

# Pennsylvania Abandoned Mine Land Campaign

July 2019

**The Pennsylvania Abandoned Mine Land (AML) Campaign** is a no-budget, no-letterhead group of organizations and individuals advocating for policies and programs that benefit the coal-impacted communities of Pennsylvania and beyond.

The organizations that participate in PA AML Campaign activities include local, regional, state-wide, and national non-profit organizations, county conservation districts, townships and municipalities, trade associations, landowners, business owners, sportsmen clubs, and individuals.

- [Citizens Coal Council](#) (CCC)
- [Eastern Pennsylvania Coalition for Abandoned Mine Reclamation](#) (EPCAMR)
- [Foundation for Pennsylvania Watersheds](#) (FPW)
- [Mountain Watershed Association](#) (MWA)
- [Pennsylvania Association of Conservation Districts](#) (PACD)
- [Pennsylvania Environmental Council](#) (PEC)
- [Trout Unlimited](#) (TU) and many of its chapters
- [Western Pennsylvania Coalition for Abandoned Mine Reclamation](#) (WPCAMR)
- [Western Pennsylvania Conservancy](#) (WPC)

We are advised by state and national agencies, associations, and commissions such as the Pennsylvania Department of Environmental Protection Bureau of Abandoned Mine Reclamation (PA DEP BAMR), National Association of Abandoned Mine Land Programs (NAAML), and Interstate Mining Compact Commission (IMCC).

**Accomplishments.** Pennsylvania has witnessed great and numerous successes in abandoned mine reclamation through PA DEP BAMR's AML Program. With \$1.26 billion in federal grant funds, Pennsylvania's AML Program has operated since 1980 and has reclaimed thousands of dangerous sites left by abandoned coal mines. Over 10 billion gallons of abandoned mine drainage (AMD) is abated 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.
- \$142.8 million has been dedicated to abating or treating abandoned mine drainage to improve water quality.
- Over 1,200 acres of mine fires were extinguished in 2018 alone.

**Public-Private-Community Partnerships.** To a great extent, Pennsylvania's success in reclaiming abandoned mines is due to cooperation between industry, PA DEP BAMR, local grassroots non-profit organizations, County Conservation Districts, and private landowners. Over 300 Abandoned Mine Drainage Treatment Systems have been constructed across the state under PA DEP's Growing Greener Program.

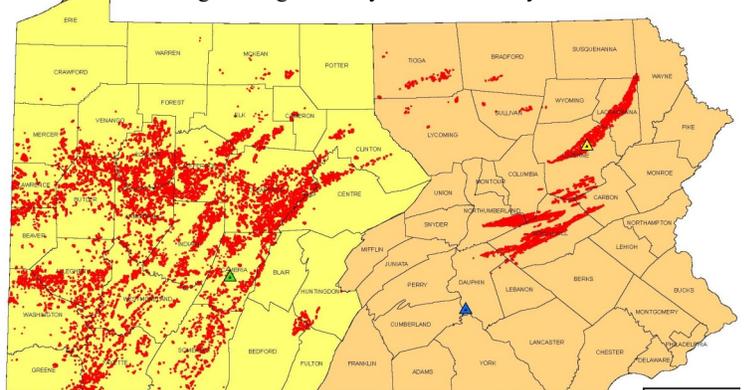
## Current Focus

The **Surface Mining Control and Reclamation Act (SMCRA)** is sweeping federal legislation regulating coal mining in the U.S. Prior to its original passage in 1977, the coal mining industry was largely unregulated, especially with regard to the environment. Over a century of environmentally insensitive mining practices took a huge toll on the land and water where mining occurred. But SMCRA changed the face of the coal mining industry into one that is vastly safer with a significantly smaller environmental impact. Over the years, SMCRA has been amended several times, most recently in December 2006, when a number of changes accelerated reclamation of mine-scarred lands and waters in the coal regions of the U.S.

Funding for reclamation activities is derived from a **reclamation fee** on every ton of coal mined in the U.S. since 1977. Those fees are placed into an account known as the **Abandoned Mine Land Fund (AMLF)**. This fee collection is set to expire in 2021. The Fee Collection must be reauthorized through an amendment to SMCRA for our valuable work to continue. Proposed legislation includes the following key points:

- **Reauthorization of the AMRF Fee Collection until Year 2036.** It will take decades longer to address the current AML inventory.
- **Restoring the Fees to 1977 Levels.** Since the enactment of SMCRA in 1977, the per ton reclamation fees have never accounted for inflation, while the cost of reclamation continues to rise. As a result of the 2006 amendments to SMCRA, the fees were reduced.
- **Increasing Minimum Program State Funding to \$5 Million Annually.** The current annual grant to Minimum Program States of \$3 million does not allow for progress after spending on emergency projects.
- **Exempting of SMCRA Title IV Grants from Sequestration.** Pennsylvania has lost \$30 million due to sequestration between 2007 and 2019.
- **Establishment of a Direct Line Item in OSM Budget for Emergency Projects.** Section 410 of SMCRA requires OSMRE to fund the emergency AML program using OSMRE's "discretionary share" under Section (402)(g)(3) (B). Pennsylvania has spent an average of \$4 million annually since 2012 on emergency projects.
- **Maintaining the Current Priority Ranking Criteria of Priorities 1, 2, and 3.**
- **Maintaining Mandatory Distributions.**
- **Maintaining the 30% AMD Set-Aside Option for States and Tribes.**
- **Maintaining a Transfer of Interest to the Combined Benefit Fund (CBF).**

Remaining PA High-Priority AML Inventory Exceeds \$4.6 billion!



produced by the

Western Pennsylvania Coalition for Abandoned Mine Reclamation  
[www.wpcamr.org](http://www.wpcamr.org)

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## Economic Benefits of Abandoned Mine Reclamation

Pennsylvania's AML funding is reinvested into the Commonwealth's economy through jobs, construction, and purchasing materials, equipment, and supplies. For every federal dollar spent for construction, \$1.59† in the form of labor income, state and local tax revenue, and construction value improvements are returned to the economy.

It is estimated that for every \$1 spent on AMD remediation, about \$1.50 is generated in local economic activity.‡

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.

## Chesapeake Bay Watershed Agreement

Signed in 2014, this landmark accord establishes goals and outcomes for the restoration of the Chesapeake Bay, its tributaries, and the lands that surround them.

There are 119,000 acres of abandoned mine lands within the Pennsylvania portion of the Susquehanna River Watershed, which create polluted runoff during every rain event, and result in thousands of miles of AMD-impaired waterways. As the largest contributor of freshwater to the Bay, reclamation of the barren lands and polluted waterways throughout the Susquehanna River basin is paramount to restoration of the Bay.

Current models call for reforestation of 14,562 acres in order to reduce nitrogen and sediment pollution entering the Bay. A large portion of AML in Pennsylvania can be found on public lands such as state forests and state game lands. Reclamation and reforestation not only improve water quality and aquatic life, but also benefit wildlife and outdoor recreation throughout the Bay drainage.

Source for Bay facts: <https://www.chesapeakebay.net/discover/facts>

There are 147 passive treatment systems treating nearly 50 billion gallons of abandoned mine drainage annually in the Susquehanna River Basin in Pennsylvania. These systems prevent almost 5 million tons of metals and sedimentation annually from entering the Chesapeake Bay.

\*Values provided by PA DEP's Fact Sheet: Pennsylvania's Surface Mining Control and Reclamation Act Funded Abandoned Mine Lands Program: Past, Present, and Future, 3/2019

†Values provided by OSMRE's AML Closed Grant 2006-2012 (FMBS)

‡Trout Unlimited, Cleaning Up Abandoned Mine Drainage in the West Branch Susquehanna, 2009

§C. M. Mayne, OSMRE/AmeriCorps, May 2016, Sources: US Census Bureau, (2010 Census); OSMRE eAMLIS

## The PA AML Campaign also Supports:

**Continuing Office of Surface Mining Reclamation and Enforcement's (OSMRE) Watershed Cooperative Agreement Program (WCAP).** Since 1996, WCAP has distributed \$15.2 million to 178 reclamation projects constructed by non-profit watershed organizations. Throughout the nation WCAP has helped to leverage millions of dollars of additional state, private and foundation funding to projects implemented by non-profit groups.

**Continuing Focus on Abandoned Mine Drainage Remediation.** Over 5,500 miles of Pennsylvania's streams are impaired by AMD but many are considered to be of low priority for remediation in SMCRA's priority ranking system. It is widely accepted that the reclamation of impaired streams improves property values and brings much needed revenue to impoverished coal-impacted communities.

**Encouraging the Redevelopment of AML.** As AML is reclaimed, they offer potential locations for economic development projects. By developing and marketing AML that would normally struggle to attract new investment, these "grayfields" can be turned into regional assets by creating economic opportunities, preventing sprawl, and conserving open space and natural resources. 2.7 million Pennsylvanians live within 1 mile of an abandoned mine land site.§

**Protecting Good Samaritans.** In Pennsylvania, Good Samaritans are an essential contributor to abandoned mine reclamation, especially in constructing AMD treatment systems. Over 300 systems have been constructed in Pennsylvania by Good Samaritans. Pennsylvania has a Good Samaritan Act to provide liability protections under state law but legislation is needed at the Federal level to allow for greater protection and participation of Good Samaritans nationwide.

**Providing Match for Environmental Protection Agency (EPA) Section 319 Grants.** AMLF grants are eligible match for EPA's Section 319 and other federal grants. Without this leveraged funding, many projects will not find adequate funding to be completed.

**Providing Funding for Long-term Operations, Maintenance and Rehabilitation (OM&R) of existing AMD treatment systems.** Hundreds of miles of stream improvements across PA depend on the continued treatment provided by over 300 systems. Many systems are maintained by non-profit organizations. Funds are needed to continue with daily operations and maintenance of these systems and rehabilitation as the systems age. Information on treatment systems maintained by non-profits in PA can be found at <https://www.datashed.org/>

The current law concerning collection and distribution of AML fees is an accommodation of varying interests. It resolves east-west and other policy differences fairly. When Congress reauthorizes the AML fee, the current law, which is working well for all, should be continued with only minor adjustments.

