

HOUSE BUDGET REVIEW SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC PROTECTION, TOURISM, AND ENERGY

Minutes of the 2nd Meeting of the 2023 Regular Session

February 15, 2023

Call to Order and Roll Call

The second meeting of the House Budget Review Subcommittee on Economic Development, Public Protection, Tourism, and Energy was held on February 15, 2023, at 12:00 AM in Room 171 of the Capitol Annex. Representative Chris Fugate, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Chris Fugate, Chair; Representative Russell Webber, Representative Al Gentry, and Representative Mark Hart

Guests: Rebecca Goodman, Secretary; Dennis Hatfield, Director, Division of Oil and Gas; and Justin Adams, Director, Division of Abandoned Mine Lands, Energy and Environment Cabinet

LRC Staff: Joseph Holt, Kevin Newton, Sara Rome, and Jennifer Luttrell

Approval of Minutes - February 8, 2023

The approval of the February 8, 2023, minutes was moved to the next meeting due to the quorum not being met.

Energy and Environment Cabinet

Rebecca Goodman, Secretary, Energy and Environment Cabinet; Dennis Hatfield, Director, Division of Oil and Gas; Justin Adams, Director, Division of Abandoned Mine Lands; provided information on the Infrastructure Investment and Jobs Act Federal Funds.

In response to questions from Representative Gentry, Ms. Goodman replied that most of the Infrastructure Investment and Jobs Act Federal Funds went to mine reclamation. Mr. Adams added that the Division of Abandoned Mine Lands has collected data across the Commonwealth for 40 years and has an inventory of approximately 3,200 sites with estimated reclamations of roughly \$989 million. The biggest challenge is increasing division staff.

In response to questions from Chairman Fugate, Mr. Adams stated that the inventories suggest some sites, including old historic mining sites before May 18, 1982, need significant help and are eligible for reclamation funds. All mining, including wildcat mining, was unlicensed before that date. According to the Surface Mining Control and Reclamation Act (SMCRA), all mining, including wildcat mining, after that date is not eligible. The division will provide a list to the committee of over 3,000 sites available online at <https://www.osmre.gov/programs/e-amlis>. The division must report to the U.S. Department of the Interior Office of Surface Mining Reclamation and Enforcement (OSMRE). OSMRE requires sites to be prioritized as categories P1, P2, and P3. P1 sites impact people's homes and livelihoods, P2 sites impact their property, and P3 sites impact the general environment. Mr. Adams confirmed that the division uses water testing, physical evidence such as techniques used in the mining to determine the age of the mine, and

citizens' testimony to prioritize and determine eligibility. Over 28 counties have been identified as having abandoned mines, but many counties bordering the coal fields have undocumented historic mines. The division responds to all counties' requests to investigate even though they are not considered coal mining counties.

Adjournment

There being no further business before the subcommittee, the meeting was adjourned at 12:23 PM.