SAFEGUARDING

RECLAIMING

RESTORING

NATIONAL ASSOCIATION OF ABANDONED MINE LAND PROGRAMS

2018 UPDATE

INTRODUCTION

The National Association of Abandoned Mine Land Programs (NAAMLP) is an organization representing 31 States and Tribes that have an Abandoned Mine Land Reclamation (AML) Program. These organizations reclaim historic abandoned mining sites to protect the public's health and safety and to eliminate environmental degradation caused by these sites. NAAMLP provides a setting for member organizations to exchange technical and programmatic information such that each organization can achieve maximum reclamation with the monies provided by the AML Fund.

The Surface Mining Control and Reclamation Act (SMCRA) of 1977 established national standards for coal mining and requirements for reclamation of active coal mines. Additionally, Title IV of this Act created the Abandoned Mine Land Program to reclaim mined areas meeting a legal definition of "abandonment" (no party with reclamation responsibility for mined sites left inactive or abandoned prior to 1977 or prior to the date the State or Tribe assumed primacy for the SMCRA program). These abandoned mine sites are prioritized based on risks they pose to public health and safety and the environmental problems they cause. SMCRA requires all active coal mine operators to pay a reclamation fee on each ton of coal mined; this fee established and maintains the Abandoned Mine Land Fund. Fee collection for the AML Fund is set to expire in 2021, essentially ending AML Programs across the Nation.

Abandoned Mine Lands are plagued by safety and health hazards as well as diminished economic opportunities. The AML Programs across the country reclaim such hazards as subsidence, mine fires, hazardous mine openings, acid mine drainage and dangerous highwalls with no liability to the current landowners. States and Tribes work closely with the Office of Surface Mining Reclamation and Enforcement (OSMRE) to meet the intent of SMCRA to "promote the reclamation of mined areas left without adequate reclamation prior to August 3, 1977, and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger the health or safety of the public."

The AML Fund has provided funding to construct numerous reclamation projects that have eliminated thousands of health and safety hazards and reclaimed thousands of acres of land throughout the nation. The Fund has also been used for the administrative costs necessary to manage the AML Programs, including costs required to inventory the vast number of AML sites scattered throughout the Nation's coal fields. As population centers change and people explore their environments, AML mine features that may have been inconsequential for many years, can unexpectedly become hazards that affect human health and safety. Furthermore, weather changes, natural degradation, and time give rise to newly occurring mine-related AML problems such as landslides, mine blowouts, and subsidence events.

AML Programs throughout the nation have made great progress in eliminating some of the most dangerous hazards from historic mining sites, but much work remains to be done. AML Programs can boast of their impressive accomplishments from the previous forty years. However, time and funding have not been sufficient to reclaim the entirety of the problems created by more than 200 years of mining, mostly unregulated, throughout the United States. This mining has been vitally important to the United States economy, producing the fuel that spurred the industrial revolution and allowing our nation to become a global, economic leader. The remnants of that important mining have enduring impact today and continue to affect our citizens health, safety, and environment.

The AML Programs have built an impressive coalition of partners dedicated to AML reclamation and restoration. Through the cooperation of private land owners, coal industry representatives, federal agencies, local officials and watershed groups, thousands of additional acres of AML sites have been transformed into productive uses such as farmland, pasture, wildlife habitat and outdoor recreational areas. The economic benefit of successful AML reclamation is noteworthy because the AML Programs depend on a vibrant group of engineers, construction contractors, and other professionals to restore these sites. Thousands of jobs have been provided annually in areas with great need of economic development opportunities.

KEY ISSUES

- The current AML fee is set to expire in 2021, leaving billions of dollars in unreclaimed abandoned mine hazards across the nation with no resources for reclamation. **NAAMLP strongly supports the reauthorization of the AML fee collection through 2036.**
- NAAMLP strongly supports the increase of mandatory minimum program funding to $5 million annually.
- NAAMLP strongly supports that the AML Emergency Program is a mandatory expenditure from the OSMRE's discretionary share.
- NAAMLP strongly supports ending sequestration of AML grants ($84 million as of 2017).

BUDGET HISTORY

Since SMCRA's enactment OSMRE has collected $10.9 billion (including interest) through an AML fee assessed on each ton of coal that is produced. OSMRE has distributed $5.5 billion in AML grants to States and Tribes, transferred $1.4 billion to the United Mine Workers of America (UMWA) Health and Retirement Funds, and used $1.6 billion for operating expenses. $2.4 billion of the Fund remains unappropriated.[1]

ACCOMPLISHMENTS[2]

With the $5.5 billion in grant funds, AML Programs have reclaimed thousands of dangerous sites left by abandoned mines, resulting in increased safety for millions of Americans:

- More than 875,000 acres of high priority abandoned coal mine sites have been reclaimed.
- Hazards associated with more than 46,000 open mine shafts and portals have been eliminated.
- Over 1,000 miles of dangerous highwalls are no longer a threat to people.
- Over 29,000 acres of dangerous piles and embankments have been eliminated and the land reclaimed.
- Nationwide, $616 million has been spent on remediating public water hazards, including acid mine drainage, resulting in new potable water supplies and restored streams.
- For every AML dollar spent for construction, $1.59 was returned to the local economy. For every mile of stream improved, there is a net gain of $80,000 per year to the local economy.
- More than 7.2 million people nationwide have been protected from abandoned mine hazards.

Despite these impressive accomplishments, $10.4 billion of high priority AML problems still threaten the public health and safety and remain unreclaimed. These hazardous sites require safeguarding by the State and Tribal AML Programs.

1. Values provided by OSMRE, 2017. These values repesent the totals from 1977 through 2016.

2. Values provided by OSMRE's eAMLIS data as of 9/30/2017.

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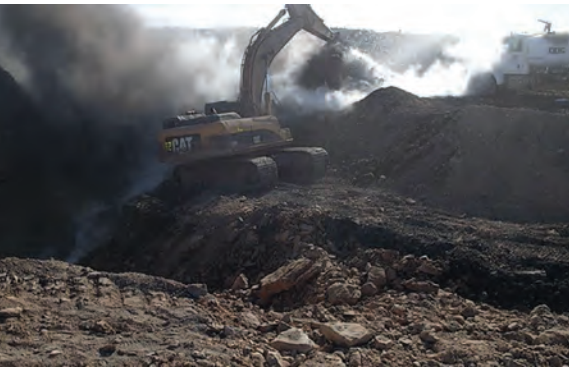
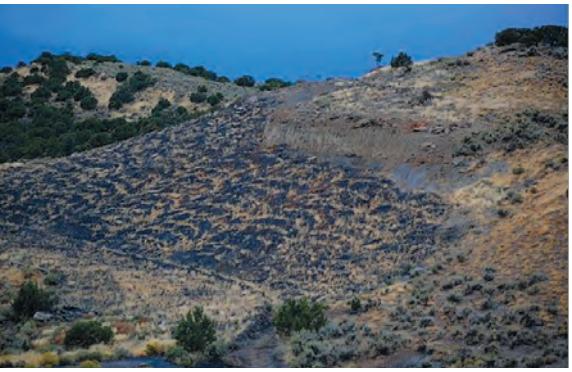




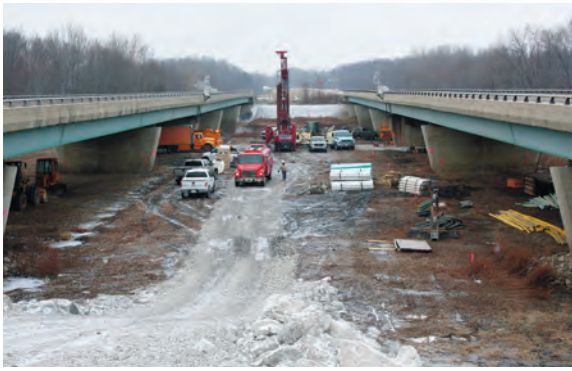
SKULL CREEK MINE FIRE, COLORADO

The Skull Creek mine fire is located near Rangely, Colorado in the northwestern part of the state near the Utah border. The mine fire was an extremely active underground fire with the potential to express at the surface and initiate a wildfire. Geophysical investigations led the Colorado Inactive Mine Reclamation Program (CIMRP) to develop a project involving complete excavation of the coal fire, quenching, and replacement due to the shallow nature of the fire zone.

Construction at the fire occurred over an area of approximately 5 acres, and resulted in the excavation and quenching of approximately 168,000 cubic yards of material. The Skull Creek fire was completely excavated and cooled in approximately 7 months. Following replacement of the cooled material, the site was recontoured to natural slopes and revegetated.

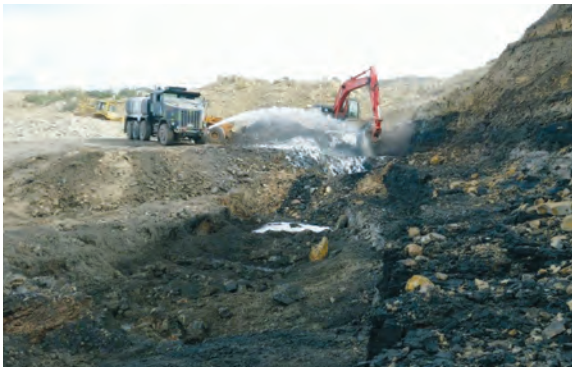
INTERSTATE 72 BRIDGE SUBSIDENCE STABILIZATION, ILLINOIS

This project prevented the collapse of the Interstate 72 Sangamon River Bridge just east of Springfield, Illinois. The Illinois Department of Transportation (IDOT) discovered the bridge was beginning to settle due to coal mine subsidence and determined that it would likely collapse if ground movements were allowed to continue. In March 2011, the Department of Natural Resources' Abandoned Mined Lands Division implemented an emergency mine stabilization program that stopped ground settlement by drilling and pumping concrete grout into the mine voids. Concurrently, IDOT strengthened critical bridge elements and conducted frequent inspections. By pooling expertise and resources, this project demonstrated that grouting can be used to stop active coal mine subsidence.



COYOTE CANYON COAL FIRE MITIGATION, NAVAJO NATION

In November 2014 the Navajo AML Reclamation Program (NAMLRP) successfully extinguished a subsurface coal fire five miles southwest of Coyote Canyon, New Mexico, within Navajo Trust Lands. According to families residing near the project area, the coal seam had been burning since the 1930s. The Coyote Canyon fire likely started naturally. NAMLRP developed technical specifications to address the fire and subsidence areas, requiring excavation of the burning coal seams, so that the fire could be quenched with a combination of a firefighting agent and water. A severe drought required transportation of water using tanker trucks. The final contouring geomorphic concept was implemented, with most of the overburden material used to construct two sediment retention structures to capture local limited precipitation. This reclaimed site will be stable for decades to come. Project partners included Federal, Tribal, and local agencies. Local families were extremely supportive throughout the entire project, and during the final inspection expressed complete approval by giving the entire team a thumbs up.



NORTHEASTERN STATE RECLAMATION, OKLAHOMA

The Northeastern State Project is located within the city limits of Broken Arrow, Oklahoma—a population over of 105,000. This project is also located immediately to the north of the Northeastern State University/Broken Arrow campus where over 3,500 students attend classes. With the project being close to the campus and within the city limits, accessibility and trespassing at the site was a constant problem. Significant public hazards including 4,600 feet of dangerous highwalls, a hazardous water body, and 94 acres of spoil piles required elimination. Reclamation was completed in 2017 at a cost of $1,588,804.

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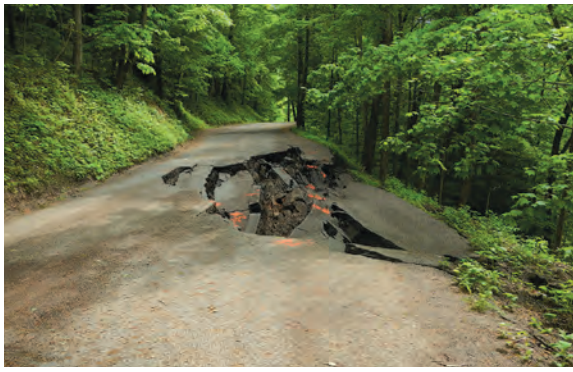
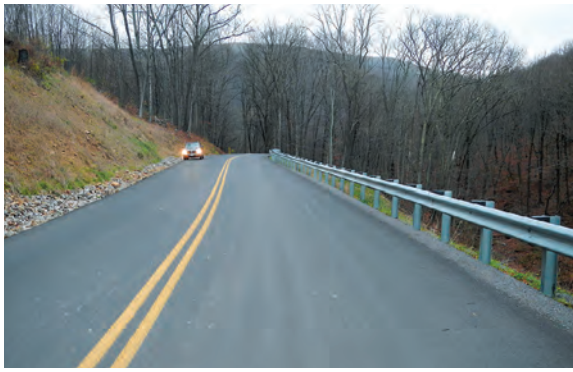
AARON RUN ROAD LANDSLIDE, MARYLAND

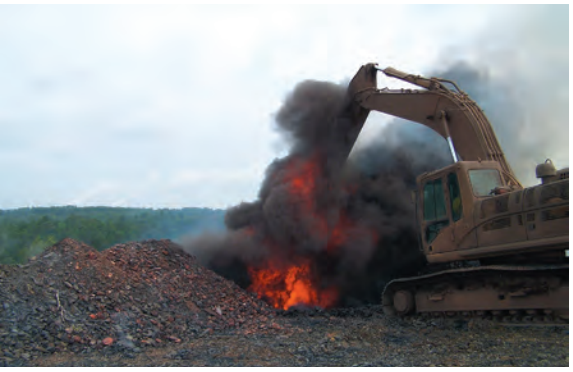
The collapse of an underlying deep mine and the saturation of mine drainage caused a landslide which severely damaged Aaron Run Road near Barton, a town of 457 people. Aaron Run Road is the primary access to dozens of homes and farms and is also heavily used for hauling timber and coal from nearby logging and mining operations. The collapse of the road created an eight-mile detour which routed traffic, including coal and logging trucks, through the narrow and steep streets of a nearby municipality. The local residents and mine operators were concerned about increased response time for emergency responders due to the detour. Project construction began in September 2014 and was completed in November 2014 at a cost of $683,175.





GLENROCK NO. 2 COAL MINE, STATE HIGHWAY 20/26/87, WYOMING

In spring 2016, a subsidence hole opened in a parking lot 370 feet west of then-known extents of the Glenrock No. 2 underground coal mine. In November 2016 Wyoming AML commenced a pilot grouting project at that location to fill the void and to investigate cost-saving grouting methods for this (and other) Priority 2 Subsidence(s). Discovery of a 6-foot thick void 10 feet below the highway surface changed the pilot project into an immediate response project. Wyoming DOT indicates 1,220 vehicles use the highway daily, many carrying windmill parts, weighing greater than 112,000 pounds. 1,409-cubic yards of grout were emplaced in 74 grout holes across 750 feet (0.77 acres). Project completion was in February 2017 for a cost of $754,379.



MULGA GOB FIRE EMERGENCY, ALABAMA

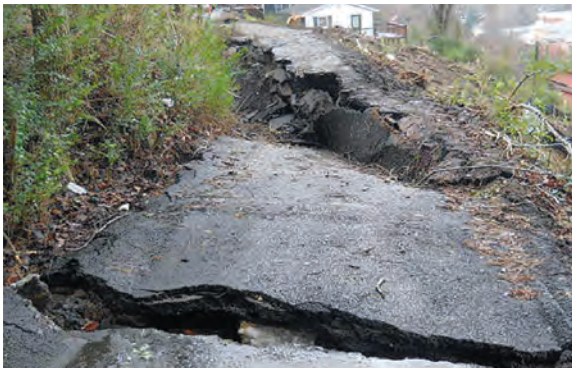
One of several high priority safety hazards in Alabama are coal mine refuse (gob) fires. Mulga began as a 4-acre fire and eventually grew to 32 acres involving 2.9 million cubic yards of coal refuse, much of it burning. The fire impacted multiple trespassing visitors risking injury or death from surface cracks and sub-surface burning caverns and created an imminent fire and breathing/smoke hazard to dozens of nearby residences in Mulga and 4 other nearby communities. Additionally, smoke had already caused several wrecks on nearby Shady Grove Road, creating an extreme danger to hundreds of motorists travelling on this busy commuting route into Birmingham.

Reclamation was accomplished by separating the burning material and sealing lifts with clay, effectively separating the fire from its source of air. Once graded, riprap down-drains, revegetation and tree planting successfully stabilized the site. Including borrow and disposal areas, the final project footprint included 52 acres at a cost of $2,731,000.

JORDAN STREET LANDSLIDE,KENTUCKY

The steep hillside located above Jordan Street in the community of Hazard, Kentucky had been gradually sliding for several years. Residents living in the area were concerned for their families' safety and frustrated with property damage, including mine drainage flowing down the hillside causing the earth to slide and property to become unstable. Large cracks also formed in the foundation of the primary residence from ground movement caused by the mine drainage.

AML reclamation to abate these mine-related problems included construction of reinforced concrete and gabion retaining walls and associated drainage controls behind and around the primary residence and the adjacent properties.



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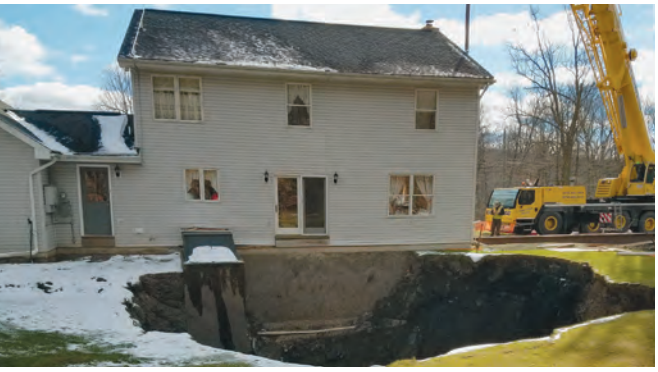


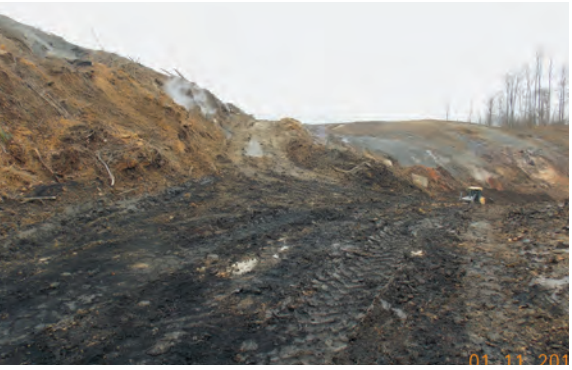
PARK PLACE SOUTH MINE SUBSIDENCE, PENNSYLVANIA

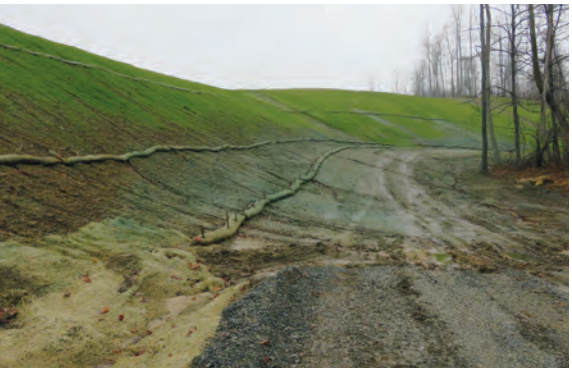
In November 2016, a family's dream house turned into a nightmare when a 30-foot-deep mine subsidence occurred at their back door. The home received major structural damage and work began quickly to save the home. Pennsylvania's AML program worked to stabilize the home, backfill the subsidence, and fill voids in the underground mine as an AML emergency project. Two side-by-side 36-inch steel beams spanning 120 feet were installed to stabilize the home prior to backfilling the subsidence. Twelve boreholes were drilled and over 2,000 cubic yards of grout was used to fill underground mine voids.

Pennsylvania's AML program typically addresses over 75 mine subsidence hazards each year.

SITE 309, MILL CREEK HIGHWALL, INDIANA

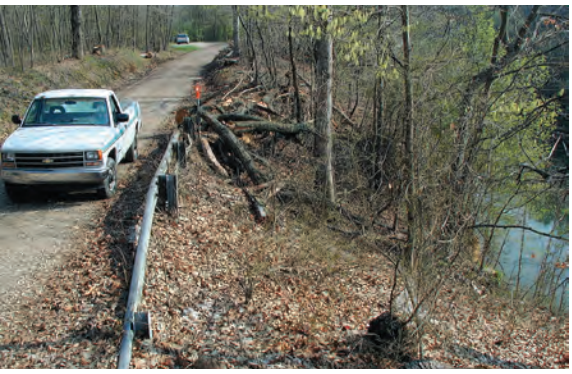
Just north of Augusta, Indiana, an extremely dangerous highwall that was 4,200 feet in length and 110 feet high was directly adjacent to a narrow and sharply curving county road that was also part of a school bus route. The AML engineer's estimate to backfill the highwall was over $6,000,000. In order to eliminate the public safety hazard and save significant funds, the AML program entered into a cooperative project with an adjacent active mining operation to mine through the road and highwall. Between November 2008 and July 2010 the highwall was eliminated and the road was straightened for a total cost to the AML program of only $305,000.

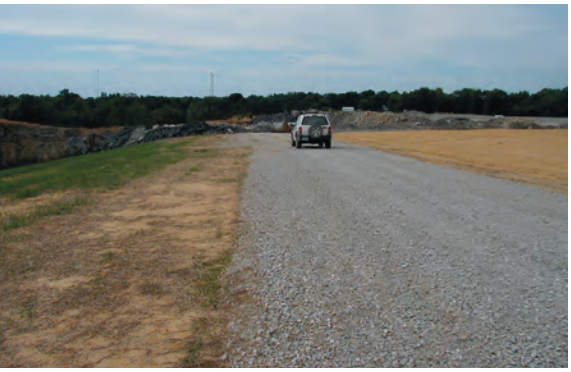




SCOTCH HILL (JENNINGS) UNDERGROUND MINE FIRE, WEST VIRGINIA

A five-acre underground mine fire in rural Preston County ignited a forest fire, and spread to within one-quarter mile of a residential area. Toxic fumes and smoke reduced highway visibility and inundated nearby homes. Temperature readings at the surface exceeded 600 degrees Fahrenheit. On December 12, 2016, the West Virginia Office of Abandoned Mine Lands declared an emergency and initiated a two-phase, in-house project to extinguish the mine fire. Mine openings and heat-induced stress fractures were filled. Grout and fire-fighting foam were injected into the mine via 284 drilled bore holes. The project was completed on November 29, 2017, and cost $4,125,322.





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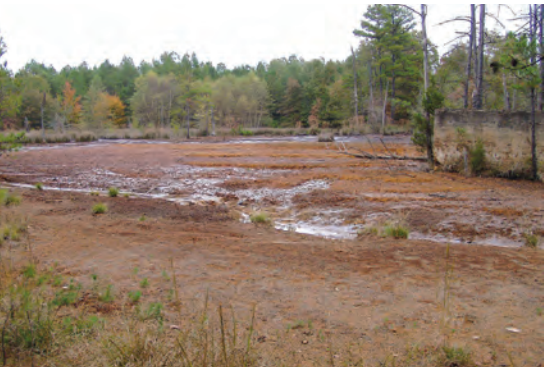
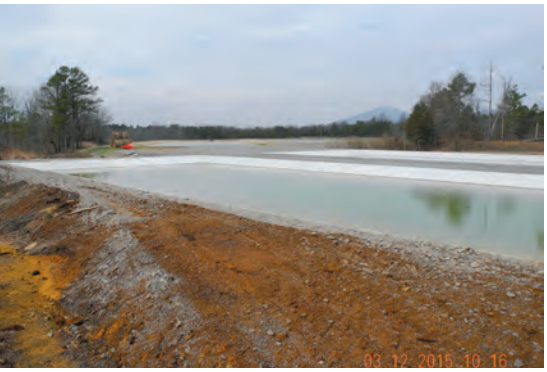




HARTFORD ACID MINE DRAINAGE, ARKANSAS

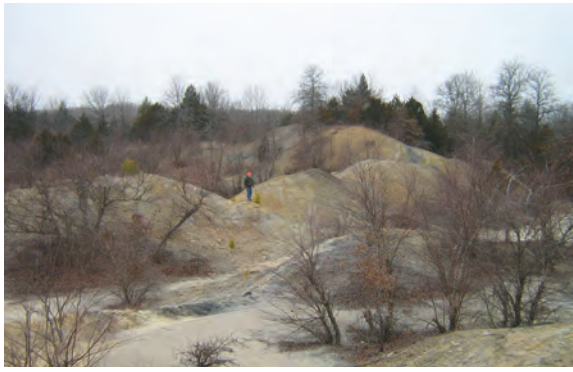
Located in western Arkansas, this 16-acre abandoned coal mining operation discharged acid mine drainage (AMD) which impacted the local wetland environment and West Creek. This underground mine operated as the W.M. Steel and Son Coal Company, and was abandoned in 1956. The mine workings flooded and an artesian flow of AMD (pH = 3) began from the main mine shaft. Flow measurements were measured between 100 gallons per minute (gpm) to 600 gpm. In 2014, the Arkansas Department of Environmental Quality undertook the construction of a passive treatment system in order to mitigate the impacts to the environment and 177 local residents. To accommodate the varying flow rates, the Hartford AMD project was constructed with two parallel circuits of oxidation and vertical flow treatment ponds followed by a single aerobic cell prior to discharge into West Creek. The project was completed in June 2015 at a cost of $2,100,000.

MILLERSBURG RECLAMATION, MISSOURI

This Priority 2 project is located two miles east of Millersburg, Missouri in Callaway County. These lands were surface mined and left unreclaimed prior to the 1950's, featuring steep barren and eroding spoil piles and acidic pits.

The 35-acre project eliminated health and safety threats by backfilling a dangerous highwall, leveling and grading dangerous piles and embankments, and backfilling three polluted acid water impoundments. The reclamation also improved water quality in Miller's Creek by reducing the amount of acid-forming sediments that erode into the stream.

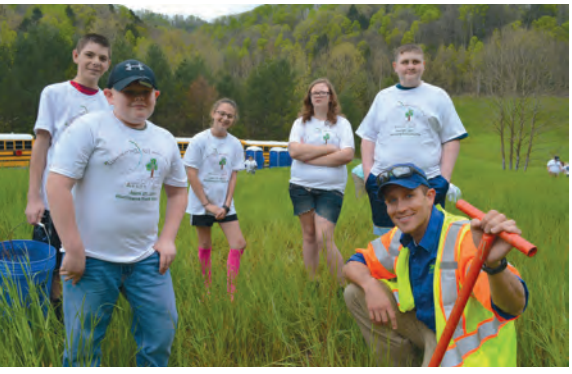
The project began on July 2, 2013, and was substantially complete on December 31, 2013 at a total project cost of $611,649.



CARNATION MINE CLOSURE, NEVADA

Approximately 83% of Nevada is public land used for recreation by thousands of outdoor enthusiasts each year. The state also contains 526 identified mining districts and an estimated 50,000+ hazardous historic-mining related features. In February of 2017, an ATV rider narrowly escaped injury when a dirt road collapsed beneath their rear tires in the historic "Nelson" mining district 30 miles south of Las Vegas.

The Nevada Division of Minerals and BLM AML programs worked quickly to mitigate the hazard, constructing a temporary fence and beginning the categorical exclusion process the following day. The permanent closure work was performed later that year and included repairing the road, backfilling nine hazards and fabricating five bat-compatible closures at a cost of $46,038.



HURRICANE FORK GOB PILE, VIRGINIA

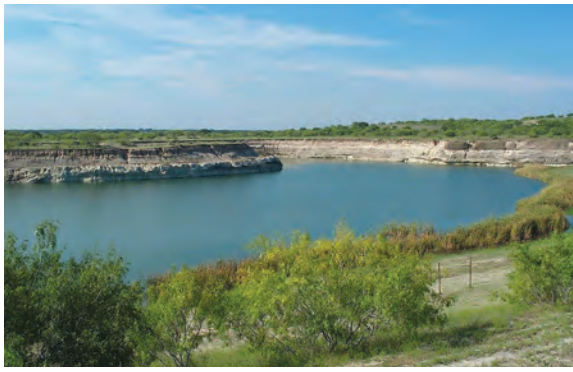
The Hurricane Fork Gob Pile (coal refuse) was the single worst pollution source for the Clinch—one of the most biodiverse rivers in the world. The pile covered over ten acres. At least 100 tons of sediment from the pile were eroding into Dumps Creek, a tributary of the Clinch River, every year. The construction of a new coal-fired power plant a few miles away made this project feasible in 2014. The gob was removed from the site and burned to make electricity at the Virginia City Hybrid Energy Center.

Reclamation was completed in 2016 after 1.5 million tons of gob was removed. The project cost over $10 million that included an abandoned mine land grant of $420,000 from the Virginia Department of Mines, Minerals and Energy. The Hurricane Fork Gob Pile project serves as an example to never give up and to be creative in looking for reclamation opportunities.

RECLAIMING

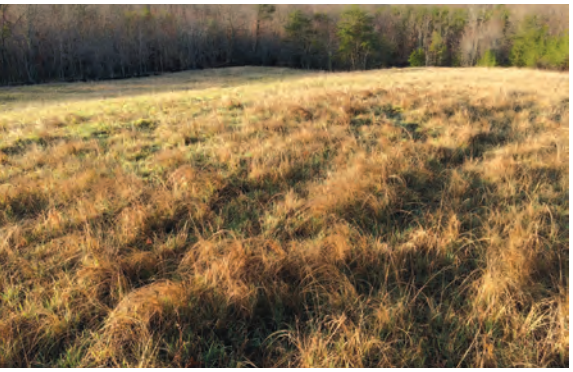
STOELTJE URANIUM MINE RECLAMATION, TEXAS

The Stoeltje Abandoned Mine Land Project is located 2.5 miles south of Falls City along County Road 207. The abandoned mine consisted of a 19-acre hazardous water body (120 feet deep), 3,400 linear feet of highwall (40 feet high), and 52 acres of radioactive spoil (above radiation background levels). Reclamation began on October 29, 2013 and was completed on August 31, 2015 and involved moving 2,479,734 cubic yards of soil and pumping 406 million gallons of water. Revegetation activities were completed on April 27, 2016. The reclaimed site contains slopes of 14% or flatter and with radiation reading near background levels. The reclamation contract cost was $5,359,865.



NORTH JONES SHAFT, ALASKA

This Priority I shaft was discovered in a historic mining district located 15 miles northwest of Palmer, Alaska. The surrounding area is visited by approximately 50,000 recreational users per year. Popular activities include hunting, fishing, mountain biking, hiking, and ATV riding. The shaft was closed with a combination of large boulder backfill, concrete and rebar. The site was completed in June 2010 and continues to be stable today.



ROCKY RIVER 2 RECLAMATION, TENNESSEE

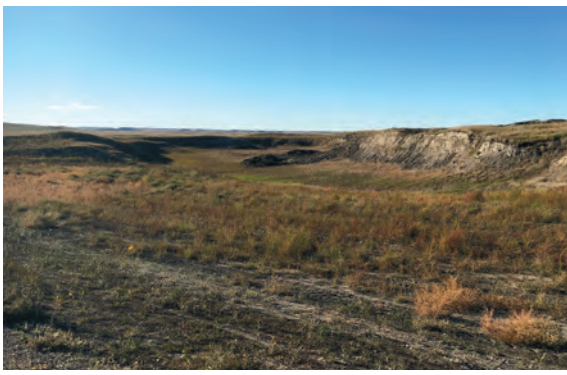
This 80-acre project included 2,500 linear feet of dangerous highwall and 11 hazardous water bodies. State Highway 111 bisected this abandoned mine site, putting travelers in close proximity to these hazards. One easily accessible pit became a local dump. Completed in October 2015, reclamation included regrading the mine spoil to eliminate the highwalls and pits.

Tennessee's AML program has reclaimed over 1,000 acres in the Rocky River watershed which was on the EPA 303(d) list for impacts from abandoned mining. Reclamation contributed to improvements in water quality, to the point where this watershed was delisted in 2015 and is deemed fully supporting of its designated uses.

DANGEROUS HIGHWALLS BOWMAN, NORTH DAKOTA

Until 2016, two hazardous abandoned coal mine pits were within seventy-five feet of both sides of 78th Street SW, in southwestern North Dakota. Vegetation was sparse, and erosion of a mine highwall cut into the road ditch. One year later, motorists traveling down the road can see continuous wheat fields adorning both sides.

Reclamation was completed October 2016 at a cost of $90,447. Landowners were able to harvest an additional ten acres of wheat in 2017. Without AML funds, thousands of abandoned mine sites will remain as hazardous and unproductive derelicts of the past. Over $17 million is needed to reclaim high priority dangerous highwalls remaining in North Dakota.



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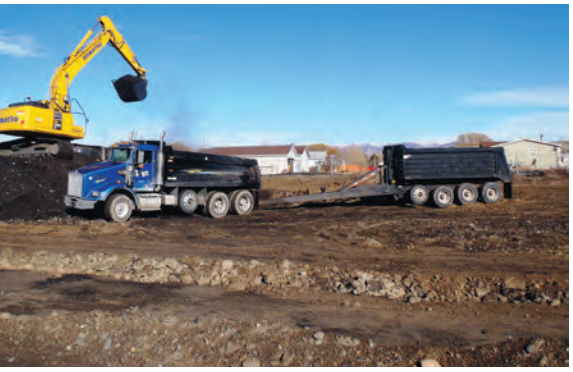
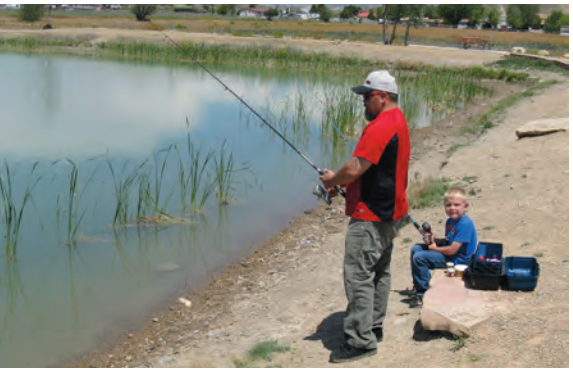


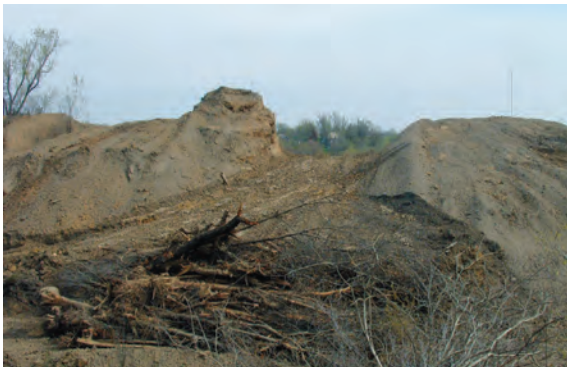


KNIGHT-IDEAL LOADOUT, UTAH

Utah transformed 19 acres of coal and garbage at an abandoned coal loading facility next door to homes in the town of Wellington from a hazardous eyesore into a city park. The two-year, $2.4 million project completed in December 2014, disposed of 31,500 cubic yards (CY) of coal refuse, 2,500 CY of structural debris, 10,500 CY of soil contaminated by a leaking fuel tank, and 650 tons of other debris. The project recycled 58 tons of scrap steel. The reclamation included construction of a fishing pond for local residents through a partnership with Wellington City and the Utah Division of Wildlife Resources.

GOFF MINE RECLAMATION, IOWA

The Goff abandoned mine site, near Knoxville in Marion County, Iowa is a 180-acre site strip-mined in the 1960s. The project addressed several priority features including dangerous highwalls, dangerous piles and embankments, pit ponds, and industrial/residential waste, which made the site an attractive nuisance. There were persistent trespassing issues with unauthorized hunting, swimming, and illegal dumping.



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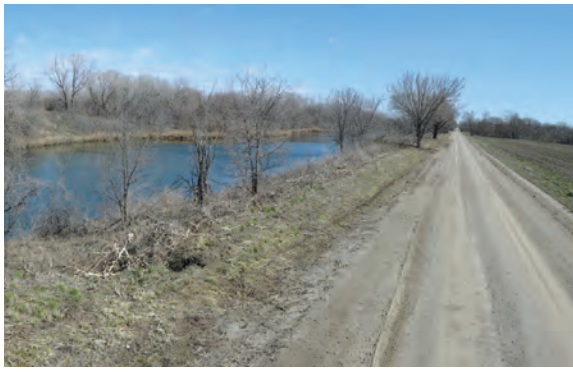
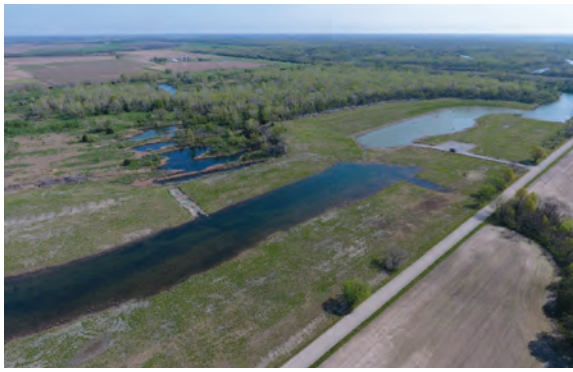
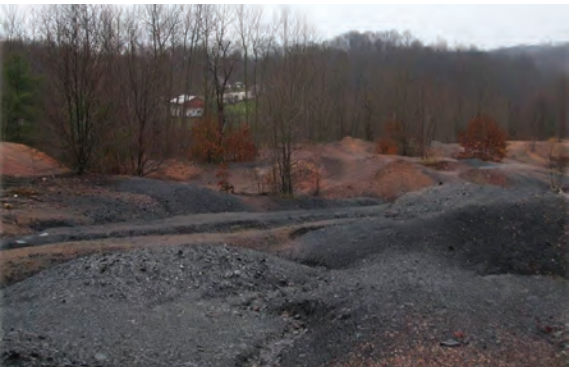
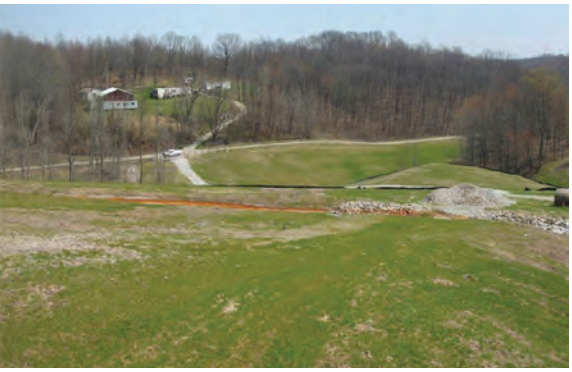
DEER CREEK II HIGHWALL RECLAMATION, KANSAS





First entered into the Kansas abandoned mine land inventory in 1987, Deer Creek II is owned by the State of Kansas and is being utilized and maintained by the Kansas Department of Wildlife, Parks and Tourism (KDWPT) as part of the public use areas known collectively as the Mined Land Wildlife Areas (MLWA). Prior to reclamation, the traveling public was exposed to safety hazards along NW 90th Street, Lawton Road and NW 100th Street due to the presence of over 6,000 linear feet of Priority 2 dangerous highwalls and 316 acres of Priority 3 spoil area. For years, Deer Creek II ranked #1 on the Kansas AML inventory. Construction of the $3,150,229 project began in January 2014 and was completed by 2015. The seeding of the 142 disturbed acres in the project area included warm season native grasses and forbs, as well as several milkweed species.



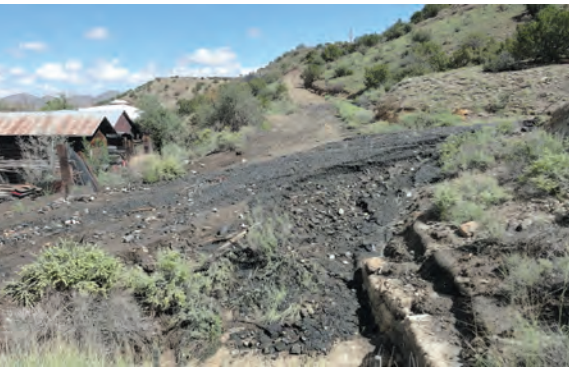


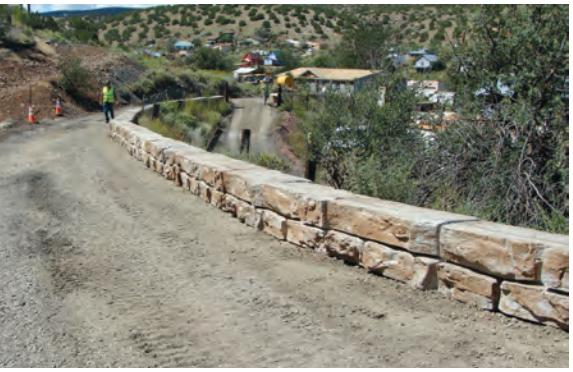
CANNELVILLE ROAD COAL REFUSE, OHIO

The Cannelville Road Coal Refuse Project in Ohio's Muskingum County addressed the reclamation of ten acres of Priority 1 Clogged Stream Lands (CSL), three acres of Priority 2 gob (coal refuse), and eight acres of associated borrow and erosion control areas in accordance with Title IV of the Surface Mining Control and Reclamation Act (SMCRA) and the degraded water quality in the un-named tributary to Brush Creek.

The site was barren gob, mine spoils, eroded slopes and gullies with no vegetative cover and a major contributor of sediment and acid mine drainage downstream. The reclamation of this project removed the public safety hazard of clogged streams by reclaiming the erosive mine waste gob sediment source, as well as improving water quality and enhancing wildlife habitat, as part of Ohio's mission of reclaiming hazardous abandoned mine features and restoring lands and waters affected by past abandoned mining. Much of the surrounding area is forest, supporting numerous species of wildlife, including whitetail deer and wild turkey. The reclamation now provides a natural edge of reclamation grasses and legumes for browse to various wildlife species.

RESTORING





MADRID LOW IMPACT STORMWATER, NEW MEXICO

After the demise of coal mining in Madrid in 1954, dangerous mine portals, shafts, and hazardous structures remained along with coal refuse that were delivering significant amounts of storm runoff and sediment that clogged the town's drainage infrastructure and, in 2013, led to flooding of historic buildings with saturated mine wastes. Design and installation of innovative, effective, and locally sustainable stormwater infrastructure and erosion control measures rehabilitated the degraded land and minimized visual impacts to the historic landscape. Reclamation was completed in June 2016 at a cost of $1,264,255.

This project received OSMRE's 2017 AML Reclamation Western Region Award for successfully addressing 180-year-old coal mining issues for this historic town.

SAND COULEE WATER SYSTEM RESTORATION, MONTANA

The Sand Coulee Water System Restoration Project eliminated water shortages and drinking water contamination in a former coal mining community located near Great Falls, Montana.

Abandoned coal workings dewatered the town's aquifer as well as produce acid mine drainage in the community. The City's water mains were bedded in coal waste and the thin walled plastic pipe would often break contaminating the drinking water. Since the 1950's the community did not have a safe or reliable water source.

The Montana AML Program drilled two new deep wells and constructed new mains, fire hydrants, a new storage tank and a new well house building with modern controls. The project cost $3.4 million. The community now has safe and reliable drinking water and the pollution from abandoned coal mines in the drinking water have been eliminated.

FROM THE PRESIDENT

This publication was developed to assist leaders and stakeholders of the mining regions of our country to gain a better understanding of the complex problems associated with abandoned mine land (AML) reclamation. The collection of reclamation projects highlighted in these pages offer examples of our important work. And, while you may find these summaries and photos noteworthy, they cannot begin to adequately capture the true benefit these restoration projects provide to the citizens and communities who now live free from the negative and dangerous impacts of historic mining practices. Unfortunately, many hazardous legacy issues remain nationwide and many are yet to be discovered or have not materialized.

I ask you to join with the National Association of Abandoned Mine Land Programs (NAAMLP) as we strive to continue our efforts to reclaim abandoned mine land hazards associated with historic mining sites throughout our nation.

Regards,

Robert F. Scott

Bob Scott

These are the States and Tribes that are members of the National Association of Abandoned Mine Land Programs.

Please visit our website at naamlp.net for contacts and more information.

ALABAMA
ALASKA
ARIZONA
ARKANSAS
CALIFORNIA
COLORADO
CROW TRIBE
HOPI TRIBE
ILLINOIS
INDIANA
IOWA
KANSAS
KENTUCKY
LOUISIANA
MARYLAND
MISSISSIPPI
MISSOURI
MONTANA
NAVAJO NATION
NEVADA
NEW MEXICO
NORTH DAKOTA
OHIO
OKLAHOMA
PENNSYLVANIA
TENNESSEE
TEXAS
UTAH
VIRGINIA
WEST VIRGINIA
WYOMING

RESOLUTION

A Resolution Concerning Reauthorization of Fee Collection Authority
Under Title IV of the Surface Mining Control and Reclamation Act PL.95-87

BE IT KNOWN THAT:

WHEREAS, Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) established the Abandoned Mine Land (AML) reclamation program; and

WHEREAS, The National Association of Abandoned Mine Land Programs (NAAMLP) consists of 31 states and Indian tribes, each with interests in abandoned mine land remediation, including the reclamation of land and water resources adversely affected by past mining and left in an abandoned or inadequately restored condition; and

WHEREAS, pursuant to the cooperative federalism approach contained in SMCRA, 28 NAAMLP member states and tribes administer AML programs approved, funded and overseen by the Office of Surface Mining Reclamation and Enforcement (OSMRE) within the U.S. Department of the Interior; and

WHEREAS, SMCRA Title IV establishes a reclamation fee on each ton of coal mined in the United States to fund abandoned mine land reclamation; and

WHEREAS, Congress enacted amendments to SMCRA in 2006 to address, among other things, continued collection of AML fees and funding for state and tribal programs to address existing and future AML reclamation; and

WHEREAS, The reclamation fee authorized under SMCRA Title IV will expire by operation of law on September 30, 2021; and

WHEREAS, Since the enactment of SMCRA, 6,151,789 AML hazards (totaling some $4 billion in construction costs) have been abated by the state and tribal AML programs; and

WHEREAS, Presently, there are 14,384,171 AML hazards (totally some $9 billion) that still need to be remediated; and

WHEREAS, Without the funding generated by the Title IV reclamation fee, these remaining AML hazards will not be addressed, prolonging indefinitely the subjection of our citizens and environment to the hazards associated with AMLs.

WHEREAS, To complete reclamation of the remaining AML hazards, reauthorization of SMCRA Title IV fee collection authority is a necessity.

THEREFORE BE IT RESOLVED, that the National Association of Abandoned Mine Land Programs:

Strongly endorses reauthorization of Title IV reclamation fee collection authority to continue ongoing mandatory grants to states and tribes; and

Urges Congress to enact legislation reauthorizing Title IV fee collection authority for a period of fifteen years beyond September 2021; and

Strongly supports the continuation of states and tribes as the sole delivery mechanism for AML funds given their demonstrated 35-year history of effective and efficient program implementation; and

Advocates the consideration of other appropriate, related amendments to Title IV of SMCRA based on our ten years of experience since enactment of the 2006 amendments (see related attachment); and

Will cooperate with OSMRE and interested and affected stakeholders to assess these additional potential amendments.

Chuck Williams
President
National Association of Abandoned Mine Land Programs
Issued this 28th day of September, 2016

naamlp.net
April 2018