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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

# Bureau of Mining Programs Update

July 20, 2017

Tom Wolf, Governor

Patrick McDonnell, Secretary

## Non Regulatory Agenda

- Processing Completion Reports
- Bonding-Direct submittal of Bonds
- Surface Water Protection-Underground Bituminous Coal Mining Operations
- Blaster's License Suspension
- Pre-applications
- Engineering Manual
- Civil Penalties



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# NPDES

# NPDES Permitting Update

- As of June 30, 764 Draft Permits have been sent to EPA
- EPA has commented or objected on 385
- Issues
  - Checklist
  - Remining/TMDLs
  - Sufficiently Sensitive Methods
  - Monthly Calls
  - WETT

# NPDES Permitting Statistics

	Issued	Could be Issued	Pending
Comments	364	15	6
No Comments (117 No Comment Letters)	344	33	2 (Awaiting 30 Days)



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# Historical Applications

# ▶ Historical Application Progress (Coal)

- As of June 30
  - 1559 of 1629 have been disposed
  - 70 (4.3%) remaining for action
    - 33 Renewals
    - 0 Annual Bond Reviews

7 Pottsville/63 California

0 Cambria/0 Greensburg/0 Moshannon/0 Knox



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# TRUSTS



# Trust Agreement/bond Status

	Dec 2015	Feb 2017	June 2017
Total Agreements (165)	132	139	139
Bonds	75	76	75
Fully Funded Trusts	44	46	47
Partially Funded Trusts	11 + 2 ABS	14 + 3 ABS	14 + 3 ABS

# Financial Summary

	Dec 2015	Feb 2017	June 2017
Bonds	\$226.2 M	\$ 230 M	\$ 235.2M
Fully Funded Trusts	\$72.9 M (\$82.6 M)	\$ 92.3 M (\$92.4 M)	\$97.8 M (\$ 92.9 M)
Partially Funded Trusts	\$62.2 M (\$124 M)	\$87.3 M (\$139.1 M)	\$ 94.3 M (\$139.1 M)



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# LRFGs

# Land Reclamation Financial Guarantees

	Count (last report)	Average Amount
LRFG Operators	120 (120)	\$363,034 K (\$3.8 M Max)
LRFG Permits	211 (205)	\$206,465 K (\$2.1 M Max)
	Feb 2017	June 2017
Total Underwritten	\$40.9 M	\$43.6 M



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# Reclamation Fee Accounts

# Rec Fee Account Revenue-2nd Qtr 2017

Month	Coal Civil Penalties	Interest
April	\$7,508.75	\$2,818.52
May	\$13,766.00	\$2,846.26
June	\$4,233.50	\$3,979.49
FY Total	\$2,469,993.25 (\$2,346,493.59)	\$28,693.11

# Other Revenue-2nd Qtr 2017

Month	LRFG Premiums	LRFG Interest
April	\$30,535.64	\$10,359.66
May	\$11,276.49	\$10,591.61
June	\$114,800.39	\$12,007.06
FY Total	\$667,134.67	\$106,017.10

# Other Revenue Transactions

- LRFG Interest  
\$42,325.40 Transferred (August 2016)
- FY 2015-2016 Civil Penalties transferred  
\$177,991.52 (August 2016)
- Appropriation  
\$500,000 credited to the Rec Fee O & M  
Trust Account (November 2016)



# Reclamation Fee-Other Revenue

## Reclamation Fee

2016 Total	\$60,999.67
January 2017	\$3,912.00
February 2017	\$12,640.00
April 2017	\$2,700.00

# ▶ Reclamation Fee Account Status

FY end Balance (June 30)	\$3,654,770.76
16-17 FY Expenditures	\$483,642.01
Proj. Expenditures (FY 17-18)	\$827,486.00

# ▶ Reclamation Fee Account Options

86.187 (a)(1)(i)

If the amount of penalty moneys collected exceeds \$500,000 during a fiscal year, DEP may deposit the amount collected in excess of \$500,000 into the fund and use the excess amount in accordance with paragraph (3).

- Paragraph (3) refers to other money in the SMCRA Fund

# ▶ Reclamation Fee Account Options

86.187 (a)(2)(i)

DEP may, upon review and recommendation of the MRAB, transfer excess moneys from the Rec Fee O&M Account into the ABS Legacy Account.

# ▶ Reclamation Fee Account Options

- Transfer \$500,000 from Civil Penalties
- Transfer additional amount as needed



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# Regulatory Update

# ▶ Regulatory Update

- Regulatory Agenda
  - Chapter 210/211-Routed for Final EQB
  - OSM Program Consistency
  - Water Supply Replacement (87 and 88)



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# Application Fee Revenue



# ▶ SMCRA Coal Fees Revenue

FY 12-13	\$54,417.00
FY 13-14	\$166,110.00
FY 14-15	\$100,962.43
FY 15-16	\$171,235.24
FY 16-17	\$114,200.00

# CWF Mining Fee Revenue

FY 12-13	\$247,800.00
FY 13-14	\$523,296.00
FY 14-15	\$474,729.00
FY 15-16	\$646,950.00
FY 16-17	\$342,805.00



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## **717-787-5103**