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From: RegComments@pa.gov
Sent: Wednesday, November 19, 2014 3:05 PM
To: Environment-Committee@pasenate.com; apankake@pasen.gov; IRRC;
RegComments@pa.gov; eregop@pahousegop.com;
environmentalcommittee@pahouse.net
Cc: ra-epmsdevelopment@pa.gov
Subject: Proposed Rulemaking - Land Reclamation Financial Guarantees and Bioenergy Crop Bonding



Re: Proposed Rulemaking - Land Reclamation Financial Guarantees and Bioenergy Crop Bonding

The Environmental Quality Board (EQB) has received the following comments regarding the above-referenced proposed rulemaking.

Commentor Information:

Rachel Hursh
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2014 NOV 19 PM 3: 14
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Comments entered:

November 19, 2014

Pennsylvania Department of Environmental Protection
Environmental Quality Board
P.O. Box 8477
17105-8477

RE: Land Reclamation Financial Guarantees and Bioenergy Crop Bonding [25 PA. CODE CHS. 77, 86—90 AND 211]
[44 Pa.B. 6781]
[Saturday, October 25, 2014]

To Whom It May Concern:

The Pennsylvania Coal Alliance (PCA) respectfully submits the following comments in support of the Environmental Quality Board's above referenced proposed rulemaking which will implement the act of October 24, 2012 (P. L. 1276, No. 157) (Act 157).

PCA is the principal trade organization representing underground and surface bituminous coal operators in Pennsylvania, as well as other associated companies whose businesses rely on coal mining and the coal economy. PCA member companies produce over 90 percent of the bituminous coal mined annually in Pennsylvania, which totaled nearly 58 million tons in 2013. Of

this, 270 surface mines and reprocessing sites contributed to production. Accordingly, PCA has an immediate interest in the proposed rulemaking.

Act 157 provided the framework for a bonding assistance program underwritten by existing Commonwealth funds heretofore earmarked for a similar purpose and premiums paid by surface mine operators to ensure mine bond reclamation obligations.

This proposed rulemaking is faithful to the intent of Act 157 and is therefore supported by PCA.

We do, however, ask the Board to consider revising 86.162b(o) to allow the Department the discretion, on a case-by-case basis, to release the operator's bond prior to release of the LRFG as it is permitted to do for Remining Financial Guarantee bonds. This option would be limited exclusively to sites that are reclaimed, grass has been planted and risk of forfeiture is negligible.

In view of both the economic and environmental benefits that would be derived by implementing Act 157 through these proposed regulations, PCA asks the Board to approve the rulemaking as soon as possible.

Should you have any questions, please do not hesitate to contact us at your earliest convenience.

Sincerely,

Rachel Hursh
PA Coal Alliance

These links provide access to the attachments provided as part of this comment. You are advised to save the attachments to your local computer or a network share when prompted by your browser.

Comments Attachment: [LRFG Comments PCA.pdf](#)

Please contact me if you have any questions.

Sincerely,
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