

# Manchin, Barrasso strike deal on coal reclamation program

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Senators from the leading coal-mining states have reached an agreement to renew the soon-to-expire fee coal companies pay to clean up abandoned mines in a deal that includes an \$11.3 billion reclamation investment.

The compromise between Sens. Joe Manchin (D-W.Va.) and John Barrasso (R-Wyo.) is a significant step toward reconciling geographical differences among coal-state lawmakers before the abandoned mine land fee lapses on Sept. 30.

The agreement would lower AML fees current mine operators pay for each ton of coal mined by 20% until 2034 and inject the Interior Department's reclamation fund with an additional \$11.3 billion.

Manchin, chairman of the Energy and Natural Resources Committee, added the measures to his broader \$98 billion energy infrastructure [legislation](#), which that panel approved yesterday during a markup.

"Thank you for including our compromise on reauthorizing the abandoned mine land reclamation fee," Barrasso, the top Republican on the panel, told Manchin at the hearing. But the Wyoming senator added that he couldn't support the broader legislation.

Tens of thousands of mines orphaned before Congress passed the strip mining law in 1977 remain hazards to the environment and public safety. Since that year, Congress has only ever lowered the AML fees to accommodate industry.

Manchin first pitched a straight-forward reauthorization of the current fee levels, which are set at 28 cents per ton at surface mines, 12 cents at underground mines and 8 cents for lignite. Under the Manchin-Barrasso plan, companies would pay 22.4 cents at surface mines, 9.6 cents at underground mines and 8 cents for lignite.

Barrasso, whose state mines about 40% of the country's coal, had pushed to reduce the fees even further in previous legislation. His position was similar to that of the mining industry, which has seen demand for coal in the electric power sector plummet in the past decade.

Wyoming is the hub of the modern U.S. coal industry — it mined 41% of the nation's coal last year. But it has already completed its high-priority AML reclamation work, meaning AML fees paid by Wyoming coal operators fund cleanup in other states.

Most abandoned sites are in Appalachian states like West Virginia and Pennsylvania, where the coal industry boomed long before it did in Wyoming. Coal mining's migration west has created tensions between lawmakers from the two regions over AML fees.

Environmentalists and citizens' groups have pushed to keep AML fees at their current rates to help ensure hazardous mine lands are restored to their natural states or transformed into centers of economic activity.

Chelsea Barnes, legislative director at Appalachian Voices, praised the supplemental funding in the deal.

"It's hard to look at an \$11 billion investment and think that's not a win when we've been fighting over an AML fee that might generate about \$1 billion and \$1.7 billion over 15 years," she said.

It could cost \$21 billion to reclaim the vast inventory of abandoned mine lands managed by the Interior Department's Office of Surface Mining Reclamation and Enforcement, according to a recent report by the nonprofit Ohio River Valley Institute ([Greenwire](#), April 14).

Barnes said the AML portions of the energy package would be eligible to pass through the budget reconciliation process. Senate Democrats revealed some details about a \$3.5 trillion reconciliation bill yesterday (*see related story*).

The National Mining Association, which represents many of the top U.S. coal companies, also endorsed the Manchin-Barrasso AML agreement.

“This bill provides much-needed certainty and funding to energize reclamation while also recognizing market realities,” NMA spokesperson Conor Bernstein said.

In the House, Rep. Matt Cartwright (D-Pa.) is working to include reclamation funding and AML reauthorization in the bipartisan infrastructure package. His northeast Pennsylvania district is home to numerous abandoned mining sites.

“While there are still more details to iron out, this package is on a path to making major, much-needed investments in AML reclamation in Pennsylvania,” Cartwright’s spokesperson, Matt Slavoski, said in an email.

The Energy and Natural Resources Committee, during its markup yesterday, also added a provision to fund \$3 billion in grants for abandoned hardrock mines. Advocates have long been pushing lawmakers to approve an AML program for hardrock.