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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

# Bureau of Mining Programs Update

April 6, 2017

Note: current data will be inserted immediately before the meeting.

Tom Wolf, Governor

Patrick McDonnell, Acting 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
- GFCCs
- Civil Penalties



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# NPDES

# NPDES Permitting Update

- As of March 31, Draft Permits have been sent to EPA
- EPA has commented or objected on
- Issues
  - Checklist
  - Remining/TMDLs
  - Sufficiently Sensitive Methods
  - Monthly Calls
  - WETT

# NPDES Permitting Statistics

	Issued	Could be Issued	Pending
Comments	357	13	4
No Comments (103 No Comment Letters)	309	62	3 (Awaiting 30 Days)



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# Historical Applications and PDG

# ▶ Historical Application Progress (Coal)

- As of March 31
  - of 1629 have been disposed
  - (6.5%) remaining for action
    - Renewals
    - Annual Bond Reviews

36 Pottsville/70 California

0 Cambria/0 Greensburg/0 Moshannon/0 Knox

# ▶ Permit Decision Guarantee (Coal)

See Handout broken out by year



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# TRUSTS

# Trust Agreement/bond Status

	Dec 2015	Sept 2016	Feb 2016
Total Agreements (165)	132	138	139
Bonds	75	79	76
Fully Funded Trusts	44	43	46
Partially Funded Trusts	11 + 2 ABS	13 + 3 ABS	14 + 3 ABS

# Financial Summary

	Dec 2015	Sept 2016	Feb 2016
Bonds	\$226.2 M	\$ 251.6 M	\$ 230 M
Fully Funded Trusts	\$72.9 M (\$82.6 M)	\$ 71.1 M (\$75.3 M)	\$92.3M (\$92.4 M)
Partially Funded Trusts	\$62.2 M (\$124 M)	\$73 M (\$124.5 M)	\$ 87.3 M (\$139.1 M)



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# LRFGs

# Land Reclamation Financial Guarantees

	Count (last report)	Average Amount
LRFG Operators	120 (117)	\$ 341,206 K (\$3.8 M Max)
LRFG Permits	205 (196)	\$ 199,730 K (\$2.1 M Max)
	Dec 2016	Feb 2017
Total Underwritten	\$39.1 M	\$40.9 M



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# Reclamation Fee Accounts

# Rec Fee Account Revenue-1st Qtr 2017

Month	Coal Civil Penalties	Interest
January	\$10,250.00	\$2,517.29
February	\$	\$
March	\$.00	\$
FY Total	\$.00 (\$.00)	\$

# Other Revenue-4th Qtr 2016

Month	LRFG Premiums	LRFG Interest
January	\$40,946.20	\$9,027.69
February	\$	\$
March	\$	\$
FY Total	\$	\$

# 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

# ▶ Reclamation Fee Account Status

FY end Balance (June 30)	\$3,309,951.07
15-16 FY Expenditures (June 30)	\$501,358.59
Proj. Expenditures (FY 16-17)	\$980,499
Recent Balance (March 31)	\$
Expenditures (through March 31)	\$

# ▶ 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 total amount of Civil Penalties (less 5%)
- Transfer all or part of the civil penalties and treat a portion as excess funds (to transfer to ABS Legacy Sites Trust Account)
- Recommendation



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# Regulatory Update

# ▶ Regulatory Update

- Regulatory Agenda
  - Chapter 210/211-Routed for Final EQB
  - OSM Program Consistency-Committee
  - 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 (through March)	\$

# 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 (through March)	\$.00



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## **717-787-5103**