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Testimony before the House Subcommittee on Energy and Power

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Good morning Mr. Chairman and members of this committee. My name is Dennis Beck and I am the President of the Western Pennsylvania Coalition for Abandoned Mine Reclamation (WPCAMR). I am appearing today on behalf of WPCAMR.

The Coalition appreciates the opportunity to appear today to share our views and concerns on the effects of the waste coal to energy plants in restoring the degraded environment in coal producing regions, especially in Pennsylvania. I am expressing support for the H.R. Bill 3797 "SENSE Act"; which will set the standards for the EPA to regulate the waste coal to energy plants. WPCAMR has worked with numerous Conservation Districts, local, state, federal governmental agencies, volunteer watershed groups and industry to clean the pollution left behind by the regions former unregulated coal mining practices.

First, I would like to clarify two important points regarding coal burning plants:

- First, there are the large coal-fired power plants that use deep mined coal and surface mined coal to produce energy.
- Second: there are waste coal to energy plants that clean the pollution left behind by the region's former unregulated coal mining practices.

Our efforts focus on number two: that is, returning the abandoned mine lands and waste coal piles to productive use, improving water quality and reducing hazards to health and safety, thus improving the local economy and enhancing the quality of life.

Today runoff from these waste coal piles is polluting our surface and groundwater supplies for several miles around the piles with numerous impacts on our environment:

- chemicals, such as mercury, selenium, chromium, iron, manganese, aluminum, arsenic and others have leaked into our water supply.
- changes in pH to levels destroy aquatic life from macro-invertebrates to fish. None can survive.
- If left alone, many of these piles have and will self-ignite. One pile in Lackawanna County in PA cost PA DEP over \$2M to extinguish in 2014. These piles remain as a costly public safety and health hazard.

The 3 Co-Generation plants in my county (*waste coal burning*), have significantly impacted our county: They have:

- burned over 25 million tons of waste coal, supplying electricity to 280,000 residences.
- directly employ 200 people and indirectly 300 more county residents
- reclaimed over 525 acres of abandoned mine lands
- contributed over \$25M to the local communities
- have all won numerous State and National Environmental and Safety awards since 1992.

I would like to describe two reclamation projects that are taking place in Cambria County. (1) Lilly, PA (Washington Twp), and (2) Revloc, PA.

In Revloc (Cambria County) the Blacklick Creek was a dead stream for several decades. Since it has been restored, over 100 acres have been returned to productive use. Runoff pollution has been reduced to the South branch of Blacklick creek and it is now designated as a Cold Water Fishery by the PA Fish and Boat Commission. The area is also now subdivided for housing.

In Washington Twp (Cambria County), 3.5M tons of waste coal have been removed and in its place are now 4 ball fields, 2.5 miles of walking trails, a community hall, a Coal Miners' monument, and a bell tower. It is now a gathering place for the entire community, both young and old, improving the vitality of a once dying community. A contractor has also subdivided numerous acres for housing growth.

All of these and other reclaimed acres have been at NO COST to the taxpayer.

Let's look at net benefit and cost benefit comparisons.

I mentioned some of the benefits that these waste coal to energy plants provide in removing the waste coal from areas.

What will be the result if we force these plants to close with unreasonable regulations?

- Nearby streams will continue to be contaminated and remain unsightly and unhealthy waterways that traverse through our small towns.
- The runoff will contaminate the surface and groundwater, threatening our communities water supplies. Remember that WATER is the key to any development from industry to recreation.
- Public safety is at risk with quads and trikes using the waste coal piles as race tracks and obstacle courses.
- If the piles are left standing, they will eventually self-ignite, releasing contaminants such as nitrous oxide, hydrogen sulfide, sulfur dioxides, polycyclic organics (Phenols), Arsenic, boron, iron, manganese, titanium, lead, chromium, and vanadium. These worse than the emissions from these small waste coal burning plants. There are at least 40 piles currently burning in PA. Past research by EPA (1978), the US Geological Survey, and Finkleman (2004) has indicated that these burning piles are hazardous to the health and safety of our citizens.
- Furthermore, the *EPA has indicated* that because of the unique environmental benefits that coal refuse fired EGU's (electric generating unit) provide, these units warrant special consideration so as to prevent the

amended NSPS (New Source Performance Standards) from discouraging the construction of future coal refuse fired EGU's in the US.

As stated above, the waste coal to energy plants are not the same as the large coal fired power plants that use deep and surface mined coal. The large coal burning plants each produce

- 1600 MW+ of electricity per day compared to the waste coal plants in Cambria County that produce 103 MW, 85 MW and 55 MW respectively.
- Keystone Power Plant (Coal burning) emits 1600 pounds of Mercury per year whereas the Colver waste coal plant emits 8 ounces of mercury per year. (Not a TYPO).
- The waste coal plants reduce sulfur by 92+% but the large coal power plants have little or no reduction in sulfur emission.
- EPA wants the small plants to reduce their mercury emissions *70% of 8 ounces* and the large coal plants *70% of 1600 pounds* of mercury emissions. The cost of the modifications for the small waste burning plants would be prohibitive, and the proposed amount is nearly undetectable.

We feel this is not equitable and one regulation does not fit all plants the same. It is an overburdening, unfair regulation. We support the House bill that will examine the EPA regulation on emissions from waste coal plants.

We feel that the waste coal plants provide a greater benefit to the environment, communities, and residents of the unregulated coal mining regions of the past. The amount of pollution removed and steams restored to new life must be considered as greatly beneficial to the people of the United States. These waste coal plants are a great example of ingenuity, cutting edge technology and concern

for the environment. The positive impact of the waste coal burning plants include enhancements on land, water, air, living organisms, as well as the social, cultural and economic environments.

Thank you for the opportunity to share our perspective with you today. We hope you will consider this statement when designing legislation--the SENSE ACT H.B. 3797.