

Tate, Michele

From: Sierra Club Membership Services [membership.services@sierraclub.org] on behalf of Lisa Widawsky [lwidawsky@environmentalintegrity.org]
Sent: Monday, December 14, 2009 11:18 AM
To: EP, RegComments
Subject: RE: Beneficial Use of Coal Ash Proposed Rulemaking [25 PA. CODE CHS. 287 AND 290]

Dec 14, 2009

John Hanger

Dear Hanger,

Coal ash typically contains high concentrations of toxic heavy metals

and other pollutants including arsenic, selenium, and cadmium. The DEP rules fail to provide sufficient protections to ensure that these pollutants will not leach from the CCW into the surface or groundwater of Pennsylvania communities.

To protect communities from the dangers of coal ash's constituents, any coal ash sites in PA must be REQUIRED by DEP to install composite liners, caps, and quarterly water quality monitoring for at least 30 years (EPA has found that it can take 78 to 105 years for coal ash constituents to leak out of the ash). Also, financial assurance must be required to be submitted to DEP before ash placement and corrective action must be required upon any finding of contamination.

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,

Ms Lisa Widawsky
 1874 California St NW
 Washington, DC 20009-1809

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 REVIEW COMMISSION