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LEGISLATIVE ROUNDUP

STATE

State Senator Doug Mastriano (R-Adams) introduced **Senate Bill 524** this past Spring that aims to stabilize energy costs for Pennsylvanians. Among other things, the bill would require legislative approval for any new regulations affecting the natural gas and coal industries; exempt Pennsylvania from certain EPA regulations that would lead to the closure of coal-fired power plants; and immediately suspend the state's participation in the RGGI program. The bill has been referred to the Senate Environmental Resources and Energy Committee on March 26, 2025. It hasn't moved in nearly a year and is unlikely to move.

Senate Bill 1068 passed the Pennsylvania Senate in October by a 33-17 vote. Introduced by Senator Gene Yaw (R-Lycoming), the bill would repeal the regulation entering the state into the Regional Greenhouse Gas Initiative (RGGI). RGGI is a cap and trade program that requires power plants to purchase an allowance for each ton of carbon dioxide they emit, though the rule never went into effect as litigation continues to play out.

House Environmental Committee Chair Vitali (D-Delaware) is holding a hearing on impaired streams. That hearing will happen on either Feb 9th or 11th and we're unsure as of the preparation of this report.

FEDERAL

House Bills.

Earlier this year, the House passed a reconciliation bill to fund some federal agencies. Within that bill there was the proposed redirection of IJA funds to western states to help fight wildfires. The bill, HR6938, went on to the Senate and passed.

Senate Bills

The Senate passed HR6938 which redirected a portion of the IJA funding that was meant for AML. Pennsylvania will lose approximately \$169M from the remaining 11 years of IJA funding. OSMRE has given no indication on how they will redirect the funds to the western states but seems intent on doing it in a way that is the least problematic for the states. We mentioned to Sen. Fetterman's staff the importance of OSMRE working with the states and tribes on this. Proposal Narrows Scope of CWA Section 401 Water Quality Certifications In an effort to streamline permitting, the EPA issued a proposed rule this month to narrow the scope of the Clean Water Act (CWA) section 401 water quality certification process. Section 401 gives states and tribes authority to assess potential water quality impacts of discharges from federally permitted or licensed projects that may affect navigable waters within their borders. This latest proposal limits the state

review of projects to the project's potential to discharge pollutants into waters of the U.S. (WOTUS), opposed to the current scope established by the Biden administration in 2023 that allows states to consider the activity as a whole. The change would prevent states from blocking projects by citing objections that are outside the scope of the project's impacts from its discharges to a WOTUS. Comments on the proposal are due February 17, 2026. A public hearing on the matter will also be held January 28, 2026.

Mining Schools Act

The bipartisan and bicameral Mining Schools Act was reintroduced in the U.S. Senate this year by Senators John Barrasso (R-WY) and John Hickenlooper (D-CO) and in the U.S. House by Representatives Burgess Owens (R-UT) and Jim Costa (D-CA). It requires the DOE to establish a grant program to support domestic mining education and training programs. Under the program, DOE must award up to 10 technology grants each year to mining schools for recruitment efforts and education to help meet future energy and mineral needs. It was referred to the House committee on Natural Resources in March 2025 and has seen no movement yet. <https://www.hickenlooper.senate.gov/wp-content/uploads/2025/03/Mining-Schools-Act-of-2025.pdf>

Industry

ARIPPA opposed the redirection of IJJA funds in HR6938. We are grateful for the industry support in this matter. The ARIPPA awards open and will close April 15, 2026. See Anne for details.

AML Campaign Work

The AML Campaign continues to meet weekly with regard to understanding and potentially mitigating issues surrounding implementation of the Infrastructure funding . The Campaign communicated with the PA Delegation on the importance of the IJJA funding and was opposed to the redirection of a portion of those funds. Unfortunately, our (and other groups) efforts were unsuccessful in preventing the redirection. The Campaign now has set its sights on preventing any further redirection in the 2027 budget.

Also, as Chair of the Campaign, I wrote a letter submitting the Campaign members' comments to DEP for the Integrated Water Report regarding what needs to be done to improve stream impairment from AMD/AML.

OSMRE

Tom Shope will apparently be working in DC for the foreseeable future.

Lanny Erdos has been assigned the DOI assistant Secretary position as well as the directorship of OSMRE. We understand that Erdos is keen on getting the education part of OSMRE back up and running again and, in fact, the schedule for states training is set. We will request the AMD class for CDs and NGOs from OSMRE once again after a two year hiatus.

OSMRE has been in contact with the states to try to determine the best way to redirect the IJJA funds without causing too much disruption to the States.

EPA

In an effort to streamline permitting, the EPA issued a proposed rule last month to narrow the scope of the Clean Water Act (CWA) section 401 water quality certification process. Section 401 gives states and tribes authority to assess potential water quality impacts of discharges from federally permitted or licensed projects that may affect navigable waters within their borders. This latest proposal limits the state review of projects to the project's potential to discharge pollutants into waters of the U.S. (WOTUS), opposed to the current scope established by the Biden administration in 2023 that allows states to consider the activity as a whole. The change would prevent states from blocking projects by citing objections that are outside the scope of the project's impacts from its discharges to a WOTUS. Comments on the proposal are due February 17, 2026. A public hearing on the matter was held January 28, 2026.

OTHER ITEMS

Growing Greener Quick Response Program

We are getting toward the end of our funding to conduct urgent repairs to water quality BMPs, not just for AMD-related projects but other water quality BMPs under our Growing Greener-funded QR10 grant. I applied for a QR11 grant this spring round due in June. We have unofficial news that we have gotten that grant and are getting all of our documents for that grant contract completed.

2026 Statewide AMR Conference

The committee is planning the 2026 conference which may be in Grantville, PA or State College. Anne will have more information about our conference and the planning.

Administrative

I continued to perform the usual administrative duties and work with our Treasurer Kelly Williams on account reconciliations, check signing, etc. Kelly and I assembled the documents for our accountant to do a financial review for 2024 and to prepare our taxes for that year. That review and taxes were completed in late 2025.

Due to oversights from section 319 staff and us, we will be getting our 319 funding around Oct/November 2026 instead of July 1 2026 (when our current grant expires). I requested an amendment to our 319 contract this fall to bridge the gap between where our current grant ends (June 2026) and fall 2026 . However, in order to amend the current grant, we will have to go without reimbursements for about 3 or 4 months. Those funds will come to us but only once the extension approval process is completed. That timeframe will be approximately Feb 2026, March 2026, and April 2026. In order to pay for those months' salary and benefits, we will have to come up with some funding. I requested permission from the Board to apply to FPW for a working capital loan for our operations while we wait on our extension request to be approved. We received that working capital loan and just recently heard from DEP that EPA approved our extension request. Next, we have to figure the best time to officially ask DEP for an extension (that review could take up to 3 months). Once our extension is approved, we will get the backlogged reimbursements from DEP and use those to pay back the working capital grant from FPW.

I continue to look for additional grant funding to help pay for our general operational expenses. FPW has generously granted WPCAMR \$5,000 in general operating expenses in spring 2025 but we're not sure if they will grant again this spring.

Other Meetings

- PA annual AMR conference planning committee
- PA AML campaign
- Interview with Inside Climate News for an article on IJJA funding redirection.
- Interview with Farm and Ag newspaper on IJJA funding and AML funding in general
- Interview with Public News Service which provides stories to public radio and others
- Weekly AML Campaign phone calls ongoing as required.
- Various phone calls from watershed groups and/or others.
- Phone call with Sen. Fetterman's staff