

OPERATION, MAINTENANCE, AND REHABILITATION FUNDING SOLUTION

**Foundation for Pennsylvania Watersheds
and
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Tens of thousands of miles of America's waterways are polluted by acid mine drainage that flows from abandoned coal mines. No responsible party exists. The problem is so large and pervasive that the federal and state governments do not have the staff and resources to solve the problem.

Good Samaritans have built several hundred Passive Treatment Systems (PTS) to treat this acid mine drainage. PTS are manmade wetlands, limestone neutralizers, etc., that do not require daily attention. These PTS are found in Alabama, Arkansas, Iowa, Illinois, Indiana, Kansas, Maryland, Missouri, Ohio, Oklahoma, Pennsylvania, Tennessee, Virginia, and West Virginia. Most were built by NGOs or local governments. Hundreds of miles of streams, creeks and rivers have been restored to be fishable and swimmable.

There is no dedicated funding source to pay for operation, maintenance, and rehabilitation (OM&R) of all of these PTS. (States have option to divert a small percentage of AML funds away from reclamation of dangerous abandoned mines).

Without OM&R these clean water infrastructure/PTS will eventually wear out and fail, water will again be polluted, fish and other aquatic wildlife will be killed, and \$100sM invested to build the PTS will be lost.

PROPOSAL:

Annual appropriation of \$12.7M of general Treasury funds for OM&R.

Appropriation language and accompanying House Report language appear below.

ANNUAL APPROPRIATION LANGUAGE TO BE ADDED TO THE OFFICE
OF SURFACE MINING RECLAMATION AND ENFORCEMENT (OSMRE)
ABANDONED MINE RECLAMATION FUND APPROPRIATION.

In addition, beginning in Fiscal Year 2022 and continuing thereafter,
\$12,700,000.00 to remain available until expended, for grants to watershed groups,
other nongovernment organizations, and local and state government agencies for
the operation, maintenance, and rehabilitation of all mine drainage passive
treatment systems constructed to address water pollution that discharges from
abandoned mine lands. *Provided further*, That such additional amount shall be
available as grants within 60 days after enactment of this Act.

LANGUAGE FOR **HOUSE REPORT** THAT WILL ACCOMPANY OM&R
ANNUAL APPROPRIATION BILL

In order to create new jobs, preserve clean water, and create long-term
economic benefits where coal was mined the Office of Surface Mining
Reclamation and Enforcement, using its expertise and building upon its
relationships with nonprofit watershed groups, foundations, etc., shall work
with these groups, with input from the applicable State Abandoned Mine
Land Program, to implement a program to monitor, operate, maintain, and
rehabilitate (OM&R) all abandoned mine land passive treatment systems
that were constructed to address water pollution which flows from
abandoned coal mines. The OM&R review and approval process shall result
in grants from OSMRE to cover multiple AML passive treatment systems

for periods of three to five years. An OM&R grant should cover an entire watershed or drainage basin, i.e. the Susquehanna River Basin in Pennsylvania. The Good Samaritan non-government organizations who have voluntarily undertaken the treatment of these abandoned mine water pollution discharges do not have the financial resources to incur the OM&R costs and then seek reimbursement from OSMRE. After OSMRE and the non-government organization have agreed upon the terms of the multi-year, multiple AML passive treatment system OM&R grant, OSMRE shall provide the OM&R grant funds to the non-government organization so the non-government organization can directly pay the OM&R costs as they are incurred. The work shall also include data collection and entry into a public accessible database such as Datashed. Each system is to be sampled no less than monthly unless it is determined and documented in writing why a lesser frequency is appropriate. As AML passive treatment systems are rehabilitated they must be improved using the best methodology to achieve net alkaline water with metal loading of 3 milligrams per liter or less. OSMRE shall provide a status report to Congress every three years that also specifies any additional needs.