

***D R A F T***

**MINING AND RECLAMATION ADVISORY BOARD (MRAB)  
REGULATION, LEGISLATION AND TECHNICAL COMMITTEE**

**Special Meeting**

**Thursday, May 20, 2004**

**Rachel Carson State Office Building**

**1:00 p.m.**

Members/Alternates in attendance: Dave Osikowicz (Committee Chairman, Member), Jack Chamberlin (Member), Sue Wilson (Alternate), Joseph Deklinski (Alternate), Stan Geary (Alternate) and Sue Germanio (Alternate).

Others in attendance: John Meehan (DEP), Nevin Strock (DEP) and Lara Logan (DEP).

**Meeting Called to Order**

Committee Chair Dave Osikowicz called the meeting to order at 1:05. Stan Geary opened with comments on the 2003 Remining Incentives Report. After discussion on various parts of the report the following recommendations were made to enhance incentives for remining and reclamation of abandoned and forfeited mine lands in the Commonwealth:

- All commonwealth agencies and commissions should facilitate economical remining and reclamation projects and activities on lands under their jurisdiction.
- The Administration should encourage public recognition that remining in conjunction with reclamation is “green energy” production. Green energy should go beyond a reduction in air pollution to include any form of energy production that improves water quality or contributes to public health and safety.
- Funding for the Remining Financial Guarantees Program should be expanded. The Department should consider only the historical rate of forfeitures of bonds at remining sites in determining the rate of bond forfeitures for the Financial Guarantee Program.
- The General Assembly should enact legislation which would apply land recycling and environmental remediation concepts to remining and reclamation projects (Grayfields).
- Growing Greener and other types of project grant applications which are designed in conjunction with remining activities should receive preferential consideration based on benefits to be derived and total funding available.
- The General Assembly should enact legislation which provides a \$2.00 per ton credit against an operator’s total state tax liability for each ton of coal mined from a remining area.

- Based on the low historical rate of forfeitures of bonds for areas that are reclaimed and planted, the General Assembly should amend Section 4(d) of the Surface Mining Conservation and Reclamation Act, 53 P.S. §1396.4(d), to reduce the minimum liability period that the Department holds reclamation bonds from five years to two years after planting for re-mining areas. Shortening the minimum period of liability on reclaimed re-mining areas would offer several benefits without costing additional funds or jeopardizing the environment. The Department should draft such legislation and present it to the General Assembly.
- The Department should explore with the surface coal mining industry whether it would be worthwhile to develop an areas suitable for re-mining program.
- The Department should report to the Mining and Reclamation Advisory Board at the Board's quarterly meetings regarding the extent, if any, the Board's recommendations are being implemented.