United States
Environmental Protection
Agency

Office of the
Administrator
[Mail Code 1802]

EPA-100-F-00-038
September 2000
(http://www.epa.gov)

Project XL: Pennsylvania Department of Environmental Protection Coal Remining and Reclamation Project

WHAT IS PROJECT XL?

Project XL, which stands for "eXcellence and Leadership," is a national initiative that tests innovative ways of achieving better and more cost-effective public health and environmental protection. The information and lessons learned from Project XL are being used to assist the U.S. Environmental Protection Agency (EPA) in redesigning its current regulatory and policy-setting approaches. Project XL encourages testing of cleaner, cheaper, and smarter ways to attain environmental results superior to those achieved under current regulations and policies, in conjunction with greater accountability to stakeholders. It is vital that each project tests new ideas with the potential for wide application and broad environmental benefits. As of September 2000, over thirty pilot experiments are being implemented and several additional projects are in various stages of development.

SUMMARY OF THEPROJECT

The Pennsylvania Department of Environmental Protection (PADEP) has proposed this XL project to explore a new way of encouraging coal operators to remine and reclaim abandoned coal mine sites. Currently, remining and reclamation activities are subject to National Pollutant Discharge Elimination System (NPDES) requirements under the Clean Water Act These requirements set numeric effluent limits at individual discharge points. Under the current system, potential coal operators run the risk of exceeding effluent limits due to pre-existing acidic discharges from closed mines. In this XL project, PADEP proposes to replace numeric effluent limits at individual discharge points for pre-existing discharges, with requirements to use Best Management Practices (BMPs) as well as to comply with in-stream pollutant concentration limits. This alternative approach should not only reduce potential risk and expense to coal operators, it should result in more operators implementing more reclamation activities and improving overall water quality. This new approach will be tested in up to eight watersheds with significant acid mine drainage (AMD) pollution. This XL project, EPA's 38th, was signed on September 22, 2000.

SUPERIOR ENVIRONMENTAL PERFORMANCE

Remining, with reclamation to present-day standards, has proven to be an effective way to reclaim abandoned mine lands and improve water quality. This XL project is designed to increase the number of remining operations providing reclamation, and to improve upon and increase the number of reclamation and AMD-abatement measures taken during remining operations. Coal operators are expected to implement more reclamation activities in the watershed than are currently required by Pennsylvania regulations, which will ultimately improve water quality at little or no cost to taxpayers. As a safety measure, if BMPs fail and water quality is degraded, operators will be required to implement additional BMPs in the watershed or treat effluents at individual discharge points.

FLEXIBILITY

As the Project XL sponsor, PADEP is requesting relief from imposing numeric effluent limits for preexisting discharges. For these preexisting discharges, the coal operators will be required to implement specific BMPs as well as comply with in-stream pollutant concentration limits. PADEP will continue to require numeric limits for the preexisting discharges during the remining operation. When these BMPs have been used at other remining sites, they have improved water quality and achieved the NPDES numerical limits.

STAKEHOLDER INVOLVEMENT

PADEP has communicated with stakeholders on this innovative approach to remining permits on several occasions over the past two years. Among other activities, PADEP has issued a statewide press release on this subject, and has met with the Mining and Reclamation Advisory Board (MRAB), a cross section of stakeholders, from coal mining companies to environmentalists interested in the remining of Pennsylvania's abandoned coal mine lands. PADEP also has sponsored a Project XL stakeholders meeting to present the details of the proposed project and to solicit participation. PADEP has made a commitment to make project-related reports and information available for public inspection at the appropriate district mining office for each pilot watershed. In some cases, citizen watershed organizations have formed around efforts to remediate AMD-impacted streams. These citizen organizations and other stakeholders will be contacted by PADEP to identify the best watersheds to be included in this project and evaluate possible BMPs to bring about water quality improvements

APPROACHES TO BE TESTED

- Will a permitting approach that emphasizes BMPs as opposed to numeric effluent standards encourage remining of abandoned mines?
- How does the BMP approach affect the overall water quality of watersheds containing abandoned mines? What are the most effective BMPs, and how can they be improved?
- Can BMPs without numeric limits prevent pollution from abandoned mines, regardless of whether they will be disturbed during the remining?

CONTACTS

Regional Contact:	Steven J. Donohue	(215) 814-3215
EPA/XL HQ:	Ted Cochin	(202) 260-0880
Project Sponsor:	Michael Smith	(814) 342.8200

FOR ELECTRONIC INFORMATION

More information about this XL Project, or the Project XL Program, is available on the Internet at http://www.epa.gov/projectxl under "Information on Specific XL Projects," or via Project XL's Information Line at (202) 260.5754.