

WPCAMR Regional Coordinator's Report

Andy McAllister

November 12, 2010

Quick Response Continues to be Successful

Quick Response continues to get used and is continuing to be a successful avenue for emergency funding for emergency repair for Growing Greener eligible projects. As requested by the board, I submitted a Quick Response V grant application for the last round of Growing Greener in September. We had received an extension for the Quick Response II grant but only needed to extend that grant until September to utilize all the funding. The Quick Response II final report was submitted along with the final reimbursement request. As part of that reimbursement, we included the interest that we paid for the line of credit for that program. Quick Response II assisted 10 projects, being AMD treatment system projects. We are now expending Quick Response III funding. It appears that we are getting more applications to process. Part of the reason seems to be due to the snowmelt this past spring which damaged some AMD projects and one stream restoration project in Chester County. Both DEP and myself are finding that we have to devote more time to the program. Given the number of applications being received, I would imagine that Quick Response III funds will be expended by sometime in the summer of 2011, at which time we will begin expending Quick Response IV funds. Both Quick Response III and IV will be receiving in-kind funding from the Foundation for PA Watersheds. According to the records, a portion of the in-kind funding for QR III may be used for administrative purposes. This could be useful to us as we get more projects and spend more time administering this Growing Greener II grant which does not have admin funds associated with it.

Office Operations and Administrative Functions

Once the Board approved some additional spending at the August meeting for me to get the CPA from Henninger Associates back to assist with the final revisions and reimbursements of funds from overpaid taxes (due to a mistake by a previous payroll company), I got the CPA to work with me on submitting revised tax forms and requests for reimbursements. To date, we've received most of our refunds. She also assisted with getting the books and payroll entries in a format which I (and others) could better understand. Henninger Associates were great to work with and the CPA donated almost \$98.00 of time to assist WPCAMR. Overall, things continue to come together well and I am confident that our internal operations are moving in a positive direction. However, additional time from Henninger Associates is needed so I can get the budget into QuickBooks, adjust our Chart of Accounts, and re-vamp our Expense Reimbursement procedure to keep better track of expenses as they relate to the budget.

In addition, since August I've been working on a budget for the year 2010-2011. It is my understanding that until this time, we've had no comprehensive budget that includes our General Fund. Although our newest 319 grant began on July 1, 2010, due to other constraints on my time, I haven't been able to tackle this budget before now. I am working on trying to get this budget integrated into Quick Books and to clean up our chart of accounts to better reflect expenditures and income.

Andy McAllister (continued)

Another project this quarter was to complete the draft WPCAMR staff Policy Manual. The Draft is currently with the Executive Committee for their review. The draft Policy manual includes a protocol for annual evaluations and recommendations for merit raises.

Severance Tax Update

As requested by the board in August, Anne and I drafted a letter to the legislators within WPCAMR's region. Letters went out to ...State Senators and ...State Representatives. To date, we've only gotten a response from Senator Don White. His response is located at the back of this packet. As you are well aware, the Assembly did not pass severance tax legislation by October 1st as they promised during the summer. With the changes in administration and within the composition of the state House, it is uncertain as to if or when we will have a severance tax bill introduced once again. I remain in contact with PACD, getting updates as all the districts have. We will continue to push for a severance tax that supports districts and environmental stewardship.

EPA's Proposed Ash Rules

Some time ago, EPA proposed rulemaking that could affect the use of ash for beneficial use in reclamation projects. In a nutshell, EPA is considering making all ash hazardous waste. This designation could stop the beneficial use that's been going on, in spite of data that has shown no adverse effects from placement sites. EPA has been taking written comments from the public regarding this proposed rulemaking. I have already written a letter to EPA explaining the importance of ash in our reclamation successes here in Pennsylvania and that to declare all ash as hazardous waste could effectively destroy the beneficial use program which has resulted in multiple sites being reclaimed...one of Pennsylvania's environmental success stories. If you wish to make a comment, the government website is:

<http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480b06eac>

EPA's Proposed Conductivity Benchmark

Earlier this year, EPA released a draft report which dealt with high conductivity values downstream of Mountaintop Mining activities and Valley Fills. The report developed ways to assess the supposed impacts of those activities using the presence/absence of selected genera of Mayflies. This study was conducted in southern West Virginia. The end product of this study was a proposed conductivity benchmark of 300 to 500 microsiemens for surface mining activities, not just Mountaintop Mining. While this study, on the surface, deals with active surface mining, it is a concern to us that it could be translated into a standard for AMD discharges. I made a comment to the EPA Science Advisory Board regarding this and, like many others, I reminded them of the environmental successes where streams have been taken off of the 303 (d) list due to the treatment of AMD discharges.

Andy McAllister (continued)

NPDES Issue Update

After the Keeley decision regarding NPDES permits for West Virginia bond forfeiture sites in January 2009, the state of West Virginia decided to appeal that decision. The opinion from the 4th Circuit Court of Appeals in northern WV agreed with Judge Keeley's decision. Based on what the appeal decision says, this could move our community even closer to the NPDES route. We are working hard with other groups to explore ways to protect our reclamation community if this keeps moving in the current direction.

ARIPPA Awards

At the end of August, Anne and I traveled to Harrisburg to formally accept the ARIPPA awards to distribute to the winning groups who are represented here today. Those funds will be distributed to the two organizations today. It is our understanding that ARIPPA may want to continue this worthwhile award program next year at a lower funding level. We're proud of our partnerships with industry and with ARIPPA and awards such as this help to affirm our community's commitment to working together to achieve common goals. Anne will speak more about this in her report.

Robindale Customer and Vendor Appreciation Golf Outing

WPCAMR is, once again, a beneficiary of the Robindale Charity Golf Outing, this year held on September 15th. This year, it's called the Customer and Vendor Appreciation Golf Outing and was a bit different in its format than in years past. Participants were encouraged to donate to one or both of the charities and then Robindale matched every single contribution. The funding we receive each year from the Robindale Golf Outing is vital to helping WPCAMR achieve its goals. Many, many thanks to Robindale Energy Services, a long-time WPCAMR partner and to the individuals and companies at the golf outing who were so generous. The grand total received by WPCAMR from the Robindale Golf Outing in September is \$13,280.00

WPCAMR/EPCAMR Joint Outreach Project

As part of our deliverables for our 319 grant, WPCAMR and EPCAMR are working together to create three videos and companion booklets on selected topics. For this past year's deliverable, the topic was "The formation of AMD". Thanks to Anne, we've gotten the project deliverable completed and it will soon be available on the web and on dvd. Anne will have more about this in her report.

Scott Roberts' Retirement

A long-time friend of WPCAMR and the abandoned mine reclamation community in Pennsylvania is retiring. We knew this was coming but were hesitant to believe it. It is my understanding that Jay Scott Roberts' last day at PA DEP is December 3rd. Scott has been a voice of reason on many issues that affected our community. He has encouraged watershed groups and conservation districts to continue playing their part in Pennsylvania's abandoned mine reclamation success story. I, for one, am hoping that Scott will continue to be involved in environmental issues while in retirement. His insight and wisdom is so valuable to all of us. Best wishes to Scott!