

From: Sierra Club Membership Services [membership.services@sierraclub.org] on behalf of Don Baun [dbaun@att.net]
Sent: Monday, December 14, 2009 1:52 PM
To: EP, RegComments
Subject: RE: Beneficial Use of Coal Ash Proposed Rulemaking [25 PA. CODE CHS. 287 AND 290]

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Dec 14, 2009

DEC 23 REC'D

John Hanger

INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Hanger,

Coal ash is filled with toxic chemicals and heavy metals.

Pennsylvania is the third largest US producer of this waste. We shouldn't allow this toxic substance anywhere near our drinking water, and this rule in no way assures me of that. Shortsighted failure to regulate not only is a deplorable moral & ethical failure, but on financial terms trades cheaper energy now for increased healthcare & litigation costs that may well extend to cover an entire human lifespan.

I did a quick internet search for reliable sources of information, and quickly discovered the following stories:

» An interesting 60 Minutes article -

<http://www.cbsnews.com/stories/2009/10/01/60minutes/main5356202.shtml>

» Input from the New York Times -

<http://www.nytimes.com/2009/01/07/us/07sludge.html>

» Balanced article on coal ash containing more radioactivity than nuclear waste -

<http://www.scientificamerican.com/article.cfm?id=coal-ash-is-more-radioactive-than-nuclear-waste>

Please help us move into a more responsible and balanced future where greed no longer costs dearly in lives & health. Although some can be relied upon to self-regulate in a responsible fashion, the product (electricity) is far too removed from our everyday choices to

force any providers to do so. Without your intervention our health will continue to be sacrificed for a corporation's bottom line. The prudent choice is to pay more for our electricity to make us safer & allow us to live longer, fuller lives.

Coal combustion waste (CCW) is contaminating water sources across America including sites in Pennsylvania. Throughout the guidelines that have been proposed there are phrases like, "at the discretion of", "with department approval", or "if the Department chooses." These phrases leave significant loopholes in the guidelines and should be removed. Standards in the proposed Chapter 290 regulations must be enforceable.

This toxic coal ash should be sealed with the use of composite liners and placement guidelines that ensure isolation from groundwater. These sites should be monitored quarterly for at least thirty years after ash placement is finished.

The rules should require that pollutant levels are fully monitored surrounding the placement site. And if a monitoring point shows higher levels of contaminants than prior to ash placement it should trigger a requirement to investigate the causes of those increases.

Also financial assurance should be posted by operators before permits are issued and maintained throughout required monitoring at a site in amounts sufficient to monitor and

abate pollution from the ash. And the public should be permitted to participate in the entire permitting process.

Sincerely,

Mr Don Baun
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