

Pennsylvania House of Representatives
Environmental Resources and Energy Committee
June 24, 1997

Western Pennsylvania Coalition for Abandoned Mine Reclamation
Mark Killar - Regional Coordinator

The Western Pennsylvania Coalition for Abandoned Mine Reclamation (WPCAMR) was formed in 1981-82. The general purpose^{of} this independent, non-profit, non-partisan, unincorporated group is to encourage the reclamation and development of abandoned mine lands in the bituminous coal area of Western Pennsylvania. This includes the reducing of hazards to health and safety; eliminating soil erosion; improving water quality; returning abandoned mine land to productive use; and improving the local economy of the region.

As background, WPCAMR was originally formed in response to efforts in Washington to cut funding for the Rural Abandoned Mine Program (RAMP). With the creation of the Surface Mining Control and Reclamation Act (SMCRA) of 1977, funding for reclamation of abandoned mine sites was obtained by the creation of a tax imposed on each ton of coal mined in the country. This fund, the Abandoned Mine Land Fund (AML) was then to be used to reclaim abandoned mine sites created before the SMCRA law was enacted. Half the money collected was to be returned to the states for their individual reclamation programs and half was to be used as the federal share to operate the Office of Surface Mining (OSM) and their emergency program and to fund the RAMP program administered by Department of Agriculture's Soil Conservation Service.

The Coalition supported the RAMP program from its inception because it sought the input of the Conservation Districts and their local cooperating organizations. Once RAMP had begun to address the abandoned mine problems within rural communities it wasn't long before local leaders began to realize unexpected results as abandoned mine sites, many located within the communities themselves, were cleaned-up. As the "high priority" hazards and other eyesores were removed from the community, the stigma associated with living near those abandoned mine sites also seemed to be removed. People began to find a new pride in their communities and began to fix up their houses and properties which they had previously neglected. The change was often dramatic.

Even today, reclamation projects seem to be valued only for their immediate safety and environmental impacts. But the social and economic impacts might continue for years and are perhaps even more important. It was the more intangible changes within the rural communities that local leaders saw as being the real benefit to the RAMP program.

Well, it wasn't long before some folks in Washington sought to eliminate the RAMP program and that was the impetus for the formation of our coalition.

Initially, Conservation District leaders from thirteen Western PA counties united to influence the U.S. Congress to continue funding of the RAMP program and to fully allocate the Abandoned Mine Land Fund to the states for reclamation. Then, as today, the full amount of funding collected for reclamation never made its way back to the states for the specific purpose it was intended.

Those first Coalition efforts led to the continuation of the RAMP program until 1995 when the program unexpectedly lost its past political support and the program's funding was zeroed-out.

WPCAMR developed because of strong local support for the RAMP program which was viewed by local citizens as extremely beneficial to the social, economic, health, safety, and environmental well being of their communities. From those original thirteen counties the Coalition has now grown to include 24 counties in western Pennsylvania. Also, as a result of their active support of the RAMP program, several Coalition directors sat as members of the state RAMP committee giving local interests a voice in the direction of the program.

The Coalition continues to push Congress for full allocation of the AML Fund and has also lobbied for reauthorization of the SMCRA. As you may be aware, there is over one billion dollars that has been collected into the AML Fund and has never been released back to the states for reclamation work. We continue to push for the release of those funds and along with the Eastern Coalition and Secretary Seif have jointly called to do just that.

WPCAMR members have presented yearly testimony before the House Appropriations Subcommittee on the Interior and the House Interior and Insular Affairs Committee in support of the continuation of abandoned mine reclamation programs.

WPCAMR members were also instrumental in the formation of the National Coalition for Abandoned Mine Reclamation (NCAMR) and produced and distributed 2,000 brochures to promote the formation of the group. Sixteen states are now members of this national organization which has similar to our's, more abandoned mine reclamation. Last year we hosted the NCAMR annual meeting which was held in Pittsburgh. I can tell you without a doubt that Pennsylvania is the leader in the nation with regard to locally led mine reclamation initiatives. No other state could compare to the amount of local organizations involved in reclamation efforts here in Pennsylvania, especially in water quality issues.

Historically, as reclamation efforts began in Pennsylvania, the Coalition prompted DER administrators to seek input from the Conservation Districts in the development of the state Abandoned Mine Land program during the formative years of the Bureau of Abandoned Mine Reclamation.

Through communications with former DER secretary Art Davis and others, WPCAMR helped to develop the environmental objectives which the DER created to address AML and acid mine drainage (AMD) issues.

WPCAMR has continued to work cooperatively with the Natural Resources Conservation Service (NRCS) (formerly the Soil Conservation Service), and the Resource Conservation and Development (RC&D) Councils on many reclamation projects. These agencies continue to provide strong technical support to the Coalition through their field offices. Our partners also include all of the other federal and state agencies involved in mine reclamation. We are proud of our close working relationship with DEP, both within the Office of Mineral Resource Management and the Office of Water Management.

The Coalition also remains committed to working with the mining industry and supports industry as a partner in the solution to AMD problems. WPCAMR members have made recommendations for adjusting the remining laws in an effort to bring more flexibility into existing laws which would help lower the costs of reclamation. WPCAMR has been represented on the state Mine Reclamation Advisory Board. I myself serve on the EPA/OSM Remining Implementation Team which is working to assure remining incentives developed by all the states working on this issue are transferred between states. I have also taken part in DEP's remining workshops which hope to develop new initiatives within the state to promote more remining.

WPCAMR works closely with many watershed organizations in development of remediation plans for mine drainage problems through its AMD Remediation program, promoting local involvement as the key to a successful program.

The Coalition has long recognized abandoned mine water quality issues as a high priority pollution problem although they were long neglected by federal and state programs. The organization helped to focus the attention and awareness of local groups on water quality issues and has supported all efforts to elevate mine drainage issues from low priority III status to priority II status under SMCRA. One look at the map which I have provide you will show why AMD is the number one water pollution problem in the state. This map, developed by EPA shows over 3200 miles of streams impacted and I can assure you that there are even more. I know of several streams in Southwestern Pennsylvania that don't appear on this map and if unnamed tributaries were taken into account the amount would be substantially higher.

WPCAMR has worked through the Pennsylvania Association of Conservation Districts (PACD) to develop ties between the anthracite and the bituminous coal regions of Pennsylvania. These geographically separate regions share similar abandoned mine problems and pursue similar objectives. As you can see by the included map, with the formation of the Eastern Coalition we now have forty counties united in their efforts to promote more abandoned mine reclamation in Pennsylvania.

To spearhead the move towards more active involvement of local interests in AMD remediation, WPCAMR sponsored a seminar held in Westmoreland County in October of 1993 to discuss the impacts of abandoned mines on water quality and other pertinent issues. This meeting, which was attended by numerous federal, state, and local agencies, private foundations, watershed groups and local individuals, led to the development of the Coalition's successful *Conservation District Demonstration Program, Remediation of Acid Mine Drainage, Western Pennsylvania*.

The involvement of WPCAMR and Conservation Districts with EPA and OSM in water quality issues helped create the opportunity to develop the Statement of Mutual Intent between OSM and EPA-Region III. The Coalition is a signing partner in the agreement. This agreement "is a pledge by more than 40 government agencies and citizens groups to focus a shared concern about mine drainage problems into on-the-ground improvement efforts". I am also involved with the development of the EPA/OSM sponsored document "Citizen's Guide to AMD" which will help new groups or individuals getting started with AMD remediation to get the information they need to make informed decisions.

In 1994, the Western Pennsylvania Coalition for Abandoned Mine Reclamation was awarded a Section 319 grant by then DER's, Bureau of Land and Water Conservation to begin a demonstration project aimed at the state's number one nonpoint source pollution problem, Acid Mine Drainage.

The intent of the program was to remediate abandoned mine drainage problems that would show "beneficial environmental results" and to do so by using "passive" treatment technologies. Treatment systems that do not require constant operation and maintenance.

We felt that we could create an innovative "ground-up" approach to getting these projects completed by using the partnerships conservation districts have developed over the years and, in the process, create new partnerships as well.

The Coalition wanted to use this program to show that when local organizations are given an opportunity to take an active role in the improvement of their watersheds, they would respond by bringing even more resources to bear on the effort.

Another important part of this program was to determine what role the conservation districts and the Western Pennsylvania Coalition could play in the State's mine reclamation program.

Throughout this whole effort, we would also be developing a better public understanding of nonpoint source mining related problems. By educating the public, we could show that indeed something could be done to help bring their dead local stream back to life. In other words, give them hope, where in the past they had very little.

To accomplish our goals, WPCAMR first brought together all of the major players involved in mine reclamation activities in Pennsylvania to form what we call our Water Quality Technical Advisory Committee. This committee is our "panel of experts" consisting of members from Conservation Districts, PADEP, DCNR, EPA, OSM, NRCS, USDOE (formerly the Bureau of Mines), USGS, ACOE, PAF&BC, USF&W, the mining industry and the educational community.

The committee is represented by an excellent cross section of agencies and organizations involved in mine reclamation and research. We depend them to help us select the best possible projects for construction from all of those that have been submitted to us by the conservation districts and their cooperating organizations. By drawing on the expertise of so many people, we have been able to put together a very successful program in a relatively short period of time. These experts from all of the agencies and private groups working on mine drainage remediation each share an equal status in our unique partnership. From the DEP Deputy Secretary to the university professor, to a Coalition representative, no single person has the authority to dictate the selection of a specific project. All projects are selected by group consensus on the basis of technical merit, local involvement and expected environmental results. All projects selected for inclusion in our program are then presented to the State Conservation Commission for approval.

During the past three years of our mine drainage program, the Technical Committee have approved 16 abandoned mine drainage projects for construction. Of those 16 projects, 13 have been in watersheds identified as high priority watersheds...in other words highly degraded watersheds, as identified in the State's 305 (b) Water Quality Assessment Report. 2 projects are located in medium priority watersheds and 1 is located in a low priority watershed. I must point out that although three projects are located in watersheds that are not considered high priority, they are still heavily impacted with AMD. The prioritization takes into account all sources of nonpoint source pollution, AMD being just one of them.

Of these 16 projects, 7 are now completed, 2 are presently under construction, and 4 should begin construction by years end. The remainder should be completed by next year at this time.

You should have each received a "Status Report" on our AMD remediation projects dated May of 1997. I apologize that the report is slightly out-of-date because since this report was done in May, we have completed another project, the Hayes Run Mine Seal Project in Elk County. The report outlines the status of each of our AMD remediation projects, explaining the project location, sponsors involved, cost per project, treatment design and the results where completed. The more detailed report of the first six completed projects will give you an idea of how our project sponsors have developed "partnerships" to reach their goals. You may notice that many of our projects have an educational component tied to them. That was something we tried to promote and something that we gave added weight to when evaluating projects

for funding. If anyone would like more details on the projects that have not been completed, I would be happy to get that information to you.

Also, on all of our projects we required a 30% match of cash or in-kind services. When we looked at all 16 of our projects and estimated the amount matching funds acquired by the project sponsors it actually totaled about 75%. In essence, for about \$579,000 in project funding we will get over \$1,016,000 worth of total services. I think that it's a good testimony to the value of getting locals involved in reclamation projects and to the amount of additional resources they can bring to a project.

I would like to call your attention to the fact that of our 16 projects, 10 projects are in areas that had no previous AMD remediation activity in them. When I spoke earlier of bringing hope to people where little existed, this is what I was talking about. Prior to these projects, the people in these areas had very little hope for their degraded watersheds. I think now at least they know there is a chance. They will now have some success to build upon. I don't think that we have time to go over each of our projects but again, if you would like any more information, I would be happy to get the information to you.

There is one final issue that I would like to bring to your attention which you may be hearing about in the legislature sometime in the future. The issue has to deal landowner liabilities and it is an issue that has derailed several good projects. Many times, landowners are willing to allow use of their property for the building of these types of passive treatment systems for abandoned mine discharges which they have not, in any way, helped to create. Most often systems such as these will consist of some type of settling pond or wetland. However, sometimes when the landowner considers his liabilities for having those types of structures on his property he sometimes withdraws his offer and the stream remains polluted. I feel that it's a true travesty when a landowner is willing to use perhaps several acres of his property for the good of the waters of the Commonwealth but decides not to because of liability concerns.

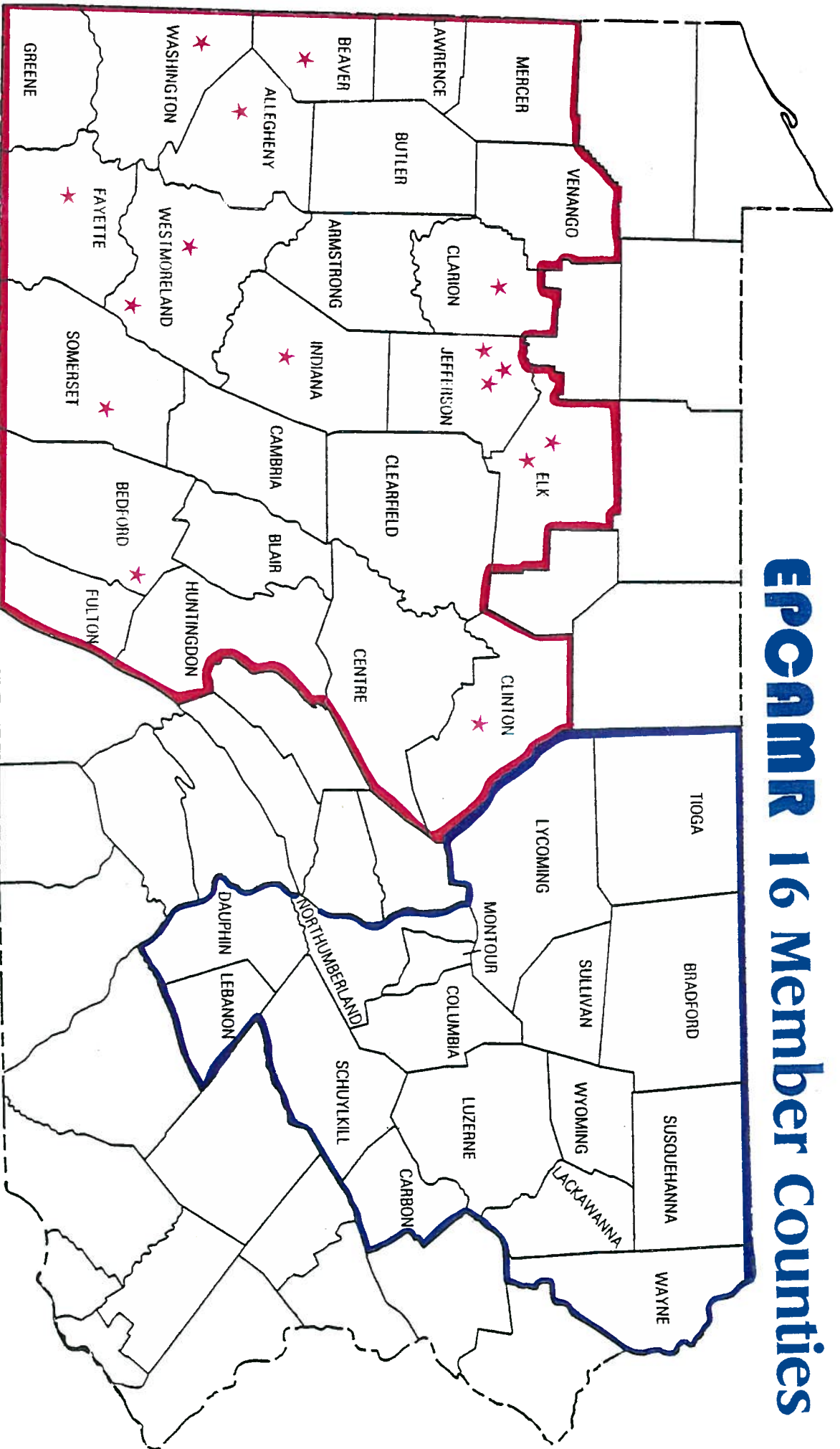
However, we have been working with Senator Kasunic's office and Senator Mellow's office to come up with a viable legislative solution to this problem. I have also spoken with Senator Stout and Representatives Stairs and Lescovitz and they also have expressed an interest in supporting such legislation. I personally feel that with a little effort we can raise even more support. I hope that when this legislation comes before you that you will give it serious consideration because it is something that is desperately needed. We have much work to do and this is one issue that needs to be resolved to help us continue our work.

On behalf of the Western Pennsylvania Coalition for Abandoned Mine Reclamation I would like thank you for the opportunity to address the Committee on Environmental Resources and Energy. If you have any questions, I would be happy to answer them for you.

Thank You.

WPCAMR 24 Member Counties

EPCAMR 16 Member Counties



★ WPCAMR Mine Drainage Remediation Projects

Streams and Fisheries Impacted by Acid Mine Drainage in Pennsylvania

(Based on EPA Fisheries Survey - 1995)

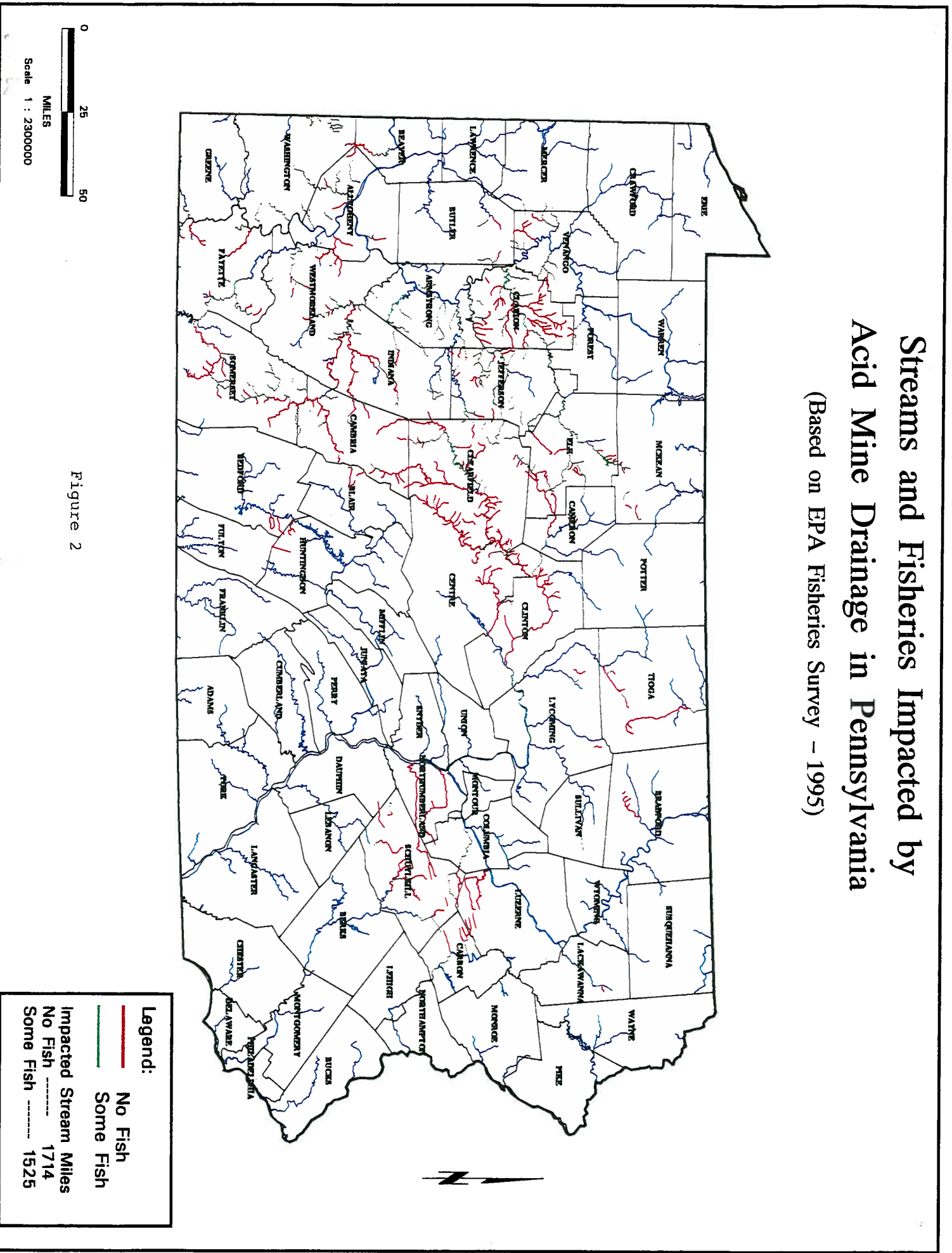


Figure 2