

PADEP Issues Request for Information Regarding Clean Energy Campus Projects on Commonwealth's Abandoned Mine Lands

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Pennsylvania – Mining

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On June 1, 2024, the Pennsylvania Department of Environmental Protection (PADEP) issued a request for information (RFI) to anyone interested in submitting concept papers for PADEP's consideration for the Design, Development, Commercialization and Maintenance of Clean Energy Campus (CEC) Projects on abandoned mine lands (AML) controlled by the Commonwealth. 54 Pa. Bull. 3098 (June 1, 2024) PADEP requests concept papers from project sponsors, namely clean energy project developers, asset owners, financial institutions, and other relevant parties, willing to coinvest with PADEP to transfer AML sites into CECs. PADEP notes in the notice that it owns 13 properties greater than 50 acres in size eligible for conversion.

In terms of design, PADEP requests information on the design for land reclamation and remediation to create sites ready for clean energy generation or energy storage sites. PADEP is looking for a sponsor who can provide professional design services, feasibility studies, geophysical investigations, construction oversight, and other technical services as required. Such remediation designs could require action in perpetuity. With respect to development, PADEP is looking for a project sponsor that can manage the remediation and development of the site by completing leases, conducting site preparation, securing permitting, conducting geotechnical investigations, and securing interconnection. PADEP has pointed to EPA's [Revitalization Handbook](#) as guidance for renewable energy development on AML sites, which recommends property purchasers assess whether they should conduct all appropriate inquiries to take advantage of CERCLA liability protections. For commercialization, PADEP seeks sponsors with experience deploying grid-scale clean energy generation and storage projects. PADEP will require a project sponsor to invest capital and be responsible for "any and all risks associated with the investment." 54 Pa. Bull. at 3099. The project sponsor must also consider the availability of tax credits under the Inflation Reduction Act of 2022, Pub. L. No. 117-169, 136 Stat. 1818, for the project. Finally, PADEP is looking for a sponsor that can oversee the long-term maintenance of the project.

PADEP is also soliciting feedback on the possibility of using loans through the U.S. Department of Energy's (DOE) Loan Programs Office (LPO) Title 17 Clean Energy Financing Program, specifically the DOE LPO Energy Infrastructure Reinvestment (EIR) category of the Title 17 Clean Energy Financing Program. The EIR expands the LPO's mission to allow for the repurposing of energy infrastructure to avoid, reduce, utilize, or sequester air pollutants, including anthropogenic GHG emissions. EIR funds are available on or before September 30, 2026.

PADEP will prioritize concept papers that utilize one or more of the following technologies: solar, wind, advanced or enhanced geothermal, small modular reactor nuclear, biomass generation with carbon capture and sequestration, new manufacturing facilities for clean energy products or services, coal ash remediation with site redevelopment, critical minerals recovery (including processing, manufacturing, and recycling of mineral alternatives), hydrogen production and infrastructure, and sustainable aviation fuels or other biofuels production.

For more detail, see PADEP's "[Assessment of Solar Development on Previously Impacted Mine Lands in Pennsylvania](#)" (May 7, 2024).

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