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DEC 23 REC'D

INDEPENDENT REGULATORY  
REVIEW COMMISSION

December 15, 2009

Environmental Quality Board

P.O. Box 8477

Harrisburg, Pa. 17105-8477

Re: Proposed Rulemaking 25 Pa. Code, Chapters 287 and 290

To Whom It May Concern:

I am writing to express my concern regarding the Proposed Rulemaking to 25 Pa. Code, Chapters 287 and 290 which adds unnecessary restrictions and limitations for Beneficial Use Ash in Pennsylvania. The present regulations in Chapter 287 have worked well and with no adverse affects. The present regulations have supported the utilization of waste coal as a fuel to produce electricity and at the same time accomplishing spectacular reclamation results. Over the years millions of tons of waste coal, or boney, has been removed along with the acid mine discharge that results from this material. Rivers and streams that once were red and dead are now alive and thriving. Fish and other aquatic life have returned to watersheds that have been dead for decades. A key part of the utilization of waste coal is the use of the resulting Beneficial Use Coal Ash in the reclamation process. Pennsylvania is littered with waste coal piles from years gone by and this material will continue to pollute for the foreseeable future. I urge you to make no changes to the existing regulations. They have worked well.

Sincerely,

Gary L. Swartz Jr.