

No. 17-06-RE

A RESOLUTION

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the reauthorization of the collection of fees for the Abandoned Mine Reclamation (AMR) Fund for a period of twenty (20) years, the increase of the amounts of these fees, and the allocation of interest generated from the AMR fund to defray the health care costs for certain retired miners and their dependents.

WHEREAS, over 10 billion tons of bituminous coal have been mined in Western Pennsylvania since mining began around 1760 near Pittsburgh, a figure which accounts for roughly one quarter of all coal ever mined in the United States and which has made the industry one of the most significant employers of our citizens; and

WHEREAS, Abandoned mines pose hazards in Pennsylvania consisting primarily of dangerous mineshafts, over 250,000 acres of abandoned surface mines with dangerous highwalls and water filled pits, large quantities of black waste, scarred landscapes, acidic drainages polluting about 2,400 miles of streams to the point that they do not meet water quality standards, uncounted households without adequate water supply due to past mining practices, and mine fires and subsidence; and

WHEREAS, forty-five of Pennsylvania's 67 counties are affected by abandoned coal mines, with at least 1.4 million Pennsylvanian's living within one mile of abandoned mine lands; and

WHEREAS, the Pennsylvania Department of Environmental Protection estimates that the cost of remediation of all of the pollution from these mines would exceed \$15 billion; and

WHEREAS, abandoned mines and abandoned mine lands create negative impacts on local economies by destroying recreational opportunities, lowering land values, leaving desolate communities once the mines are exhausted and ruining sites for further residential, forestry, commercial or agricultural uses, and threaten the human health and safety of people living in our coal field communities; and

WHEREAS, reclamation of abandoned mine sites can add to the economy by creating jobs, increasing community pride, increasing property values, decreasing stress-related costs through stream-based recreation, restoring the health of the environment and providing future sites for commercial or industrial endeavors; and

WHEREAS, Congress established the AMR Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 (the Act) in an effort to assist with the reclamation of abandoned mine areas; and

WHEREAS, the Act imposed a fee on coal operators of 35 cents per ton on surface mined coal, 15 cents per ton on underground mined coal, and 10 cents on lignite in order to provide a source of revenue to help finance the reclamation and remediation of mine lands; and

WHEREAS, the collection of fees on mined coal under the Act was is set to expire on June 30, 2006; and

WHEREAS, Pennsylvania has relied upon the AMR Fund as a primary source of money to clean up toxic mine water in our water supplies, restore land, extinguish mine fires and eliminate other dangerous abandoned mine hazards;

The Council of the County of Allegheny hereby resolves as follows:

SECTION 1.

Allegheny County Council hereby urges the Congress of the United States to authorize the collection of fees on mined coal at increased levels of 45 cents per ton for surface mined coal, 25 cents per ton for deep mined coal, and 20 cents per ton on mined lignite, and to authorize the collection of these fees for at least twenty (20) years, through 2026.

SECTION 2.

Council further urges that future allocated reclamation fees be fully appropriated for the intended purpose of cleaning up abandoned mine problems, and that the annual distribution of funds be reformulated to adequately address the abandoned mine problems of all states, with priority given to allow for the remediation of the most severe problems as quickly as practicable. To these ends, Council urges that:

- A. The current definitions of Reclamation Priorities be maintained to adequately correct all land and water problems created by abandoned mines including water polluted by acid mine drainage; and
- B. Future allocations from the AMR Fund be structured such that they are used by the states in ways that promote reclamation, leverage private investment, and encourage development where appropriate, as well as to complement or match other funds available for redevelopment of abandoned mine land sites; and
- C. Interest generated on the AMR Fund be allocated to the Combined Benefit Fund in order to defray health care costs for retired miners and their dependents whose companies have gone bankrupt or are no longer in business.

SECTION 3.

Copies of this Resolution shall be transmitted to regional representatives of U.S. Congress and the U.S. Senate.

SECTION 4.

If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

SECTION 5.

Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

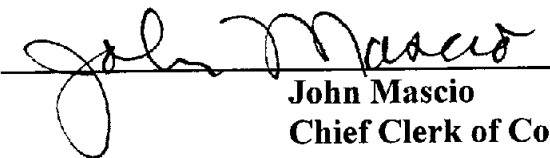
SPONSORED BY COUNCIL PRESIDENT FITZGERALD and COUNCIL MEMBERS DeFAZIO and FINNERTY

Enacted in Council, this 18th day of April, 2006

Council Agenda No. 2539-06



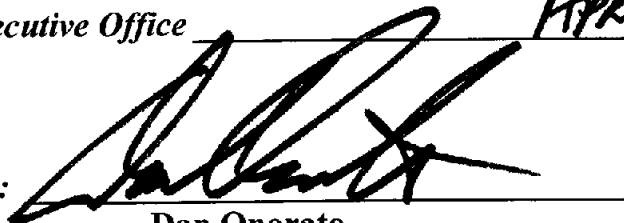
Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office

April 19, 2006

Approved:



Dan Onorato
Chief Executive

Attest:



Donna Beltz
Executive's Secretary