

3074.

Cooper, Kathy

From: RegComments@pa.gov
Sent: Sunday, November 16, 2014 9:39 AM
To: Environment-Committee@pasenate.com; apankake@pasen.gov; IRRC;
 RegComments@pa.gov; eregop@pahousegop.com;
 environmentalcommittee@pahouse.net
Cc: ra-epmsdevelopment@pa.gov
Subject: Proposed Rulemaking - Land Reclamation Financial Guarantees and Bioenergy Crop Bonding



Re: Proposed Rulemaking - Land Reclamation Financial Guarantees and Bioenergy Crop Bonding

The Environmental Quality Board (EQB) has received the following comments regarding the above-referenced proposed rulemaking.

Commentor Information:

Duane Feagley
 Pennsylvania Anthracite Council (hardcoalorg@paanthracite.com)
 P.O. Box 138
 Pottsville, PA 17901 US

Comments entered:

November 17, 2014

Environmental Quality Board
 P. O. Box 8477
 Harrisburg, PA 17105-8477

RECEIVED
 IRRC
 2014 NOV 17 AM 8:53

Re: Regulations for Act 157 of 2012 (Land Reclamation Financial Guarantees)

Dear EQB Board:

I am writing on behalf of Pennsylvania's Anthracite coal mining industry and the thousands of workers who earn their living mining and preparing anthracite coal. Specifically, I am writing in support of the current regulations regarding Act 157 of 2012 the Land Reclamation Financial Guarantee (LRFG) program.

These proposed regulations address a critical bonding need for mining operators in the anthracite region and around the state. While at the same time, the Act will provide for good paying jobs, ongoing reclamation of abandoned mines and AMD discharges in Western Pennsylvania.

Act 157 amends the Pennsylvania SMCRA Act in several key ways.

First, the Bill proposes to use existing funds already in place to create a permanent Land Reclamation Financial Guarantee (LRFG) program in place of the current temporary plan. All moneys and liabilities in the current plan will be converted to the new permanent LRFG plan. In addition, new regulations will be drawn up to establish new rules under which a qualified operator can participate in the program.

Further, the bill provides funding to the DEP to comply with a Federal Court order by directing that a portion of the premiums and interest earned by the program to a "Legacy Fund" to be used to fund annual operation and maintenance costs at facilities that treat AMD Legacy Discharges in the Commonwealth. Additionally, the bill provides the Commonwealth with the discretion to transfer up to \$2 million annually from the Gross Receipts Tax into the fund.

Finally, bill provides safe guards for the Commonwealth by requiring that the program be discontinued by the DEP if 25% or greater of the outstanding bond obligation for the LRFG program is subject to forfeiture.

Act 157 has been crafted with significant input and support from the Pennsylvania Coal Alliance, the Pennsylvania Anthracite Council and the Department of Environmental Protection. In addition, Act 157 (HB 1813) passed with very broad bi-partisan support. The Bill passed the House by a vote of 190-1 and the Senate by a vote of 49-0.

The swift passage and implementation of these regulations are important to our industry and we urge the EQB to move forward with these regulations as quickly as the law and the regulatory process permits.

Sincerely yours,

Duane C. Feagley
Executive Director

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Hayley Book

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