

RESOLUTION URGING THE REAUTHORIZATION OF COLLECTION OF FEES TO THE ABANDONED MINE LAND RECLAMATION FUND

WHEREAS, Substantial coal mining has occurred in Pennsylvania for more than 130 years, and the industry has been a significant employer of our citizens for most of these years; and

WHEREAS, Abandoned mines pose hazards in Pennsylvania of dangerous shafts, mountains of black waste, scarred landscapes, acidic drainages polluting more than 5,500 miles of our streams and other hazards threatening human health and safety and depressing local economies; and

WHEREAS, At least 44 of Pennsylvania's 67 counties are affected by abandoned coal mines; and

WHEREAS, At least 1.4 million Pennsylvanians live within one mile of abandoned mine lands; and Pennsylvania's estimated cleanup cost is \$15 billion; and

WHEREAS, Abandoned mines and abandoned mine lands create negative impacts on local economies by destroying recreational opportunities, lowering land values, leaving desolate communities once the mines are exhausted and ruining sites for further residential, forestry, commercial or agricultural uses, and threaten the human health and safety of people living in our coal field communities; and

WHEREAS, Reclamation of abandoned mine sites can add to the economy by creating jobs, increasing community pride, increasing property values, decreasing stress-related costs through stream-based recreation, restoring the health of the environment and providing future sites for commercial or industrial endeavors; and

WHEREAS, Congress established the Abandoned Mine Reclamation Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 to reclaim areas abandoned before 1977 and the modern environmental standards requiring mine operators to reclaim their sites; and

WHEREAS, The Surface Mining Control and Reclamation Act of 1977 imposed on coal operators a fee of 35 cents per ton on surface mined coal, 15 cents per ton on underground mined coal, and 10 cents on lignite to provide a source of revenue for the Abandoned Mine Reclamation Fund to help finance the reclamation and remediation of lands mined prior to 1977; and

WHEREAS, The Scope of the abandoned mine problem continues to outpace available resources; and

WHEREAS, In 2006, the Congress of the United States re-authorized the Surface Mining Control and Reclamation Act of 1977 to extend fee collection through 2021, increase the "Set Aside" for acid mine drainage from 10% to 30%, and provide for mandatory distribution of AML funds; and

WHEREAS, The fees collected and deposited into the federal AML Fund are derived from a per-ton fee assessed on each ton of coal mined by the active mining industry and can only be used for purposes authorized under Title IV of the Surface Mining Control and Reclamation Act. The AML Fund is not derived from a tax and is not funded from the US Treasury; and

WHEREAS, The collection of fees on mined coal applied to Abandoned Mine Reclamation Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 is set to expire in 2021; and

WHEREAS, Pennsylvania has relied upon the Abandoned Mine Reclamation Fund as a Primary source of money to clean up toxic mine water in our water supplies, restore land, extinguish mine fires and eliminate other dangerous abandoned mine hazards.

NOW THEREFORE BE IT RESOLVED: _____ County urges Congress of the United States to reauthorize the collection of fees on mined coal at the restored 1977 levels of 35 cents per surface mined, 15 cents deep mined, and 10 cents on mined lignite; and

FURTHER: That the collection of fees be for at least 15 additional years and through 2036; and

FURTHER: The SMCRA Title IV grants should be exempt from sequestration and all Title IV sequestered funds should be given back to the states, retroactive to FY 2013; and

FURTHER: That the mandatory distribution for minimum program states be raised to \$5 million; and

FURTHER: That a direct line item for emergency projects be established in OSMRE's budget to reflect the need for remediating AML emergencies in all states and tribes.

FURTHER: That mandatory distribution of future allocated reclamation fees continue for the intended purpose of cleaning up abandoned mine problems; and

FURTHER: That the annual distribution of funds continue to be formulated to adequately address the abandoned mine problems of all states and to allow the states with the most problems to correct them much more quickly; and

FURTHER: That the current definitions of Reclamation Priorities be maintained to adequately correct all land and water problems created by abandoned mines including water polluted by acid mine drainage; and

FURTHER: That future allocations from the Abandoned Mine Reclamation Fund be used by the states in ways that promote reclamation, leverage private investment, and encourage development where appropriate, and to be used to complement or match other funds available for redevelopment of abandoned mine land sites; and

FURTHER: That transfer of interests generated on the Fund be maintained to the Combined Benefit Fund to defray health costs for retired miners and their dependents whose companies have bankrupt or are no longer in business.

FURTHER: That the SMCRA 30% Set-Aside option be maintained.

NOW, THEREFORE BE IT RESOLVED that:

_____ County supports reauthorization of SMCRA Title IV fees by Congress.

DULY ADOPTED at the regular meeting of _____ County this ____th day of _____, _____.

Please return to the Western Pennsylvania Coalition for Abandoned Mine Reclamation , PO Box 295, Luxor, PA 15662. Or scan and email to andy@wpcamr.org