

## Eastern PA Coalition for Abandoned Mine Reclamation



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Congressman Dan Meuser  
326 Cannon House Office Building  
Washington, DC 20515

Congressman Matt Cartwright  
1034 Longworth House Office Building  
Washington, DC 20515

November 15, 2019

RE: Letter of Support for **H.R. 4735- The Mine Affected Community Energy and Environment Act**

Congressman Meuser and Congressman Cartwright:

On behalf of the Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR), a regional, environmental, educational, scientific, and public charitable non-profit organization that works throughout 16 counties in Northcentral and Northeastern PA's Anthracite and Bituminous Coalfields, that works in partnership with Conservation Districts, watershed organizations, reclamation-related groups, the Active Mining Industry, the ARIPPA Co-Generation trade association, and County, State, and Federal partnerships in abandoned mine reclamation, we would like to offer our support for HB 4735. EPCAMR was formed in 1995 to support the reclamation, redevelopment, and remediation of abandoned mine lands throughout NE and NC PA as a coalition of partners to serve as a liaison between the Local, County, State, Federal, and community organizations to assist in leveraging funding for these projects to reclaim our lands and waterways impacted by past mining practices.

The ARIPPA Co-Generation Power Industry Plants across PA, particularly in Eastern PA's EPCAMR Region that covers 16 counties, has been a tremendous asset to our coalfield impacted communities with abandoned waste culm banks and AMD impacted waterways that dot the landscapes of our watersheds and continues to play a major role in reclaiming our abandoned mine lands. ARIPPA has allowed for the redevelopment of these abandoned mine lands into economic development areas that have brought jobs and decreased unemployment to the region that otherwise would have continued to suffer economic losses from the past mining industry that once dominated the local and regional economies. The reclamation projects have also brought improved wildlife and habitat conditions to the former abandoned barren mining landscapes through reforestation efforts, the planting of warm and cool season grasses, stream restoration efforts, the creation of wetland areas and brush piles for a variety of wildlife, fish, and game.

ARIPPA has been a partner with EPCAMR since our inception and we have supported one another over the course of our entire existence. The coal refuse reclamation to energy industry delivers substantial economic and environmental benefits as a vital partner in the effort to address the problems associated with AML sites. We are well aware of the 225 million Tons of waste culm material, refuse, and coal silts that have been removed from communities at no cost to the taxpayers, during that time and has assisted in the reclamation of at least 7,200 acres of mining affected lands, removed dangerous highwalls, water-filled stripping pits, hazardous openings, and, in the process, eliminated a major source of AMD polluting of our waterways, improving over 1,200 stream miles previously impacted by AMD by eliminating the pathways for acid forming material to percolate down through the fractured waste culm material into the underground mine pools. There is still much work to be done.

Environmental reclamation activities of the coal refuse industry have yielded quantifiable benefits to PA's land, air, and water quality, public health and safety, and the increase in land value of former abandoned mine lands once reclaimed for more suitable land uses with a higher assessed value in addition to reducing the cost to the Commonwealth of PA's contribution to reclaiming these lands at significantly higher reclamation and remediation expenses.

The operations of the ARIPPA Plants have produced many family sustaining jobs for the surrounding rural and city-centric coalfield communities that have bared the burden of having to live with these abandoned mine land impacts for far too long. ARIPPA generates fiscal benefits for State and Local governments through direct taxes and fees borne by the industry, increases in tax base from economic development activity attributable to the industry, and positive impacts on local property taxes.

The legacy of this nation's mining industry has been left to our current citizens, who must cope with the myriad of issues posed by abandoned mine lands (AML) and millions of tons of coal refuse strewn across the landscape of our communities. Coal refuse piles pollute the land, water and air with uncontrolled emissions from burning refuse piles and contamination of land and water resources with acid runoff and sedimentation.

EPCAMR commends your leadership on this issue by introducing ***H.R. 4735, The Mine Affected Community Energy and Environment Act***. This legislation is critical to address the health, safety and environmental costs imposed on local communities by our nation's coal mining legacy and continues a longstanding public-private partnership with coal refuse reclamation to energy facilities that remove polluting coal refuse piles and reclaim AML sites.

EPCAMR support the Mine Affected Community Energy and Environment Act, H.R. 4735 and urge the United States Congress to pass this legislation encouraging the continued efforts of coal refuse reclamation to energy facilities to address the legacy of coal mining by restoring our land, air and streams while providing an alternative source of electricity and thousands of family sustaining jobs.

The problems associated with coal refuse piles are surface and groundwater pollution, air pollution from windborne particulate matter, air quality problems associated with coal refuse pile fires and local safety and health issues related to all of the above.

It is an industry that is also helping to beneficially utilize the ash that is generated from the burning of the waste culm with high calcium carbonate limestone addition for the reclamation of these abandoned mine sites while generating electricity that is being sold back to the grid through their power purchase agreements. Coal refuse or waste culm ash is a beneficial use product utilized in the reclamation of abandoned mine lands. The ash from circulating fluidized bed (CFB) boilers is vastly different in nature than ash from a coal-fired boiler. This is due to the injection of limestone during the combustion process. Thus, the chemistry of the constituents in the CFB ash are different and the pH of the ash is alkaline which prevents the constituents from becoming soluble. Importantly, the CFB ash from the coal refuse reclamation to energy boilers is regularly tested by each facility and then certified by PADEP to ensure that it meets the requirements for beneficial use prior to being placed per the requirements of 25 Pa. Code Chapter 290. When the CFB ash is placed for remediation, the pozzolanic properties of the ash result in it becoming cementitious and encapsulating any materials that it is placed around.

Rather than hazardous materials being leached into the ground, the CFB ash encapsulates hazardous materials, and as such is used to remediate and reclaim mining affected lands such as the areas where the coal refuse is removed or where mining has previously occurred. To understand the benefits of CFB ash for remediation and reclamation of mining affected lands and watersheds, please see the PA DEP study [Reclamation of Refuse Piles using Fluidized Bed Combustion Ash in the Blacklick Creek Watershed, Pennsylvania](#), which concluded, "Reclamation of the refuse piles using (CFB) ash has greatly diminished the loadings of pollutants to the Blacklick Creek watershed." Additionally, this [television report](#) on trout stocking of the South Branch of the Blacklick Creek, which happened only because of the removal, remediation, and reclamation of coal refuse piles in Revloc, PA by a coal refuse reclamation to energy facility.

This legislation is vital to maintain operation of the remaining coal refuse reclamation to energy plants and continue the environmental remediation and reclamation of coal refuse piles and other mining affected lands in Pennsylvania by these facilities.

ARIPPA member coal refuse reclamation to energy facilities regularly coordinate and partner with the PA DEP and Pennsylvania environmental groups, including EPCAMR, the Earth Conservancy, and watershed groups across the state who both support and assist these facilities in reclamation and remediation efforts.

Most coal refuse piles have little to no vegetation established, and those that do generally have limited species of trees, but minimal ground cover, which does not control runoff. As a result, rainwater and snow melt percolate through the piles contaminating groundwater and the rain and snow melt that runs off the coal refuse piles into streams is usually acidic and contains high levels of sediment (silt) that can "choke" the life out of the receiving streams. Removal of the coal refuse and the follow-on reclamation and remediation activities at these sites is subject to regulation under Pennsylvania's surface

mining regulations under the strict supervision of the PA DEP and must meet all water quality requirements for any discharge. All coal refuse reclamation sites must satisfy an erosion and sediment control program, surface water management requirements, and water treatment obligations, as well as final site grading and vegetation standards.

Additionally, the facilities post bonds with PA DEP associated with these projects to ensure successful completion of the remediation process, and water quality monitoring is required for up to 10 years after remediation.

Coal refuse pile removal and reclamation by coal refuse reclamation to energy facilities reduces uncontrolled emissions from burning coal refuse piles and creates carbon sinks by removing coal refuse and restoring vegetation to AML sites. There are currently 95 coal refuse pile fires burning in Pennsylvania, in addition to 38 underground mine fires, which emit uncontrolled, ground level pollution into Pennsylvania communities.

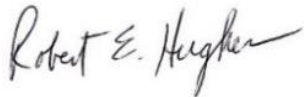
ARIPPA member plants have coordinated with PA DEP, watershed groups, and EPCAMR for over two decades. They have also funded many mini-grants to our watershed partners throughout PA and have provided over \$80,000 in donations in the last decade to support on the ground reclamation, remediation, cleanup support, watershed community support on issues related to abandoned mine land reclamation and AMD remediation.

For example, an ARIPPA member, Olympus Power, Panther Creek Power, and Keystone Fuels Reclamation, LLC have recently partnered with EPCAMR, the PA DEP Bureau of Abandoned Mine Reclamation (BAMR), PA DEP and the US Department of Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE) on a project to remove a 4 million-ton pile of coal refuse on a 55-acre site in the borough of Swoyersville, Luzerne County, PA on the historic grounds of the former Harry E. Breaker and Colliery called the [Swoyersville Culm Pile AML Pilot Project](#).

This project is funded in part through \$4 million from the federal AML Pilot Program to EPCAMR, with an \$8 million private investment match from the coal refuse reclamation to energy company. The first phase of the project has a total cost of \$12 million to reclaim 15 acres in 5 years. An aerial drone fly-over of the site can be found at the link above created by EPCAMR. The cost for the Commonwealth to remediate this site alone would be at least \$132 million, which represents nearly half of the total amount that Pennsylvania would get from the RECLAIM Act. Addressing all identified coal refuse piles across the State would cost Pennsylvania between \$2.6 - \$7.4 billion. Without coordination and partnering with coal refuse reclamation to energy facilities, most coal refuse pile remediation and reclamation projects would not occur as the Commonwealth cannot afford to remove the coal refuse and remediate and reclaim the land entirely at its own expense.

EPCAMR would like for our PA Governor and the PA General Assembly, to support the ARIPPA industry to continue to address the past mining legacy of abandoned mines across PA, by restoring our land, air, and water. We would also like our State Congressional Representatives, Senators, and other State Congressional and Senatorial leaders, along with environmental groups who have not directly witnessed or partnered with the ARIPPA industry to review and considering showing support for the environmental, societal, recreational, and economic benefits that these Co-Gen Plants have in PA and the few other States where they are located across the country.

Fully supportive,



Robert "Bobby" Hughes-EPCAMR Executive Director