
Environmental Quality Board
May 16, 2018
Purpose

• Achieve consistency with federal requirements
  • OSM oversight
• Program maintenance
• Corrections
• Under the federal Surface Mining Control and Reclamation Act, states may assume primacy.

• Primacy states are subject to oversight by OSM.

• When OSM finds an issue, they formally require a program amendment.
Required Program Amendments

• Timing of seeding for revegetation
• Managing collateral bonds
• Public roads used for anthracite coal mines
Other Consistency Issues

• Underground mine effluent limits
• Temporary cessation
• Definition of “Surface mining activities”
• Civil Penalties
• Administrative requirements
• Form number for employee financial interests
Updates

• Storm event amounts
• Natural Resources Conservation Service
• Chapter 92a (updating a reference)
• Chapter 96 (including a reference)
• Water supply replacement cost recovery
• DER reference
• Other corrections
  o “of” to “or”
  o MSHA name
  o Remining
Updates

• Remining Financial Guarantees
• Coal ash/biosolids
• Anthracite Emergency Bond Loan
• Coal refuse site selection
Summary of Proposed Regulation

• Incorporates federal definition of “Surface Mining Activities”
• Replaces the tables of runoff for storm events with a reference to NOAA’s on-line tool
• Removes upper time limit for temporary cessation and includes same language in each section
• Makes corrections
• Several committee meetings
• Specific recommendation about “Surface Mining Activities”
• In April 2017, the Mining and Reclamation Advisory Board (MRAB) recommended that the Department proceed with the rulemaking process.
DEP recommends that the Board adopt this proposed rulemaking with a 30-day public comment period.
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