

**MINUTES**  
**MINING AND RECLAMATION ADVISORY BOARD (MRAB)**  
**April 25, 2024**

**VOTING MEMBERS OR ALTERNATES PRESENT:**

David Osikowicz (Original Fuels, Inc – Member)  
Jack Chamberlin (Chamberlin Surveying and Consulting – Member)  
John St. Clair (Citizens Advisory Council (CAC) – Member)  
Cynthia Carrow (Western PA Conservancy (WPC)/CAC – Member)  
Robert Burns (Burns Coal Company, Inc.– Member)  
Ian Irvin (Executive Director CAC – Alternate)  
Rachel Gleason (PA Coal Alliance (PCA) – Alternate)  
Kenneth King (State Industries, Inc. – Alternate)  
Glendon King (PA House – Alternate)

**OTHER ATTENDEES**

Joseph Sassaman (DEP – Bureau of Abandoned Mine Reclamation (BAMR))  
John Stefanko (DEP -- Active and Abandoned Mine Operations (AAMO))  
Nate Houtz (DEP – Mining Programs)  
Sharon Hill (DEP – Mining Programs)  
Gregory Greenfield (DEP – Mining Programs)  
Laura Mensch (DEP – Mining Programs)  
Gregory Shuler (DEP – Mining Programs)  
Daniel E. Snowden, D.Ed. (DEP - Mining Programs/Board Liaison)  
Kevin Bogdan (DEP – BAMR)  
Sage Saum (DEP – Mining Programs)  
Rachel Colyer (DEP – Mining Programs)  
Emily Fisher (DEP – Mining Programs)  
Amy Berrios (DEP – AAMO)  
Randy Shustak (DEP – Bureau of District Mining Operations (BDMO))  
Maximilian Schultz (DEP – Policy Office)  
Richard Marcil (DEP – Legal)  
Christopher Solloway (DEP – Bureau of Waste Management (BWM))  
Henry Zielinski (Northampton Generating Co., LP – Guest)

**MEETING CALLED TO ORDER/INTRODUCTIONS**

The meeting was called to order at approximately 10:00 a.m. by David Osikowicz. The Board members and alternates present in the meeting room were identified by roll call to determine a quorum, facilitated by Daniel E. Snowden. Other attendees introduced themselves, and Dr. Snowden introduced attendees joined via Teams.

## **APPROVAL OF MINUTES**

The minutes from the January 4, 2024 meeting were approved unanimously, without objection or comment.

## **CORRESPONDENCE**

Dr. Snowden reported that the paperwork for the reappointments of Bobby Burns and Mark Snyder and, the new appointment for Hank Zielinski to the Board, was in the process of being approved.

## **COMMITTEE REPORTS**

There were no Committee Reports presented at this meeting.

## **DELIVERABLES**

No deliverables were reported for this meeting.

## **PRESENTATIONS**

### **Coal Mining Program Updates**

Gregory Greenfield and Sharon Hill updated the Board on the customary status reports involving financial summaries, revenues, permitting and technical items, as reflected on the report provided for the Board Meeting.

- Post-Mining Discharge Operations and Maintenance (O&M) Bonds.
- Trust Agreements were reviewed; Mr. Greenfield noted the differences between January and April, which are due to cleaning up eFACTS using better data, as well as the interest doing better than the previous two years.
- Land Reclamation Financial Guarantees (LRFG) – report showing operators and permits at \$1 million maximum; a 1:1 bond ratio; and a column showing total underwritten permits.
- Reclamation Fee Operation and Maintenance (O&M) Account - Mr. Greenfield noted that the reason for the revenue line showing zero interest in December 2023 is due to it hitting account in January; the same for the LRFG account.
- Actual Expenditures this year has been low so far, but are expected to increase, probably close to \$400,000 by the end of the fiscal year. Next year, numbers are expected to increase due the O&M contracts being renewed.

- Mr. Greenfield noted the chart in the report, provided in response to requests from previous meetings, illustrated how Alternative Bond System (ABS) sites get funded and what monies are available.
- Clean Water Fund (CWF) and the PA Surface Mining Conservation and Reclamation Act (PA SMCRA) Fund revenues were also reviewed.
- John Stefanko mentioned that the Title V funding, which funds the regulatory coal mine program and is distributed to all of the States, has been decreased by another \$2 million over the last couple years by the Federal Government. Mr. Stefanko stated that he was going to Washington, DC on May 23, 2024 as the delegate for the Interstate Mining Compact Commission (IMCC) on behalf of Governor Shapiro, to discuss increasing this Title V funding for next year's budget. The main concerns are the personnel and lab cost increases, which the mining program will be encountering continuously. Mr. Stefanko also explained how the matching funds worked and how the Federal government cut Pennsylvania's Title V budget.
- Permit applications were reviewed by Ms. Hill, who shared the in/out and in-process tables, as detailed in the database. A question was asked if there was a way to show the issuance rate between applications that are in payback, and those that aren't. Ms. Hill stated she would look into this to see what she can deliver for the next meeting.
- E-permitting – no updates on E-permitting, no information on new platforms.
- Mr. Stefanko noted the delay is due to the DEP's modernization of its IT process, and though a new platform has not been selected, they are close, possibly within the next couple months. He did caution that this will be a multi-year process.
- Forms and Other Processes – Coal Permit Applications are being updated to match the bituminous E-permitting application, in anticipation of a move towards an all-digital format. The Permit Transfer Application is being updated and, a Permit Revisions Application is also being created. Ms. Hill also reported that public upload is going well.
- Ms. Hill also reminds everyone to check the BMP Program Updates page regularly for new or changed information.

### **Presentation: Importing Material to Mine Sites**

Ms. Hill shared a presentation about the mining regulations governing mine sites and imported waste material, which must be authorized under the mining permit. The activities must be reflected in the operation and reclamation plans and maps; if they are not, then the permits may require minor or major revision. Associated permit conditions may be attached regarding the monitoring and reporting and extra bond may be required for removal of substantial volumes. Technical Guidance Documents (TGDs) exist for approved waste material on mine site, approving reclamation fill and beneficial use of coal ash that are pertinent to importing waste to a mine site. Ms. Hill also shared that this information is not new, but a reminder that the material imported to mine sites must be suitable for beneficial use.

## Updates from BAMR

Joseph Sassaman provided the Board with the customary BAMR status report on its completed, active, and future projects.

### Funding Status:

- Projects Completed: In 2023, there were 112 projects completed, reclaiming 341 acres, at a cost of \$26.8 million; to date in 2024, there were 15 projects completed, reclaiming 3 acres, at a cost of \$627,000.
- Future completions: There are 27 projects to reclaim 787 acres, at a cost of \$97.8 million – all projects that are currently in construction. There are also 100 projects currently in the design stage to reclaim 4252k acres, at a cost of approximately \$365 million.
- Status of Bipartisan Infrastructure Law (BIL) Monies: In 2022, BAMR received \$244.9 million; this allowed BAMR to apply for the Stream Act and get \$73.4 million to put in a set-aside account to use for long-term acid mine drainage (AMD) treatment, mine subsidence and mine fires. In 2023, BAMR received \$244.7M for the BIL grant and applied the Stream Act set-aside protocol (i.e., \$73.4 million for long-term AMD treatment, mine subsidence, mine fires) to those funds as well.
- Emergency projects: Three contracts nearing \$450,000; there are 3 non-emergency contracts currently advertised, totaling nearly \$2 million, combined funding sources for AML/AMD grant program, also known as our subaward program.
- Abandoned Mine Lands (AML)/AMD Subaward Program: 2022 had 16 subawards at a total of \$8M. In 2023 we had 3 rounds open for grant applications: Round 1, we recommended for 6 subawards at \$38.7 million; round 2 recommended 16 subawards for a total of \$101 million; and the 3<sup>rd</sup> and final round has 22 applications, still under review, but announcement anticipated next week for those. There will also be 3 rounds for the AML/AMD grant program; round 1 opened in February 2024 and just closed April 5, 2024 – for round 1, there are 10 applications under review; round 2 will open June 3, 2024 and close July 19, 2024; the 3<sup>rd</sup> and final round will open September 23, 2024 and close November 8, 2024.
- DES-22 Request for Proposals (RFP): There are now 20 executed agreements, for \$3.8 million.
- Staffing To date, BAMR has filled 48 of 71 vacant positions.

## Updates from the District Mining Offices

Randy Shustack gave the following updates for the DMOs:

- Dan Husted is the new Permits Tech Chief at the Moshannon District Office. He came over from the Air Quality program. Greg Aaron, the Program Manager at Knox, has assisted with his training.
- Roger Bowman at the Knox District Office had retired, so interviews were held for the new Tech Chief position. A selection and offer were made for this position, and now, a response is awaited.
- There is a new position within the Bureau of District Mining Offices called the Treatment Trust Manager. This new position will supervise the 5 Watershed Managers, so as to bring consistency to how treatment trusts are handled (whether operator or state-controlled) and, to look at the ABS sites. Wendy Noe, a licensed PG, accepted the position and will be working out of the California Office.
- There are still other vacancies we are working toward filling as well.

### **NEW BUSINESS**

There was no new business to discuss.

### **ADJOURNMENT**

The Board adjourned its meeting at approximately 10:49 a.m.

### **NEXT MEETING**

The Board will meet again at 10:00 a.m. on Thursday, July 25, 2024, in Conference Room 105 of the Rachel Carson State Office Building in Harrisburg.