

WPCAMR Regional Coordinator's Report

Andy McAllister

May 11, 2017

LEGISLATIVE ROUNDUP

STATE

- **SB1374.** An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in environmental stewardship and watershed protection, further providing for legislative findings and for agencies and establishing duties for the Department of Community and Economic Development, the Pennsylvania Fish and Boat Commission, the Pennsylvania Game Commission and the Pennsylvania Historical and Museum Commission.

This legislation had bi-partisan support with seventeen co-sponsors at the time.

It was referred to The Senate Committee on ENVIRONMENTAL RESOURCES AND ENERGY, Sept. 28, 2016. It has died in committee.

FEDERAL

- **Omnibus Spending Bill**

The government passed another temporary measure to keep the government funded from the end of last month until September. As part of that spending bill, EPA is largely funded with only a small cut and it appears that our 319 funding is secure for now. The AML Pilot program is continued with this spending bill with \$25M going to Pennsylvania and two other Appalachian states with \$10M going to VA, OH, and Alabama. Another result of this most recent spending bill is the miner's health insurance issue (part of the miner's protection Act). While their health insurance issue has been addressed for a 10 year period, the pension issue hasn't been resolved yet.

- **RECLAIM Act version 2**

A re-released version of the original RECLAIM Act from the House of Representatives however, this new version has some differences that could mean less funding for PA. This bill was introduced 3/27/17, was referred to House Natural Resources (HNR) Committee and Transportation and Infrastructure Committee. HNR referred it to Subcommittee on Energy and Mineral Resources which had a hearing on the bill on 4/5/17. I watched testimony online in March at a hearing of the House Natural Resources Committee. Judging from the state personnel who testified (and some of the HNR members) it sounded like we may have a chance to attach reauthorization to

RECLAIM. The calculations for fund distributions of this version of RECLAIM could mean that PA would receive several million dollars less than the previous iteration of the RECLAIM Act from 2016. We hope to have DEP here to present the states' commentary on how the RECLAIM Act has differed from previous iterations. Now that this bill has gotten more support from Pennsylvania legislators, it may be time for WPCAMR to decide if it wishes to support this bill. There are two other bills associated with RECLAIM, both are Senate versions of the RECLAIM Act, one is sponsored by Manchin (D-WV), S738, the other by McConnell (R-KY) S728. Both Senate bills were read twice in the Senate and referred to the Committee on Energy and Natural Resources.

- **Miners Protection Act**

As stated previously, the Health coverage aspect of the Miners Protection Act has been addressed for a 10 year period (until 2027) through the Omnibus spending bill passed last month. However, the issue of the miners' pensions is still up in the air. It's possible that that issue will be addressed in September but, then again, it may experience temporary fixes and could be addressed on a permanent level if attached to a potential reauthorization bill.

- **SMCRA Fee Re-authorization**

We continue to work with the PA AML Campaign/TU/State/IMCC on re-authorization of the Title IV fees for SMCRA, participating in conference calls, etc. There still isn't much going on in DC that could accelerate reauthorization except for the newly re-released RECLAIM Act. There is a possibility that the RECLAIM Act may be a vehicle to try to get reauthorization passed, but I believe it to be a remote possibility since we haven't heard of any Representative interested in attaching re-authorization to RECLAIM. However, that said, one representative told us last year that he was interested in revisiting the reauthorization issue for 2017. We will be continuing our work on this.

- **Sequestration**

Still goes on with PA losing funding from its annual Title IV grant. Part of what the AML Campaign is looking for is an end to the sequestering of Title IV grant funds.

- **Federal Good Samaritan Protection**

We understand that the IMCC is working with TU and other states on a potential Federal Good Samaritan bill. We don't know much about it at this time but understand that it may be a point of discussion in the House Natural Resources Committee soon.

OTHER ITEMS

Quick Response

We continue to expend funds from QR7 and have requested and received an extension to expend those

funds through December of 2017. We applied for a Quick Response 8 through Growing Greener. The new grant, once approved next year, would continue the Quick Response program after the QR7 grant is finished. We aren't sure when the Growing Greener grants will be announced, presumably this summer.

2017 Statewide AMR Conference

Planning for the 2017 annual conference is continuing. This year's conference will be in Wilkes Barre. We will be doing more work with regard to the conference as this month progresses. Anne will provide a more in-depth update of the conference in her report.

PA Good Samaritan Protection

It has come to our attention that existing treatment systems may not be able to apply for PA Good Samaritan protection after initial construction. After looking into this, we visited Rep. Pam Snyder and explained our community's need for liability protection for OM&R work done on systems after construction. Rep. Snyder understood and said she is looking into the matter.

Administrative

I revised the plan for approaching Foundations for funding after presenting the initial draft at the February meeting. I sent it to our Finance Committee for their review and we will examine it today.

I am getting items ready for our annual review from Henninger Associates. Martha Henninger and I will be meeting on May 17th to go over review documents and start the formal review.

I've worked with our bank's insurance representative and got a quote for our D&O insurance.

Other Meetings

- Phone interview from the University of Penn's, Fels Institute of Government. The topic of the interview was Reauthorization and RECLAIM Act's potential effects on residents of Appalachia, March 2, 2017
- Federal Good Samaritan conference call, March 9th.
- PACD regional roundtable meeting, Greensburg, PA March 16th.
- American Society for Mining Engineering/ West Virginia AMD Task Force, Mogantown, WV, April 10th
- Meeting with Rep. Pam Snyder about State Good Sam protections, Waynesburg, PA April 12th.
- Environmental Justice listening session, PA DEP, Waynesburg, PA April 12th.
- Sustainability conference, Indiana, PA, April 21st.
- Conversation about Conservation, Somerset Daily American Bldg, Somerset, PA April 27th.

