

2025 Abandoned Mine Land and Abandoned Mine Drainage Grant Program GUIDANCE

The Pennsylvania Department of Environmental Protection's (DEP) Bureau of Abandoned Mine Reclamation (BAMR) is authorized through the United States Department of the Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE) to issue grants for the purpose of abandoned mine land (AML) reclamation and abandoned mine drainage (AMD) treatment or abatement. Depending upon the nature of the activities described in the grant application, funding from the passage of H.R. 3684 - Infrastructure Investment and Jobs Act (IIJA), Abandoned Mine Land Economic Revitalization (AMLER), or Title IV of the Surface Mining Control and Reclamation Act (SMCRA) may be applied to projects in accordance with Title 2 of the Code of Federal Regulations (CFR) Part 200 ([2 CFR 200](#)) for the administration, cost principles, and audit requirements of grants awarded through the AML/AMD Grant Program.

Application Rounds

The first application round will open on **March 3, 2025, and close at 11:59 p.m. on April 25, 2025.**

The second application round for 2025 will open on **September 2, 2025, and close at 11:59 p.m. on October 24, 2025.**

AML/AMD Grant Program Goals

The goals of the AML/AMD Grant Program include:

- Reclaiming serious human health and safety problems resulting from abandoned coal mines.
- Completing AMD abatement and treatment projects to assist in meeting watershed restoration goals where Hydrologic Unit Plans and Qualified Hydrologic Units have been established.
- Addressing the operation and maintenance needs and/or upgrades of existing AMD treatment systems, to avoid the loss of restored stream miles.
- Achieving significant, measurable water quality improvements for watershed restoration.
- Completing AMD projects with alternate or third-party funding available for the operation and maintenance of the facility.
- Completing AML or AMD projects located in or directly affecting environmental justice (EJ) areas. An EJ area is identified when 20 percent or more of the population live at or below the federal poverty line, and/or 30 percent or more of the population identify as a non-white minority, based on data from the U.S. Census Bureau and the federal guidelines for poverty. DEP's EJ areas viewer can be launched at <https://gis.dep.pa.gov/PennEnviroScreen/>. For questions regarding EJ, contact DEP's Office of Environmental Justice at RA-EPOEJ@pa.gov.

Initial Project Consultation Requirement

Coordination with BAMR is required prior to the submission of an application. Applicants must schedule an "Initial Project Consultation" with BAMR staff at least one month prior to an application round opening. Review the Grant Coordinator Contact Information for guidance on who to contact to schedule an "Initial Project Consultation". Applicants not meeting this requirement will be deemed ineligible.

Grant Coordinator Contact Information

The [territory map](#) indicates the counties within a particular coal district. The counties within the Ebensburg area are in the Bituminous District and the counties within the Wilkes-Barre area are in the Anthracite District.

Please contact the appropriate Grant Coordinator to schedule an “Initial Project Consultation” to begin the coordination process with BAMR:

Bituminous District
Grant Coordinator
Heather Agosta
814.472.1877
814.615.8661 (m)
hagosta@pa.gov

Anthracite District
Grant Coordinator
John Green
570.830.3134
570.406.6536 (m)
jodgree@pa.gov

Applicant Eligibility Requirements

Applicants must be one of the following types of organizations:

- county or municipality
- county conservation district
- council of government
- municipal authority
- other appropriate ***incorporated nonprofit organization*** including the following:
 - incorporated watershed association
 - entity whose mission is to further the protection, enhancement, conservation, or preservation of Pennsylvania’s environmental resources, including foundations, conservancies, environmental associations, and commissions.

Applicants must have met all contractual obligations from prior grants and demonstrated diligence and competency in the administration and use of DEP-disbursed, Commonwealth, or federal funds, including the timely submission of completed reports and reimbursement requests or be a new applicant.

All applicants must request and participate in an Initial Project Consultation at least one month prior to an application round opening to be considered an eligible applicant.

Applications submitted by ineligible applicants will not be considered.

Project Eligibility

Applicants are required to request an Initial Project Consultation at least one month prior to an application round opening for assistance in determining project eligibility. This Consultation may be scheduled by contacting the assigned Grant Coordinator for the affected coal district. Project sites must be determined eligible by BAMR, in both DEP’s and OSMRE’s AML inventory systems, and, in most cases, associated with a coal mine abandoned prior to August 3, 1977.

Projects shall focus primarily on reclamation of AML, abatement of AMD through reclamation, and/or treatment of AMD through the construction, operation, and/or maintenance of an AMD treatment facility. The reclamation of environmental and/or public health and safety problems unrelated to abandoned coal mines will not be considered.

Projects must directly achieve or develop and/or design a project to achieve, quantifiable reclamation and environmental improvements through accepted and proven practices and theories as determined by DEP. Projects not achieving quantifiable environmental improvement or are solely research and development will not be considered.

Project eligibility requirements addressed on the Grant Program application include:

- **Initial Project Consultation:** An “Initial Project Consultation” with Grant Program staff is required for eligibility. This consultation allows Grant Program staff and potential applicants to coordinate, determine applicant and project eligibility, project feasibility, and establish communication.
- **Project Narrative:** A detailed project narrative must be included with each application and include the details pertaining to the reclamation or enhancement of an AML site(s) posing a threat to the environment and/or public health and safety, as specified in SMCRA.
- **Mining Operation Participation and Profits:** The property owner is ineligible for funding if they participated in or profited from mining operations at the project site.
- **Outstanding or Continued Legal Responsibility:** Continued or outstanding legal responsibility under applicable AML or AMD law would deem a project ineligible.
- **Project Permitting and Clearances:** Obtaining the necessary permits (specifically Chapter 102/105) and the Pennsylvania Natural Diversity Index (PNDI) and State Historical and Preservation Office (SHPO) clearances is an eligibility requirement if applicable. There are instances a lack of permitting would be acceptable but this must be addressed with the Grant Coordinator.
- **AMD Treatment Projects:** The costs for treatment technology must be appropriate and cost effective over the life of the treatment system.
- **AMD Projects:** Water monitoring data and an AMDTreat report must be included in the application to support the claimed watershed improvement.
- **Costs:** A defined budget must be included in the application. Cost must be well defined and must be broken down to include hourly rates, etc.

Specific to indirect costs, the federal de minimis rate is 15% of the grantee’s direct cost unless the grantee has a Negotiated Indirect Cost Rate Agreement (NICRA). The grantee’s direct costs will primarily consist of salaries and fringe benefits. Indirect costs are not calculated based upon a percentage of the total grant amount.

- **Property Owner Consent:** A Consent for Right of Entry for all property owners affected by the study, design, construction, or operation and maintenance of AML reclamation or AMD treatment facility must be obtained before project work commences. Coordination with BAMR staff **is** required to determine and obtain the appropriate property owner consent.

A letter of project acknowledgement and support will be required from all property owners affected by the development of a project concept or solution involving entry on to private property for project monitoring purposes.

It is the applicant’s responsibility to verify property ownership and other potentially affected property rights. In cases of complicated real estate, BAMR real estate staff may be available to assist. For real estate questions, please contact BAMR’s Right of Way Administrator, Ruth Scotti, by e-mail at rscotti@pa.gov or by telephone at 570.830.3174.

AMLER Eligibility Requirements

For AMLER eligibility, please review the current *Guidance for Project Eligibility Under the AMLER Program* found at <https://www.osmre.gov/programs/reclaiming-abandoned-mine-lands/amler>.

IJA Eligibility Requirements

For IJA funding eligibility requirements, please review the *Guidance on the IJA AML Grant Implementation* found at <https://www.osmre.gov/ija>.

Vetting and Authorization to Proceed

Projects with an economic revitalization component will require vetting issued by OSMRE as a requirement of the AMLER Program.

An Authorization to Proceed (ATP) is required for all projects with a construction aspect. The ATP is issued by OSMRE, in accordance with the National Environmental Policy Act (NEPA) and must be obtained before reclamation (construction) work commences.

AML/AMD Grants Funding

A total of at least \$150 million is available under the 2025 AML/AMD Grant Program, with at least \$75 million available to award in each of the two grant program rounds. It is estimated that the amounts, outlined in the following table, will be the minimum amounts available for each project category in each program round:

2025 AML/AMD Grant Program	<u>Round 1</u> 3/3/2025–4/25/2025	<u>Round 2</u> 9/2/2025– 10/24/2025
AML Reclamation Projects	\$25 million	\$25 million
AMD Operation & Maintenance Projects (or replacement of existing AMD facility)	\$15 million	\$15 million
New AMD Treatment Facility Projects	\$25 million	\$25 million
AMLER-Related Projects*	\$10 million	\$10 million

**AMLER funding is contingent on the continuation of the AMLER Program in the federal budget*

Eligible projects may receive funding from multiple fund types if the project contains both AML reclamation and AMD components. AMLER funding is available for both AML reclamation and AMD projects, if AMLER project eligibility requirements have been met.

The scoring system will allow for statewide ranking of all eligible AML/AMD Grant Program applications for each round. Applications deemed eligible by BAMR will be awarded grants based upon their corresponding application scores.

Requirements of Federal Award Subrecipients

Applicants awarded funding under the federal AML Program must adhere to all state and federal guidelines. Upon award, applicants must enter into an agreement with DEP as a subrecipient (grantee) of a subaward (grant) as defined in 2 CFR 200.1 and adhere to all [post federal award](#), [procurement](#), [performance and financial monitoring and reporting](#), [audit](#), and other requirements as outlined in [2 CFR 200](#).

Provisions the Grant Program

Per state and federal regulations, payments to grantees shall be made on a reimbursable basis only. Match funding is not required.

The period of performance for each grant agreement will be determined by BAMR and will not exceed three years.

The [Davis Bacon Act](#) and [Build America, Buy America \(BABA\)](#) apply to all awards under the AML/AMD Grant Program.

Applying for coverage under Pennsylvania's [Environmental Good Samaritan Act](#) for appropriate projects is encouraged.

Once an application is submitted, coordination with BAMR personnel, specific to the submitted application, will not be permitted until after the application is scored and the grant awards are announced.

Project Permitting

BAMR is unable to review, issue, or enforce permits issued under 25 Pa. Code Chapters 102, 105, and/or 106 related to projects that will be funded through a grant agreement. Any questions related to permitting requirements for potential or selected AML/AMD Grant Program project applications should be directed to the appropriate [county conservation district](#) or [DEP regional office](#).

AMD Project Priorities

Priority will be given to the following types of AMD projects:

- Projects improving water quality through reclamation and/or AMD source abatement not dependent on a treatment system and does not result in unmanaged stream improvements. The selection of managed stream improvement and restoration projects depending on a treatment system will be prioritized based upon DEP's 2016 [AMD Set-Aside Program Implementation Guidelines](#).
- Projects providing measurable benefits, utilizing appropriate treatment technology selection, and assuring long-term (approximately 25 years) operation and maintenance of the treatment facility will be prioritized.
- Projects demonstrating long-term operation and maintenance funding has been secured. The applicant must include a disclosure of the amount of third-party operation and maintenance funding and the modeling used to support the funding claim with their application.

An AMDTreat program report or properly performed loading analysis demonstrating the watershed improvement must be included for all AMD projects. At least one year of water monitoring must be included with the analysis.

Proposed passive treatment systems treating net acidic discharges that fall under the "high risk" category in *Table 1 - Risk Analysis Matrix for Category (4) Passive Treatment Systems* must provide a description assuring long-term operation and maintenance. Applications for "high risk" passive treatment systems are acceptable if a schedule, reasonable assurance of monitoring and maintenance, and party responsible for continued operation and maintenance costs are identified.

Table 1 – Risk Analysis Matrix for Category 4 Passive Treatment Systems

Risk Analysis Matrix				
Summation of Fe and Al Concentration	Design Flow Rate for each treatment cell			
	< 25 gpm	> 25 < 50 gpm	> 50 < 100 gpm	> 100 < 200 gpm
< 5 mg/L	Low	Low	Low	Low
> 5 but < 15 mg/L	Low	Medium	Medium	Medium
> 15 < 25 mg/L	Low	Medium	Medium	Medium
> 25 < 50 mg/L	Medium	Medium	Medium	High
> 50 mg/L	High*	High*	High	High
Summation of Fe and Al Concentration	Design Flow Rate for each treatment cell			
	> 200 < 400 gpm	> 400 < 800 gpm	> 800 < 1600 gpm	> 1600 gpm
< 5 mg/L	Medium	Medium	Medium	High
> 5 but < 15 mg/L	Medium	High	High	High
> 15 < 25 mg/L	High	High	High	High
> 25 < 50 mg/L	High	High	High	High
> 50 mg/L	High	High	High	High

* Systems in consideration for discharges in these two categories will drop to “Medium” risk if the following conditions are met:

- A thorough analysis of the proposed system determines that the design addresses plugging and short-circuiting concerns
- An O&M plan is developed that details added attention to O&M (including identification of personnel who will provide O&M, and identification of responsibilities) to address plugging and short-circuiting concerns and sludge management
- Total treatment system costs are <\$400,000 OR the Applicant indicates in writing that they will purchase a performance bond for an amount at least equal to the Engineer’s cost estimate for construction and will maintain said bond for a period of no less than five (5) years from the date the system is placed into service.. The level of performance guaranteed by the bond will be the design standard, which is what will be rated/considered during the evaluation.

Applications noting an inappropriate AMD treatment technology, a treatment technology determined most likely to be unsuccessful based upon DEP expertise and experience, will not be considered.

How to Apply

The application document and attachments must be completed and uploaded into the Commonwealth’s electronic [Single Application for Assistance \(ESA\)](#) system by the application deadline for each round.

For assistance with the electronic application system please contact the Pennsylvania Department of Community and Economic Development’s Customer Service Center by email at ra-dcedcs@pa.gov or by phone at 1.800.379.7448.

An example of the AML/AMD Program application is attached in the appendix.

Commonwealth Workforce Transformation Fund

Awards under this solicitation may be funded by the IIJA of 2021 and/or the Inflation Reduction Act (IRA) of 2022. Should you receive funding through this Grant Program, your organization may be eligible for additional funding from the Commonwealth Workforce Transformation Fund (CWTF). For more information, visit www.pa.gov/newjobs or email newjobs@pa.gov.