will be presented at the next meeting for approval.

CORRESPONDENCE:

There was no new correspondence.

COMMITTEE REPORTS:

The RLT Committee did not meet since the previous meeting.

DELIVERABLES:

Ms. Hill provided the Board with two items requested at the previous meeting. Facilities numbers were included in the BMP updates, and a question regarding the choice of a 10 decibel increase in the Noise Standard Operating Procedure (SOP) was elaborated on. The Board decided to work with the BMP to further refine the Noise SOP.

BUREAU OF MINING PROGRAMS UPDATES:

The Board was provided with updates on the following topics:

- **Small Noncoal Applications Breakdown:**

Ms. Hill provided the Board with detailed information regarding the distribution of applications across the District Mining Offices (DMOs) for 2022 through April 1.

- **Non-Regulatory Agenda:**

The Engineering Manual is in the early planning phase of a document rework. The Water Supply Replacement Technical Guidance Documents (TGDs) are being consolidated to manage redundancies.

- **Regulatory Agenda:**

The Final of Chapter 77 is currently being prepared for the next Environmental Quality Board (EQB) meeting.

- **Technical Items:**

The Streams and Wetlands SOP is still in draft. Ms. Hill asked the Board if they wanted GP-103 to be updated and requested their input at the next meeting.

- **Program Overview (Facilities and Applications):**

- Between 2021, the numbers of inspectable units decreased for small facilities (both <2,000 tons/year and <10,000 tons/year), and large facilities (>10,000 tons/year).
- GP-105 Operator and GP-103 Construction permits increased, while Underground permits decreased.

- **Bonding and Bond Forfeitures:**
 - Between 2015 and 2022, the number of bond forfeitures for large operators ranged from a low of 0 (2016, 2018) to a high of 3 (2015), with 0 for 2022.
 - Between 2015 and 2022, the number of bond forfeitures for small operators ranged from a low of 3 (2019) to a high of 34 (2015), with 0 for 2022.
 - Between 2015 and 2022, the number of bond forfeitures for Bluestone GP-105 ranged from a low of 1 (2017, 2020) to a high of 4 (2021), with 0 for 2022.
- **E-Permitting and E-DMRs:**
 - E-DMRs and GP-104s have continued to be submitted through the E-DMR system. BMP requests that all GP-104 operators submit their monitoring results every year, even if there is no discharge.
- **Non-Coal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations:**
 - As of the latest report, there is over \$2.7 million in cash collateral, \$2.8 million in payments in lieu of bonds, and over \$10.3 million in bond fund reclamation.
 - The NCSMRA fiscal report showed about \$1.3 million in general operations monies, with about \$2.6 million in collateral and over \$1.4 million in restricted bond monies.
- **Clean Water Fund (CWF) Mining Fee Revenue:**

Between Fiscal Year (FY) 2012-2013 and FY 2020-2021, Clean Water Fund mining fee revenues ranged from a low of \$247,800.00 (FY 2012-13) to a high of \$794,124.00 (FY 2019-2020), with \$160,885.00 collected so far for FY 2021-2022.

NEW BUSINESS:

Permit Supplement for Naturally Occurring Asbestos (NOA)

Ms. Hill presented the Board with an NOA application supplement. This will only apply to certain areas of the state with certain qualifying rock types. The supplement would be applied to new permits, expansions, or major revisions in applicable areas. Comments were requested on the document from the Board for the next meeting.

Update from District Mining Offices

Mr. Sammarco provided the Board with an update on DMO operations. The DMOs are continuing to fill vacant positions. Randy Shustack is the new Pottsville District Mining Manager, and Paul Kephart is the acting Moshannon District Mining Manager while the position is being filled.

August Field Trip

The location for the 2022 field trip is Hanson Springfield Pike, on August 4, 2022. The Quarterly meeting will take place at the New Stanton DMO in the afternoon of the same day.

2021 Aggregate Advisory Board Annual Report

The Annual Report is currently being developed, and the Board will be provided with progress updates.

Deliverables

The BMP requested input from the Board regarding the Noise SOP, GP-103, and the NOA supplement. The Board requested the aforementioned extended minutes from the last meeting, updates on New Hope spending, and responses from the BCW to questions asked during the February Manganese discussion.

ADJOURNMENT/NEXT MEETING:

A motion to adjourn was unanimously accepted by the Board. The meeting concluded at approximately 11:30 a.m. The next scheduled meeting is to be held at the New Stanton District Mining Office, 131 Broadview Rd, New Stanton, PA 15672 on August 4 at 12:30 p.m. The meeting is also available remotely via Teams.

AGGREGATE ADVISORY BOARD (BOARD)
Wednesday, August 4, 2022
Hybrid Meeting (via Microsoft Teams)

VOTING MEMBERS OR ALTERNATES PRESENT:

Griffin Caruso (Alternate – PA House of Representatives)
Paul Detwiler, III (Member – Enterprise Stone and Lime)
Rep. Ryan Mackenzie (Member – PA House)
Peter Vlahos (Member - PA Aggregates and Concrete Association (PACA))
John Stefanko (Alternate - DEP – Active and Abandoned Mine Operations (AAMO))
Thaddeus Stevens (Member – Citizens Advisory Council (CAC)/Sylvan Glen, Inc.)
Emily Eyster (Alternate – PA Senate)
Nicholas Troutman (Alternate – PA Senate)
D. Michael Hawbaker (Alternate – Glenn O. Hawbaker, Inc.)

OTHER ATTENDEES:

Nathan Houtz (DEP – Bureau of Mining Programs (BMP))
Sharon Hill (DEP – BMP)
Greg Greenfield (DEP – BMP)
Geoff Lincoln (DEP – BMP)
Eric Oliver (DEP – BMP)
Kevin Bogdan (DEP – BMP)
Gregory Shuler (DEP – BMP)
Melanie Barber (DEP – BMP)
Michaela Plazek (DEP – BMP)
Seth Pelepko (DEP – BMP)
Daniel E. Snowden, D.Ed. (DEP – BMP/Board Liaison)
Dan Sammarco (DEP – Bureau of District Mining Operations (BDMO))
Richard Wagner (DEP – Bureau of Mine Safety (BMS))
Eric Smeak (DEP – BMS)
Dustin Mowery (DEP – BMS)
Christopher Minott (DEP – Regulatory Counsel)
Richard Marcil (DEP – Regulatory Counsel)
Amy Berrios (DEP – AAMO)
Roland Gensel (DEP – AAMO)
Sara Pinter (DEP – Policy Office)
Gale Blackmer, Ph.D. (Guest – Dept. of Conservation and Natural Resources (DCNR), Geological Survey)
Josie Gaskey (Guest – PACA)
Michael Clark (Guest – New Enterprise Stone and Lime Co.)
Matthew Osenback (Guest – PA Senate)
Michael Lewis (Guest – Hanson Aggregates)

Jonathon Kolbe (Guest – Allegheny Minerals Corporation)
Andrew Gutshall (Guest – Lehigh Hanson)

CALL TO ORDER/INTRODUCTIONS:

The meeting was called to order at approximately 12:30 p.m. Board members introduced themselves, as did all DEP personnel and other guests in the audience.

PACA ANTI-TRUST STATEMENT:

The Board reaffirmed its adherence to PACA’s anti-trust statement, both in letter and spirit. This requirement extends to industry members and alternates on the Board.

APPROVAL OF MINUTES:

The Board requested the Minutes from the May 4, 2022 meeting be revised to reflect Michael Clark's association with New Enterprise Stone and Lime Co., which had previously been incorrectly listed as Hanson Associates. Pending that correction, the Board approved the Minutes.

CORRESPONDENCE:

There was no new correspondence.

COMMITTEE REPORTS:

The Board's Regulatory, Legislative and Technical (RLT) Committee did not meet since the previous meeting.

DELIVERABLES:

As requested in the previous meeting, the minutes from the February 2, 2022 meeting were updated to include a more thorough transcription of the Manganese Water Quality Standards discussion. A motion to approve the amended minutes passed the Board without objection. The Board also received an update on the spending for the New Hope reclamation from Mr. Pelepko. Mr. Stefanko also updated the Board on the status of a Greenport error which affected service for around ten days. This issue has since been resolved by Information Technology (IT).

BUREAU OF MINING PROGRAMS UPDATES:

The Board was provided with updates on the following topics:

- **Small Noncoal Applications Breakdown:**

Ms. Hill provided the Board with detailed information regarding the distribution of applications across the District Mining Offices (DMOs) for 2022 through July 1.

- **Non-Regulatory Agenda:**

The Water Supply Replacement Technical Guidance Documents (TGDs) are continuing to be reworked.

- **Regulatory Agenda:**

The Final of Chapter 77 is currently with the Policy office. A tentative submission to the Environmental

Quality Board (EQB) in the 4th Quarter is possible.

- **Technical Items:**

The Streams and Wetlands Standard Operating Procedure (SOP) is still in draft. BMP has continued meeting with engineers to develop the new Engineering Manual and will soon request feedback from Committees.

- **Bonding and Bond Forfeitures:**

- Between 2015 and 2022, the number of bond forfeitures for large operators ranged from a low of 0 (2016, 2018) to a high of 3 (2015), with 0 for 2022.
- Between 2015 and 2022, the number of bond forfeitures for small operators ranged from a low of 3 (2019) to a high of 34 (2015), with 0 for 2022.
- Between 2015 and 2022, the number of bond forfeitures for Bluestone GP-105 ranged from a low of 1 (2017, 2020) to a high of 4 (2021), with 0 for 2022.

- **E-Permitting and E-Discharge Monitoring Reports (E-DMR):**

- E-DMRs and GP-104s have continued to be submitted through the eDMR system. The E-Permitting system continues to be updated, and a GP-I 04 module will be implemented before their deadline in 2025.

- **Non-Coal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations:**

- As of the latest report, there is over \$2.4 million in cash collateral, \$2.9 million in payments in lieu of bonds, and over \$10.3 million in bond fund reclamation.
- The NCSMRA fiscal report showed \$877,000 in general operations monies, with about \$2.4 million in collateral and over \$1.4 million in restricted bond monies.

- **Clean Water Fund (CWF) Mining Fee Revenue:**

Between Fiscal Year (FY) 2012-2013 and FY 2021-2022 (as of June 30), CWF mining fee revenues ranged from a low of \$247,800.00 (FY 2012-13) to a high of \$794,124.00 (FY 2019-2020), with \$237,505.00 collected so far for FY 2021-2022.

NEW BUSINESS:

Update from District Mining Offices

Mr. Sammarco provided the Board with an update on DMO operations. The DMOs continue to effectively process applications, both recently received and backlogged. The DMOs are continuing to fill vacant positions. Of the 18 current vacancies, most are in the California and Pottsville office.

Bureau of Mine Safety

Mr. Lowry provided the Board with an overview of the training that BMS provides. This training covers the spectrum of mining needs, and augments courses offered by the Pennsylvania State University. Industry members are welcomed to contact the BMS for inquiries regarding additional training.

Deliverables

The Board will send a list of items potentially affecting mining from the published Non-regulatory Agenda in the *PA Bulletin* for the BMP. BMP will look into separating Coal and Noncoal figures from the CWF

Mining Fee Revenue for a more detailed examination. A breakdown of mining staff was requested by the Board.

ADJOURNMENT/NEXT MEETING:

A motion to adjourn was unanimously accepted by the Board. The meeting concluded at approximately 2:20 p.m. The next scheduled meeting is to be held on November 2, 2022 at 10:00 a.m. in Conference Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting is also available remotely via Teams.

AGGREGATE ADVISORY BOARD (BOARD)
Wednesday, November 2, 2022
Hybrid Meeting (via Microsoft Teams)

VOTING MEMBERS OR ALTERNATES PRESENT:

Peter Vlahos (Alternate – PA Aggregates and Concrete Association (PACA))
Griffin Caruso (Alternate – PA House of Representatives)
D. Michael Hawbaker (Member – Glenn O. Hawbaker, Inc.)
William Ruark (Member – Meshoppen Stone, Inc.)
Paul Detwiler, III (Member – Enterprise Stone and Lime)
Rep. Ryan Mackenzie (Member – PA House)
John Stefanko (Alternate - DEP – Active and Abandoned Mine Operations (AAMO))
Emily Eyster (Alternate – PA Senate)
Nick Troutman (Alternate – PA Senate)
R. Timothy Weston (Member – CAC)

OTHER ATTENDEES:

Nathan Houtz (DEP – Bureau of Mining Programs (BMP))
Sharon Hill (DEP – BMP)
Greg Greenfield (DEP – BMP)
Geoff Lincoln (DEP – BMP)
Eric Oliver (DEP – BMP)
Gregory Shuler (DEP – BMP)
Melanie Barber (DEP – BMP)
Michaela Plazek (DEP – BMP)
Seth Pelepko (DEP – BMP)
Daniel E. Snowden, D.Ed. (DEP – BMP/Board Liaison)
Dan Sammarco (DEP – Bureau of District Mining Operations (BDMO))
Amy Berrios (DEP - AAMO)
Brian Chalfant (DEP – Policy Office)
Laura Griffin (DEP – Policy Office)
Josie Gaskey (Guest – PACA)

CALL TO ORDER/INTRODUCTIONS:

The meeting was called to order at approximately 10:10 a.m. Board members introduced themselves, as did all DEP personnel and other guests in the audience.

PACA ANTI-TRUST STATEMENT:

The Board reaffirmed its adherence to PACA’s anti-trust statement, both in letter and spirit. This requirement extends to industry members and alternates on the Board.

APPROVAL OF MINUTES:

The Board approved the meeting minutes from the August 4, 2022, meeting without changes.

CORRESPONDENCE:

Dr. Daniel E. Snowden provided Board and Alternates with copies of the Department of Environmental Protection (DEP) State Water Plan.

COMMITTEE REPORTS:

The Board's Regulatory, Legislative and Technical (RLT) Committee did not meet since the previous meeting on August 4, 2022.

DELIVERABLES:

Seth Pelepko provided the Board with Full-Time Equivalent (FTE) counts for AAMO offices. Approximately 28 positions have been eliminated since 2010 from the DMOs and the District Director's Office.

BUREAU OF MINING PROGRAMS UPDATES:

The Board was provided with updates on the following topics:

- **Noncoal Applications Breakdown:**

Ms. Hill provided the Board with detailed information regarding the distribution of applications across the DMOs for Calendar Year 2022 through October 1, 2022.

- **Non-Regulatory Agenda:**

The Water Supply Replacement Technical Guidance Documents (TGDs) are continuing to be reworked. No estimated dates are available for the three documents, but BMP will provide the Board with drafts as they become available.

- **Regulatory Agenda:**

The Final Chapter 77 rulemaking is pending submittal to the Environmental Quality Board (EQB).

- **Technical Items:**

BMP intends to meet in November with coal and noncoal industry representatives, DEP staff, and consultants to continue developing new engineering information related to surface mining operations.

- **Bonding and Bond Forfeitures:**

- Between 2015 and 2022, the number of bond forfeitures for large operators ranged from a low of 0 (2016, 2018) to a high of 3 (2015), with 1 for 2022.
- Between 2015 and 2022, the number of bond forfeitures for small operators ranged from a low of 3 (2019) to a high of 34 (2015), with 0 for 2022.
- Between 2015 and 2022, the number of bond forfeitures for Bluestone GP-105 ranged from a low of 1 (2017, 2020) to a high of 4 (2021), with 0 for 2022.

- **E-Permitting and E-Discharge Monitoring Reports (E-DMRs):**

- DMRs for individual National Pollutant Discharge Elimination System (NPDES) permits and coverage under GP-104 must be submitted through the eDMR system as required by the Federal e-rule. Sharon Hill provided the Board with a list of active sites with NPDES permits. Of 1,077 noncoal permits, 784 were noted by the United States Environmental Protection Agency (US EPA)

to be unregistered. US EPA is highly interested in seeing an increase in registration. This list is constantly in flux and is difficult to generate.

- Thee-Permitting system continues to be updated, and a GP-104 renewal module will be implemented before its expiration deadline in March 2026.

- **Non-Coal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations:**

- As of the latest report, there is over \$2.6 million in cash collateral, \$3.0 million in payments in lieu of bonds, and over \$10.3 million in bond fund reclamation.
- The NCSMR fiscal report showed about \$877,000 in general operations monies, with about \$2.4 million in collateral and over \$1.4 million in restricted bond monies.

- **Clean Water Fund (CWF) Mining Fee Revenue:**

Between Fiscal Year (FY) 2012-2013 and FY 2021-2022 (as of September 30), CWF mining fee revenues ranged from a low of \$247,800.00 (FY 2012-13) to a high of \$794,124.00 (FY 2019-2020), with \$173,454.00 collected so far for FY 2021-2022.

NEW BUSINESS:

Update from District Mining Offices

Dan Sammarco provided the Board with an update on DMO operations. The DMOs continue to effectively process applications, both recently received and backlogged. The DMOs are continuing to fill vacant positions. Of the 16 current vacancies, seven are in the compliance sections and nine are in the technical sections.

2021 Aggregate Advisory Board Annual Report

The 2021 Annual Report was approved by the Board without changes.

2023 Meeting Dates

The Board scheduled its quarterly meetings for February 1, May 3, August 2, and November 1, 2023. The location of the August 2023 meeting and field trip location is yet to be determined.

Deliverables

The Board requested a more specific FTE report focusing on work hours of permitting, inspection, and technical staff and a detailed breakdown of coal versus noncoal inspectable units over time.

ADJOURNMENT/NEXT MEETING:

A motion to adjourn was unanimously accepted by the Board. The meeting concluded at approximately 11:25 a.m. The next scheduled meeting is to be held on February 1, 2023 at 10 a.m. in Conference Room 105 of the Rachel Carson State Office Building, 400 Market St, Harrisburg, PA 17101. The meeting is also available remotely via Teams.