

MINUTES
MINING AND RECLAMATION ADVISORY BOARD (MRAB)
January 22, 2026

VOTING MEMBERS OR ALTERNATES PRESENT:

David Osikowicz (Original Fuels, Inc – Member)
Robert Burns (Burns Coal Co., Inc. – Member)
Jack Chamberlin (Chamberlin Surveying & Consulting – Member)
John St. Clair (Rosebud Mining Co./Citizens Advisory Council (CAC) – Member)
Robert Hughes (Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR) – Member)
Henry Zielinski (Northampton Generating Co./Panther Creek Power Operating Co.– Member)
Rep. James Haddock (PA House of Representatives – Member)
Rachel Gleason (PA Coal Alliance (PCA) – Alternate)
Kenneth King (State Industries, Inc. – Alternate)
Glendon King (PA House of Representatives – Alternate)
Emily Eyster (PA Senate – Alternate)
Jacob Gery (PA Senate – Alternate)
Ian Irvin (Executive Director CAC – Alternate)

OTHER ATTENDEES

Nathan Houtz (DEP – Active and Abandoned Mine Operations (AAMO))
Joseph Sassaman (DEP – Bureau of Abandoned Mine Reclamation (BAMR))
Patrick Webb (DEP – BAMR)
Gregory Greenfield (DEP – Mining Programs)
Sharon Hill (DEP – Mining Programs)
Laura Mensch (DEP – Mining Programs)
Daniel E. Snowden, D.Ed. (DEP – Mining Programs/Board Liaison)
Rachel Colyer (DEP – Mining Programs)
Bradley Rhodes (DEP – Mining Programs)
Christopher Stewart (DEP – Mining Programs)
Alexandra Eberly (DEP – Mining Programs)
Marissa Kovach (DEP – Mining Programs)
Amy Berrios (DEP – AAMO)
Jennifer McLuckie (DEP – AAMO)
Randy Shustack (DEP – Bureau of District Mining Operations (BDMO))
David E. Hess (PA Environmental News, LLC – Guest)
Laura Griffin (DEP – Policy Office)
Jack Palumbo (DEP – Policy Office)
Richard Marcil (DEP – Regulatory Council)
Jeffery I civic (PA Senate – Guest)
Trent Machamer (PA Senate – Guest)
Erik Ross (PA Utility Contractors’ Association – Guest)

MEETING CALLED TO ORDER/INTRODUCTIONS

The hybrid meeting was called to order at approximately 10:06 a.m. by Chair David Osikowicz. The members and alternates present at this meeting, with attendees both in person and virtually, were accounted for by roll call from Daniel E. Snowden to determine that there was a quorum established.

APPROVAL OF MINUTES

The minutes from the October 23, 2025 meeting were approved by the Board unanimously, without objection or comment.

CORRESPONDENCE

It was reported that the Board Chair, David Osikowicz, as well as his alternate, Rachel Gleason, had been reappointed to the MRAB for another set of two-year terms.

PUBLIC COMMENT

There were no requests to make any public comment.

COMMITTEE REPORTS

Rachel Gleason, reporting for Duane Fegley, stated that there was a Bond Rate Guidelines meeting with the Reclamation Committee the previous week, and per today's agenda, she is reporting on that for this meeting. In summary, the Federal Office of Surface Mining (OSM) and BAMR contracts were reviewed, and the committee is in agreement with the Department's assessment of the bond rate guidelines. Ms. Gleason indicated that there had been questions regarding how the District Mining Offices (DMOs) apply the rates for revegetation, but overall, the meeting went well.

DELIVERABLES

Gregory Greenfield reported that the question about the application of bond rates for revegetation from last week's Reclamation Committee meeting were being reviewed by the Department; they will be discussed internally, along with follow-up conversations; an update on how the bond rates are applied will be provided at a future MRAB meeting.

PRESENTATIONS

Coal Mining Program Updates

Laura Mensch and Sharon Hill provided the Board with customary status reports involving financial summaries, revenues, permitting and technical items:

- Post-Mining Discharge Operation and Maintenance (O&M) Bonds: Ms. Mensch indicated that there had been a decrease in the total bond number and amount since the October 23, 2025 meeting, primarily due to bonds being released from Consol as they continue to fund their global trust. This has been the trend over the last few quarters and will continue.

- Trust Agreements: Ms. Mensch then moved to the second table of the handout, showing the increase in trust amounts, both fully and partially funded, which reflects the increase in funding. She also noted that there is one less trust since Reading Anthracite Treatment Trust was terminated in October 2025.
- Land Reclamation Financial Guarantees (LRFG): Again, there was not much change from the last quarter. Ms. Mensch did wish to note that the five operators at the \$3 million limit are Blashak, Farragut Anthracite, Hazleton Shaft, Junior Coal and RES.
- Reclamation Fee Operation and Maintenance (O&M) Account: The numbers for these tables are the LRFG premiums and interest for the last three months. Additionally, the numbers that are provided are from January 1 through December 31, 2025. There was also a table that showed the O&M costs from the Rec Fee and O&M account for the Alternative Bond System (ABS) sites, the year-to-date balance with actual expenditures; Ms. Mensch noted the top two rows will stay static until they are updated at the end of the fiscal year and also noted the funding diagram number seven was for the ABS account. She indicated table eight showed the revenue from the coal application fees year-to-date at the bottom.
- Clean Water Fund (CWF) and the PA Surface Mining Conservation and Reclamation Act (PA SMCRA) Fund: The year-to-date revenues were reviewed by Ms. Mensch; these include non-coal, covering the National Pollutant Discharge Elimination System (NPDES) Chapter 105 and wetlands encroachment fees.
- Permit application numbers: Sharon Hill shared the in/out and, in-process tables, showing each of the offices. She noted that the GP104 renewals will increase the number of applications that Pottsville DMO processes, by far the largest number of all the DMOs that handle those renewals, with seventy-seven of these currently in process.
- GP104 renewals: Ms. Hill indicated that the numbers seem to be a little behind currently for what should be coming in; she stated that she has been fielding all of the questions which were coming to the resource email account, The renewals will continue to arrive in the next two months.
- Water Supply Replacement Technical Guidance Documents (TGDs): Ms. Hill indicated these TGDs are still in process, with no changes. She stated that she hoped to have further information at the next meeting of the Board to discuss.
- Noncoal Civil Penalty Assessment TGD: Ms. Hill indicated this TGDs is moving through the process.
- Chapter 105 Program on Streams and Wetlands Coordination: Ms. Hill stated that previously, there were mining-specific general permits for minor and temporary stream crossings, which were very lightly used. Going forward, there will be a transition to using the Water Program's forms for those types of General Permits. She indicated that the DMOs advised that they were already doing this, so there will be little noticeable change and that approvals will continue to be handled entirely by the DMO.
- GP12, the General Program for Air Quality for Fugitive Dust Sources and Diesel-Fired Internal Combustion Engines at Coal and Coal Refuse Preparation Plants: Ms. Hill said that though it was not on the agenda, she wished to address this topic, because it may affect some members. Effective November 12, 2025, the budget negotiations changed the timelines to issue GP12s to a 30-calendar day approval/denial period from the time the application/renewal is submitted, and there are no extension options. Technical deficiencies must be addressed by the Department and/or application deficiencies must be addressed by the applicant before the 30th day when a decision must be made to approve or deny the permit registration. Ms. Hill stated that this new shortened timeline should not be an issue

for a renewal with no changes, but could affect a new registration associated with a new coal mining activity permit. She is working with the affected DMOs to see how they can best handle these expeditiously in those instances, and be able to stay within the timeline. There was mention of the possibility of a potential pre-application that would be built into the permit process, and the Board had a short discussion of the types of mines, prep plants and refuse piles with GP12s, timelines for renewals, and Surface Mining Permit (SMP) and NPDES Permit authorizations for further clarification of how this fit into the timeline.

- Permit Application Modernization Plan: Ms. Hill directed the Board to the short handout about the work that is being done to enable a truly modular permit application. This is being undertaken to help with consistency across all application types, standardization and consolidation of information, and reduce duplication or redundancy. The first phase will be for the bituminous surface mining permit: this was chosen due to its presence on Greenport for ePermitting. The ePermit version did not match the paper version, so this is being corrected for consistency between the two. Once the paper version is in a form that is satisfactory, Ms. Hill indicated that it will be presented to the Board for feedback. After that is launched, the same process will occur for anthracite and large noncoal. The bituminous underground/CRD and prep plant application will be saved for last due to the complicated permit application. This process will help with the transition to digital submittal of applications. The Board did have some questions about the process, which Ms. Hill either answered, or noted that further discussion would occur when the draft was available and when modernization of the permitting platform moves ahead.
- 2026 Draft Bond Rate Guidelines: The Board had questions regarding the Bond Rate Guidelines that were discussed at the Reclamation Committee Meeting the previous week, and those questions will be addressed as deliverables during the next Committee meeting. Ms. Mensch noted that twenty total projects were used to make the estimates; these rates will be published in PA Bulletin and are effective April 1, 2026.

Updates from BAMR

The BAMR status report was presented by Assistant Director Joe Sassaman. He indicated that the information today will be an expanded report, noting that the various grants and how they play into the funding will be discussed more in-depth as they relate to the chart he presents. In addition, the “repurposing” topic will be addressed in greater detail for the Board, to answer questions which had recently been raised about it.

Mr. Sassaman began by explaining the various areas and designations on the chart’s organization, as well as the fundamentals of the award processes to the Board and meeting attendees:

- The chart represents the grant year for a specific award amount, which comes from the Federal government Department of the Interior (DOI) through Notice of Funding Opportunity (NOFO); the Abandoned Mine Lands (AML) Program must apply for the funding through application, and if approved, a Notice of Award (NOA) is given.
- As projects are completed, the money is reimbursed to the Program, and this is handled by the Comptroller; the money is not given as a lump sum to sit in any accounts for the Program.
- The columns on the chart show the commitments (contract or subaward in place), expenditures (dollars of grant already spent), percent utilized, percent assigned (planned

projects, i.e., looking ahead), as well as the grant period of performance and date commitments (e.g., IIA is a five-year time period each year, so before the latest grant (2025) 87% has been assigned, 72% utilized; to wit: on January 16, 2026, the 2025 Infrastructure Investment and Jobs Act (IIJA) grant notice of award was received, so is not reflected on today's chart, but it brings the total to 41 IJA grants for a total of \$979.5 million, and already have a project assigned to the 2025, a new emergency project).

- There is a process in place to de-obligate unassigned funds from one grant year can be re-obligated to the next/future grant year for IIA, AML and Abandoned Mine Land Economic Revitalization (AMLER) funds as well, or request extensions; each year there are awards, the Program has 5 years to utilize the monies awarded in a specific year, but the Program does its best with maximizing the monies which are awarded.
- Frequently, misunderstandings about how the award process works, regarding assignments or commitments and expenditures, causes confusion about the amounts awarded, or how quickly the monies are made available, which is why this in-depth explanation with examples of specific projects and discussion from other staff in the meeting was important to cover at this meeting.
- Regarding the “repurposing” topic, Mr. Sassaman pointed out an additional decrease in funding from the Federal Senate Appropriations bill that has been proposed, now at only \$500 million nationally, a 6.3% loss from previous years; at this time, it has not been implemented and the best estimates are that this would mean a loss of \$169 million over eleven years for PA, or approximately \$15.3 million per year (e.g., context: \$169 million could be two large abandoned mine drainage treatment systems). He indicated that this may change project sizes and scope, which means reclamation totals may be lower, but the top priorities will not change.
- Mr. Sassaman wanted to emphasize that the Program priorities are dictated by statute: health and safety hazards will always be the top priority, emergencies being the very top priority even in the federal inventory; maintenance of treatment plants already in place, so not to lose stream miles and priority watersheds or discharges already restored, fall in line of priority behind the emergencies. Currently, there are 12 active treatment facilities operated and maintained in the Commonwealth; there are another ten in planning, and the hopes are that restoration and reclamation can continue.

Updates from the Bureau District Mining Operations (BDMO)

Randy Shustack reported that, per Sharon Hill's report to the Board earlier, the DMOs were in the midst of the GP104 and GP12 renewals.

Mr. Shustack indicated the Pottsville office received the majority of the GP104 renewals; he will be meeting with the staff there to see if any renewals need to be assigned to any other DMOs, in order to keep on top of those. After that, they will be refocusing on the GP12s. The intent is to keep the processing of these moving along and utilize the resources at hand to the best of their abilities to stay ahead of any backlogs.

NEW BUSINESS

The Board Chair made a motion to approve the MRAB Annual Report for the July 2024-June 2025 period; the motion carried unanimously with no opposition.

Additionally, for informational purposes, the 2027 MRAB Meetings will be

- January 21, 2027
- April 22
- July 22
- October 21

ADJOURNMENT

The Board adjourned its meeting at approximately 11:09 a.m.

NEXT MEETING

The Board will meet again at 10:00 a.m. on Thursday, April 23, 2026, in Conference Room 105 of the Rachel Carson State Office Building in Harrisburg and via Microsoft Teams.