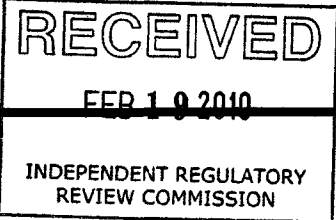


2806



**From:** Shaffer, Richard [RichardShaffer@cogentrix.com]  
**Sent:** Friday, February 12, 2010 11:46 AM  
**To:** EP, RegComments  
**Subject:** PROPOSED RULEMAKING ENVIRONMENTAL QUALITY BOARD [25 PA. CODE CH. 95] Wastewater Treatment Requirements [39 Pa.B. 6467] [Saturday, November 7, 2009]

**Subject:** Comments on Proposed Rulemaking By Scrubgrass Generating Company L.P.

**Reference:** PROPOSED RULEMAKING ENVIRONMENTAL QUALITY BOARD [ 25 PA. CODE CH. 95 ] Wastewater Treatment Requirements [39 Pa.B. 6467]  
[Saturday, November 7, 2009]

Scrubgrass Generating Company, L.P. (SGCLP) is submitting the following comments on the referenced proposed rulemaking:

SGCLP is concerned about the unintended impact the proposed regulation could have on our waste coal mining operations and also the generating facility's NPDES permit. The current discharges from our operations are conducted in an environmentally sound manner and should continue to be regulated under the existing requirements by PADEP. We believe the proposed regulation unintentionally includes our type of operation and could reduce our ability to remove waste coal in the future. These proposed regulations do not take into account that many of the existing waste coal sites that have not been re-mined already have a discharge that negatively impacts the environment. The proposed regulations could prevent the re-mining and reclamation of these waste coal sites. We would appreciate a response confirming that our comments were received and are acceptable for your review.

R. J. Shaffer  
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