

MINUTES
MINING AND RECLAMATION ADVISORY BOARD (MRAB)
July 23, 2026

VOTING MEMBERS OR ALTERNATES PRESENT:

David Osikowicz (Original Fuels, Inc – Member)
Robert Barkanic (The Barkanic Group, LLC – Member)
Jack Chamberlin (Chamberlin Surveying & Consulting – Member)
John St. Clair (Rosebud Mining Co./Citizens Advisory Council (CAC) – Member)
Jeffrey Polenik (Robindale Energy Services, Inc. – Member)
Henry Zielinski (Northampton Generating Co./Panther Creek Power Operating Co.– Member)
Ian Irvin (CAC – Alternate)
Jaret Gibbons (Appalachian Region Independent Power Producers’ Association (ARIPPA) – Alternate)
Rachel Gleason (PA Coal Alliance (PCA) – Alternate)
Glendon King (PA House of Representatives – Alternate)
Jacob Gery (PA Senate – Alternate)
Emily Eyster (PA Senate – 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)
Amy Berrios (DEP – AAMO)
Jennifer McLuckie (DEP – AAMO)
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)
Jolie Mangan (DEP – Mining Programs)
Emily Fisher (DEP – Mining Programs)
Timothy Gilbert (DEP -Mining Programs)
Keith Previc (DEP – Mining Programs)
Randy Shustack (DEP – Bureau of District Mining Operations (BDMO))
Jack Palumbo (DEP – Policy Office)
Richard Marcil (DEP – Regulatory Counsel)
Fernando Trevino (DEP – Office of Environmental Justice (OEJ))
Justin Dula (DEP – OEJ)
Jeffery Iavic (PA Senate – Guest)
William Sieg (PA Senate – Guest)
Sean Ramey (WildEarth Guardians – Guest)
David Williams (D. Williams & Associates, Inc. – Guest)
Samantha Springer (Widener University School of Law – Guest)

Taylor Stech (Widener University School of Law – Guest)
John Stefanko (Consultant/PCA – Guest)
Katie Chamberlin (Guest)

MEETING CALLED TO ORDER/INTRODUCTIONS

The hybrid meeting was called to order at approximately 10:00 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 Snowden to determine that there was a quorum established.

APPROVAL OF MINUTES

The minutes from the April 23, 2026 meeting were approved by the Board unanimously, without objection or comment.

CORRESPONDENCE

Dr. Snowden reported that Jeff Polenik has joined the MRAB, with Rachel Gleason to serve as his alternate.

PUBLIC COMMENT

There were no requests to make any public comment.

COMMITTEE REPORTS

There were no committee reports to be shared with the Board.

DELIVERABLES

Gregory Greenfield reported on the Bond forms, which are required to be reauthorized every three years by the Office of General Counsel. It was discovered that the recent reauthorization for the Bond forms had actually lingered longer than three years, and a review was made to determine how often the forms are used, since they need to be used a set number of times in a year in order to qualify for a pre-approval certification.

Mr. Greenfield indicated that there are several Bond forms in both the coal and noncoal program, which, while they may be used a couple times in a year, do not rise to the level of the pre-approval requirement. He stated that there will now be nine Bond forms, with the first six listed as the following: 1) the Mining General Surety Bond form; 2) the Mining General Collateral Bond form; 3) the Water Supply Operations and Maintenance (O&M) Collateral Bond form; 4) the Water Supply O&M Surety Bond form; 5) the Mining Subsidence Surety Bond form; and 6) the Mining Subsidence Collateral Bond form, some of which have been re-approved, and posted on the Department's eLibrary website. The three other forms still pending approval, and less commonly used, are: 1) the Assignment of Collateral Bond form; 2) the Mining Bond Amendment form; and 3)

the Schedule for Deposits of Collateral Bond form. Those last three forms are expected to take about one or two months before they are updated on the Department's eLibrary website.

Any of the other forms not mentioned will no longer have the pre-approved forms, and if or when they need to be submitted, there will be a longer review process through the Office of General Counsel and the Attorney General's Office, which each get up to thirty days to review them.

Mr. Greenfield wanted to stress that if an old Bond form is submitted, of the six which are currently on the eLibrary website, they will be returned to the operator, so they need to ensure they are using the new forms, and the links have been shared by the District Mining Offices (DMOs) to operators.

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 O&M Bonds: Ms. Mensch indicated that there had been minimal change in the O&M bond status from the last meeting in April.
- Trust Agreements: Ms. Mensch then moved to the second table of the handout, showing a very minimal change since the January meeting, in terms of the fully funded and partially funded amounts, a slight decrease in those amounts.
- Land Reclamation Financial Guarantees (LRFG): Ms. Mensch noted that there was not much change from the last quarter. She did wish to note that the operators exceeding or at the \$3 million limit are: BET Associates; Blashak; Farragut Anthracite; Hazleton Shaft; and RES. Blashak and BET Associates are at the \$3 million limit.
- Reclamation Fee O&M Account: The numbers for these tables are the LRFG premiums and interest for the last three months. The fiscal year total is at the end, July 1, 2025 through June 30, 2026. End balance and expenditures are listed.
- Clean Water Fund (CWF) and the PA Surface Mining Conservation and Reclamation Act (PA SMCRA) Fund: The fiscal year totals were also reviewed by Ms. Mensch, revenue from the coal fees account, the coal mining applications.
- Permit application numbers: Sharon Hill shared the in/out and in-process tables for the January 1 through June 1, 2026 period. Ms. Hill noted the bottom line with pending applications older than the PAYback institution date of November 1, 2023.
- Pending Regulations: Ms. Hill noted there were no pending regulations on the regulatory agenda, and that the Water Supply Replacement Technical Guidance Documents (TGDs) are with the Bureau Director Legal review before they can be passed on to the board for comment on the draft version.

Updates from BAMR

The BAMR status report was presented by Assistant Director Joe Sassaman.

- The program summary for the 2025 completions shows 174 projects at 2,000 acres, for just over \$20 million.

- In 2026, completions were 18 projects, totaling a little over 22 acres, at a cost of just over \$619,621 future completion.
- For active construction projects, there are 191, totaling 5145 acres, at a cost of just over \$502 million for 2026.
- Emergency projects are at a count of 37, at an estimated cost of just over \$5.1 million, which is a little higher than average due to a large refuse fire in Northumberland County.
- The sub awards are currently at 94, the total estimated cost of \$254 million, with the active grants are 68 at \$124 million. Four grants have been completed thus far at a total just over \$409,000, with 22 that have been awarded but are pending execution, a total of \$130 million for those projects.
- The Design and Engineering Service (DES) agreements are up to 63, at a total cost of \$17.7 million.
- The last item Mr. Sassaman covered was staffing, noting there are about 24 vacancies in the program at this time.

Updates from the Bureau District Mining Operations (BDMO)

Randy Shustack reported that the only update he had for the Board was a staffing change in California: Beth Farley, who currently reviews the NPDES applications, has accepted a position in the water program in Pittsburgh, so this will be her last week. Mr. Shustack noted that there will be some reorganization within the office to ensure the NPDES applications keep moving.

The Board had a question about the attempts to hire engineers for openings in the California office, and Mr. Shustack indicated that it has been a struggle to get mining engineers, so they are looking at reclassifying the positions to civil engineers in the hopes that may raise interest.

Surface Mine Permit Application Formatting

Sharon Hill presented information to the Board regarding the reformatting of the Bituminous Surface Mine Permit application. She shared with the board the draft version of this revised application and noted that the reason this was picked was due to it being on Greenport as a digital application, but that version did not match the paper version. This newly presented format, not the usual “modules”, will be the format that would be used for all mining applications, to maintain consistency and standardization.

Ms. Hill did reiterate that this draft is still being worked on, which is why there are some blank areas and numbers missing, but the goals for the new application formatting are: 1) to simplify them for the applicant and reviewer; 2) do away with the inconsistent modules; and 3) maintain what is required by the regulations. No significant content changes have been made.

Final Environmental Justice Policy

Justin Dula and Fernando Trevino presented the update on the Environmental Justice (EJ) Policy with a Power Point presentation. They wished to remind everyone that EJ is included in the mission statement at the DEP.

Key points in the definition of EJ are; 1) ensuring that people are fully protected from disproportionate and adverse health and environmental impacts; 2) acknowledging the legacy of racism and other structural or systemic barriers that have led to this point; and 3) work toward the prevention of future environmental injustice through the redress of historic environmental injustice. Mr. Dula and Mr. Trevino illustrated these key points with examples in their presentation, and reminded all present that Pennsylvania still has an EJ policy within their Constitution, though the recent Federal Administration revoked and defunded the policy at that Federal level. They reminded the attendees of the history of EJ in PA and described the policy revision process, which has been worked on since 2019.

The changes through the process to this final EJ Policy include minor changes to definitions based on feedback from enhanced public participation. The screening tool used for determining where the EJ Policy applies has not changed; the 32 individual factors included to create a final score to this final version are still used; and has become useful to other agencies, community groups, grant applicants and academics.

For this Board, they wished to emphasize Section six of the EJ Policy, relating to inspections, compliance and enforcement, and how EJ can be considered in these actions, because EJ Policy cannot change statute or regulation, but rather in focusing on the internal work that the DEP performs. The policy will be reviewed for updates every five years going forward and will involve a public comment period to collect information in between.

NEW BUSINESS

The MRAB Annual Report for July 2025 through June 2026 requires one additional person for the committee, and any volunteers will be welcome.

The Board did have a question regarding federal Office of Surface Mining (OSM) funding and whether there was a way to pull down more monies from them. Explanations were provided regarding the challenges on the way the OSM funding operates and, how this funding is affected by the Commonwealth budget.

ADJOURNMENT

The Board adjourned its meeting at approximately 10:56 a.m.

NEXT MEETING

The Board will meet again at 10:00 a.m. on Thursday, October 22, 2026, in Conference Room 105 of the Rachel Carson State Office Building in Harrisburg and via Microsoft Teams.