

MINUTES
MINING AND RECLAMATION ADVISORY BOARD (BOARD)
July 21, 2022

VOTING MEMBERS OR ALTERNATES PRESENT:

Jack Chamberlin (Chamberlin Surveying and Consulting - Member)
David Osikowicz (Original Fuels, Inc. – Member)
John St. Clair (Rosebud Mining Company, Inc./Citizens Advisory Council (CAC) – Member)
Cynthia Carrow (Western PA Conservancy (WPC)/CAC - Member)
James Schmid (Schmid and Company, Inc., Consulting Ecologists/CAC – Member)
Duane Feagley (PA Anthracite Council (PAC) – Alternate)
Robert Burns (Burns Coal Company, Inc. – Member)
Robert Hughes (Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR) – Member)
Kenneth King (State Industries, Inc. – Alternate)
Rachael Gleason (PA Coal Alliance (PCA) - Alternate)
Glendon King (PA House - Alternate)
Emily Eyster (PA Senate – Alternate)

OTHER ATTENDEES

John Stefanko (DEP – Active and Abandoned Mine Operations (AAMO))
Amy Berrios (DEP – AAMO)
Dan Sammarco (DEP – Bureau of District Mining Operations (BDMO))
Nathan Houtz (DEP – Bureau of Mining Programs (BMP))
Sharon Hill (DEP – BMP)
Gregory Greenfield (DEP – BMP)
Geoffrey Lincoln (DEP – BMP)
Kevin Bogdan (DEP – BMP)
Gregory Shuler (DEP – BMP)
Melanie Barber (DEP – BMP)
Daniel E. Snowden, D.Ed. (DEP - BMP/Board Liaison)
Patrick Webb (DEP – Bureau of Abandoned Mine Reclamation (BAMR))
Sarah Pinter (DEP – Policy)
Christopher Minott (DEP – Regulatory Counsel)
Jeffrey Painter (PA Game Commission – Guest)
Samuel Mahsoob (Original Fuels – Guest)

MEETING CALLED TO ORDER/INTRODUCTIONS

The meeting was called to order at approximately 10:00 a.m. Board members and DEP personnel introduced themselves.

APPROVAL OF MINUTES

This motion to pass the April 7, 2022 meeting passed without objection.

CORRESPONDENCE

There was no new correspondence since the last meeting.

COMMITTEE REPORTS

There were no Committee meetings to report.

DELIVERABLES

No deliverables were requested in the previous meeting.

PRESENTATIONS

Coal Mining Program Updates

Mr. Greenfield and Ms. Hill provided updates to the Board regarding the coal mining program:

- Trust Agreements/Bond Status: The Board was provided details on a variety of items regarding this topic:
 - Number and value of total agreements (between December 2015 and June 2022), total (i.e., bonds, fully-funded trusts and partially-funded trusts (including Alternative Bond System (ABS) sites).
 - The amount of partially funded trusts and total bonds have remained the same since the last meeting, with the total amounts for fully funded and partially funded trusts both decreasing to \$219.7 and \$86.3 million, respectively.
- Land Reclamation Financial Guarantees (LRFG): Mr. Greenfield provided details on the increase of LRFG permits and amount underwritten. The total underwritten amount as of June 2022 was \$47 million.
- Reclamation Fee and LRFG Accounts: The Board was shown the current information for the Reclamation Fee Account, including Coal Civil Penalties and LRFG Premiums for fiscal year 2021-22.
- Application Fee Revenues: Mr. Greenfield provided revenue figures for the Surface Mining Conservation and Reclamation Act (SMCRA) and Clean Water Fund (CWF) for fiscal year 2021-22 through June 30, 2022.
- National Pollutant Discharge Elimination System (NPDES) Permitting: The United States Environmental Protection Agency (US EPA) has spoken regularly with the BMP, and among the subjects with discussed were Total Maximum Daily Loads (TMDLs) and Effluent Characterization. However, the monthly calls were an inadequate method of discussing some repeated topics. BMP plans to hold extended discussions with the US EPA to discuss such items in further detail as needed.
- E-Initiatives: The e-Permitting system continues to be updated. The pre-application for Bituminous Surface Mining Permit (SMP) was recently added. Approximately 801

individual NPDES permits have been registered as electronic Discharge Monitoring Reports (eDMRs).

- Applications: Ms. Sharon Hill provided the Board with a detailed breakdown of application data, including the number of applications by each District Mining Office (DMO) and revision and application type from January to June 2022. All figures are available through the meeting materials on the website.
- Regulatory Agenda: The final rulemaking for Coal Refuse Disposal is scheduled to be presented to the Environmental Quality Board (EBQ) at its meeting on July 12, 2022.
- Non-Regulatory Agenda: The Liners and Caps Technical Guidance Document (TGD) was final as of May 28. The Water Supply Replacement TGDs are being updated. Six items were gathered through Engineer feedback for the new Engineering manual.
- Technical Items: The Non-mining related activities SOP is still in the development stage. The Incidental Coal application continues its development
- SMP Application Reformat: BMP is attempting to standardize the format of five modules to simplify the application process and ease the transition of the applications into e-permitting formats.

Updates from BAMR

Mr. Webb updated the Board on the most recent current projects by BAMR, as well as the Abandoned Mine Lands (AML) projects that are currently being constructed/reclaimed and, the future projects the Bureau is advancing through the design phase. A complete list of the projects was provided in the Board's meeting materials. For 2021, there were 159 projects covering 406.9 acres with a cost of \$21.8 million. Currently for 2022, there has been 6 completed projects covering 26.1 acres with a \$14.7 million dollar cost. There are 58 active projects with a cost of \$127.3 million, and 66 future projects with an expected cost in excess of \$85.4 million.

October Field Trip

Mr. Webb gave the Board a presentation on the Swoyersville Refuse Pile, the location of the October Field Trip. The Board will meet at the new BAMR River Street Facility and tour the Swoyersville Refuse Pile.

Updates from the District Mining Offices

Mr. Sammarco updated the Board on the current status of vacancies and workloads in the District Mining Offices. Several vacancies within the DMOs have been filled.

February Deliverables

There were no deliverables requested from the BMP for the next meeting.

OPEN TIME

Adjournment/Next Meeting

The Board adjourned its meeting at approximately 11:35 a.m. The Board will meet again on October 13, 2022 at 9:00 a.m. at the DEP BAMR River Street Facility, 29 North River Street, Plains, PA 18705 (Luzerne County). The meeting will also be available through Microsoft Teams. On the day prior to the meeting (October 12, 2022), the Board will hold a field trip that includes a tour of the DEP BAMR Facility and, a visit to the Swoyersville Culm Bank Project site.