



November 20, 2013

**Pennsylvania Mining and Reclamation Advisory Board**

The Honorable E. Christopher Abruzzo, Chairman  
Environmental Quality Board  
Rachel Carson State Office Building, 16<sup>th</sup> Floor  
400 Market Street  
P. O. Box 2063  
Harrisburg, PA 17105-2063

Dear Chairman Abruzzo:

During its October 24, 2013 meeting, the Department of Environmental Protection's Mining and Reclamation Advisory Board (MRAB) considered draft regulatory language developed to implement Act 157 and Act 95 of 2012. The MRAB, by unanimous vote, offers the following recommendation.

In order to fully implement Act 157, the language below should be added to the proposed regulation in order to facilitate the timely appropriation and transfer of funds from the Gross Receipts Tax to the Reclamation Fee O & M Trust Account as provided for in Section 19.2 of Act 157.

*"No later than the date of the Department's annual budget request to the Governor's Budget Office, the Department shall report to the MRAB as to when a transfer from the Gross Receipts Tax to the Reclamation Fee O & M Trust Account is necessary to supplement the funding of the Reclamation Fee O & M Trust Account in order to offset an increase in the reclamation fee in the subsequent fiscal year."*

Thank you for your consideration.

Respectfully,

David Osikowicz, Chairman  
Mining and Reclamation Advisory Board

cc: MRAB (via e-mail)