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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

Bureau of Mining Programs Update

April 6, 2017

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, 746 Draft Permits have been sent to EPA
- EPA has commented or objected on 377
- Issues
 - Checklist
 - Remining/TMDLs
 - Sufficiently Sensitive Methods
 - Monthly Calls
 - WETT

NPDES Permitting Statistics

	Issued	Could be Issued	Pending
Comments	359	14	4
No Comments (110 No Comment Letters)	335	29	5 (Awaiting 30 Days)



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Historical Applications and PDG

▶ Historical Application Progress (Coal)

- As of March 31
 - 1533 of 1629 have been disposed
 - 96 (5.9%) remaining for action
 - 60 Renewals
 - 2 Annual Bond Reviews

30 Pottsville/66 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	\$6,325.00	\$2,566.93
March	\$	\$2,459.46
FY Total	\$2,437,535.00 (\$2,315,658.25)	\$19.048.84

Other Revenue-1st Qtr 2017

Month	LRFG Premiums	LRFG Interest
January	\$40,946.20	\$9,027.69
February	\$55,677.22	\$9,295.72
March	\$	\$
FY Total	\$460,199.94	\$64,116.98

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
February 2017	\$12,640.00
FYTD	\$77,551.67

▶ 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)	\$3,706,559.05
Expenditures (thru March 31)	\$420,309.45

▶ 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 February)	\$63,950.00

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 February)	\$240,830.00



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