

**Subcommittee on Energy and Mineral Resources – Legislative Hearing
Committee on Natural Resources, 1324 Longworth HOB**

June 9, 2022

TESTIMONY of Rep. Matt Cartwright (PA-08)

Thank you, Chairman Lowenthal, for allowing me to testify, and to the Subcommittee Members for being here today.

My home state of Pennsylvania has many beautiful natural attributes. Our orange waterways, however, are not among them.

As this Subcommittee knows, when water runs over oxidized pyrite from abandoned coal mines, it turns orange and becomes toxic to all wildlife.

Acid mine drainage, or AMD, affects ecosystems in over 5,000 miles of Pennsylvania's waterways. No one really wants to live or work near these rivers and streams, and that causes an annual loss of \$29 million in revenue from lack of fishing alone.

We already have the technology to restore these ecosystems to their original beauty, bringing back lost biodiversity, recreation, and economic activity. And the Infrastructure Investment and Jobs Act made a historic \$11.3 billion investment to address abandoned mine lands and start the process of treating acid mine drainage.

But AMD treatment requires significant, costly, ongoing maintenance, and that part, unfortunately, is not covered by the IJA.

The legacy AML Reclamation Program, which has been on the books for years, does allow states to set aside up to 30% of their annual, regular AML allocation in interest-bearing accounts to cover the long-term costs of operating AMD treatment facilities.

But those are small sums compared to the IJA, which doesn't grant that same set-aside authority, thus limiting states' ability to use its historic investment to address their orange water problems.

H.R. 7283, the STREAM Act, would allow state allocations from the IJA to be utilized in the same way that their distributions from the basic AML trust fund can be. Up to 30% could be set aside from annual IJA grants to treat future acid mine drainage, which, again, is costly to permanently address.

The STREAM Act doesn't affect the IJA's distribution amounts to states at all. It merely changes the allowed use of a state's funds if it chooses to have a set-aside program under its own, state law.

For those that opt to do so, they get no additional funding. And the funding that flows to other states doesn't decrease.

My bill just provides an additional use for states that want it. And, again, it's the same option that was available for AML funds prior to the IJA.

I'm grateful that the Natural Resources Committee has taken an interest in my bill's proposal, and I thank you for scheduling this legislative hearing on it.

I'm also pleased to have two other bills being considered today by the EMR Subcommittee, the Coal Cleanup Taxpayer Protection Act and the Coal Royalty Fairness and Communities Investment Act.

The Coal Cleanup Taxpayer Protection Act, H.R. 2505, will ensure that coal companies, not taxpayers, finance cleanup for mines that cease operations.

For required insurance against environmental damage, many coal companies today use self-bonding methods, which essentially turn worthless if the company goes bankrupt and out of business.

At that point, it's taxpayers who are left to bear the financial burden of needed cleanup. My bill will eliminate self-bonding and require that all state bond pools remain stable and sufficient for their purpose.

The Coal Royalty Fairness and Communities Investment Act, H.R. 4799, closes coal royalty loopholes in the federal royalty payment system, and it utilizes the revenue captured by doing so to fund economic development projects in coal communities that have suffered job losses and growth stagnation.

It also provides funds to capture and store carbon dioxide emissions from industrial sources.

All of these bills would repay the communities that fueled America's growth into the nation we are today.

For nearly two centuries, we've mined coal for our energy needs. There's no doubt that the mines – and their dedicated workers – allowed the country to develop and flourish. But we have a responsibility to address the pollution and economic needs they left behind.

In particular, Mr. Chairman, the STREAM Act can make a difference right now, on the heels of enactment of the IJA, in repairing the scars left on many coal communities.

I thank the Subcommittee for its action today on this and other unique legislative proposals.

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