

President wants to cut AML money to Wyoming

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Published: Tuesday, February 2, 2010 12:51 PM MST

President Barack Obama wants to reduce his budget in 2011 by cutting Abandoned Mine Land funds to states like Wyoming — a move Wyoming's congressional delegation was expecting and plans to fight.

The administration wants to use AML fees solely for coal mine reclamation by eliminating unrestricted payments to certified states and tribes, saving about \$115 million in 2011 and \$1.2 billion over 10 years. The proposed budget states that "these payments can now be used for any purpose, which was not the original intention of the Abandoned Mine Land program."

Wyoming received about 32 percent or \$117 million of the \$369 million allocated to clean up abandoned mine sites in 2010. As the biggest contributor to the AML fund, Wyoming receives the most AML money each year.

The majority of the money the administration will save will come from money now promised to Wyoming, the largest contributor to the AML fund. Gov. Dave Freudenthal is discouraged by the proposal.

"For four decades, Wyoming argued the state's case establishing our right to AML funding. Sen. Enzi successfully fought to make that money available to the state, and now that funding is in jeopardy," Freudenthal said in a press release. "This is an 'all-hands-on-deck' moment."

Wyoming has received about \$600 million in AML money since Congress initiated the program in 1977 with passage of the Surface Mining Control and Reclamation Act. But it has been a continual fight for Wyoming's delegation, and the state is still owed back AML money, which is supposed to be repaid in installments along with the annual money owed to Wyoming.

When the program started, money that was promised to Wyoming was not sent back to the state, and money that was supposed to be used for reclamation was not sent to states with reclamation needs. Instead, the money was spent on unrelated federal programs or used to reduce federal budgets.

In 2006, Enzi, Sen. Craig Thomas, Rep. Barbara Cubin and a bipartisan group of coal state legislators worked to reauthorize the program so that states would receive their promised share of federal dollars. The reauthorization made amendments to the Surface Mining Control and Reclamation Act authorizing mandatory payments equal to the amount of fees collected in that state or tribal reservation even if the state no longer has priority coal sites in need of reclamation.

Most of Wyoming's abandoned mines are cleaned up, allowing Wyoming to use much of the AML money it receives to pay for research into clean-coal technologies and carbon sequestration.

Enzi has had to fight to keep the AML money each year since.

"We were successful in stopping the AML cut in last year's Senate and House budgets. The goal remains the same this year. I will fight for Wyoming's money, regardless of the administration's insistence on cutting it," Enzi said in a press release. "This is money that comes from taxes on Wyoming coal that, by law, are promised back to Wyoming."

Enzi likened it to a bank telling one of its customers they aren't able to withdraw money from the savings account they've been putting money in for 30 years.

The administration's proposed budget states the AML fee was created so that the coal industry as a whole would take responsibility for cleaning up coal mines that could not be attributed to a particular producer, regardless of where the fees were collected or where the mines were located.