“AML Reauthorization: The Present Landscape”

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Reauthorization on the Horizon

- Fee Collection Authority Expires in September, 2021
- $4 Billion in Remaining High Priority AML Problems
- Last Reauthorization Effort Required 10 Years of Effort
- States and Tribes are Beginning to Gear Up Now for a Renewed Effort
- What Will Reauthorization Look Like This Time Around?
Key Reauthorization Questions

- Who Will the Players Be?
- What are Their Interests and Positions?
- How Have Things Changed since 2006?
- What are the Pressing Issues Today?
- Who Will be Our “Champions” on the Hill?
- What Ground Work Needs to be Laid?
State and Tribal Issues

- The Unappropriated Balance
- AMLIS and Remaining AML Problems
- Fee Amounts Going Forward
- Program Elements – Changes Needed?
- Sequestration Impacts
- Keeping the Coalition Together
Key Questions and Concerns

• How are States and Tribes Spending the Money They Receive in Annual Grants?
• Interrelationship with Title V Programs – the “Carrot and Stick” Approach
• Hardrock AML Reclamation Fee and Program
• Good Samaritan Protections
• Keeping the Funding Off-Budget
Congress

• Where Congress Finds Itself These Days
• Communicating with Congress
• Congressional Support
• Who Will be Our Champion?
• Importance of Key Congressional Committees, i.e. Senate Energy and House Natural Resources
The Coal Industry

- Role of BCOA, especially with regard to the UMW Combined Benefit Fund
- CBF Shortfalls and Funding Needs
- Role of National Mining Association
- Interrelationship between Coal and Hardrock AML Reclamation
Environmental and Citizen Groups

- National Groups
- Watershed Groups
- Potential Interplay between Title IV and Title V Issues
- Larger Sustainability Issues and Concerns
Federal Government

• OSM’s Role as Fee Collector and Oversight Authority
• OMB’s Role re Administration Policy
• Recent AML Legislative Proposals
• Program Priorities and Competing Interests
Continuing Threats to AML Trust Fund

• Beyond Sequestration Cuts, a Large Unappropriated Balance Becomes a Tempting Target
• Certified States (WY in Particular) Took A Hit in 2010 with MAP-21
• Administration Proposals to Eliminate Funding for Certified States and Tribes
• Adjustments to Project Priorities and Program Protocols
Sequestration Impacts to AML Trust Fund

- Annual Percentage Cuts Apply to Certain Mandatory Funding
- AML Trust Fund is NOT Exempt
- Combined Benefit Fund (part of AML Fund) is Exempt
- States are Seeking Exemption for AML Funding
- Without It, Valuable Dollars and AML Work are Lost
- $40 million So Far; Upwards of $135 million by 2022
- Wreaks Havoc on Other Program Elements
Present Issues and Future Challenges

- Undelivered Orders
- Veracity of AMLIS
- Grant Administration
- “Staffing up” Impacts re Fixed Costs
- The Certification Landscape
- Status of Minimum Programs
Issues and Challenges Continued

• Declining Coal Production
• Relative Importance of AML Projects
• Overall Landscape for AML Problems
• Justifying our Existence