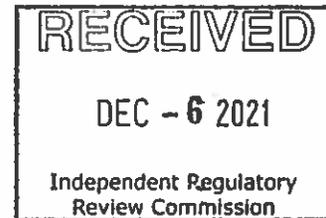


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December 6, 2021



Department of Environmental Protection
Environmental Quality Board
Rachel Carson State Office Building
16th Floor, 400 Market Street
Harrisburg, PA 17101-2301

Dear Environmental Quality Board:

I am writing regarding the Environmental Quality Board's proposed rulemaking amending 25 PA Code Chapters 88 and 90 relating to refuse disposal.

The Pennsylvania Coal Alliance (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 a strong coal economy. Annually PCA member companies produce over 90 percent of the bituminous coal mined in Pennsylvania and contribute billions of dollars to our state's economy.

Act 74 of 2019 amended the Coal Refuse Disposal Control Act (CRDCA) to align the requirements of temporary cessation of a coal refuse disposal site with the requirements found under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Prior to Act 74, the CRDCA was inconsistent with the federal SMCRA and limited the temporary cessation of operations at a coal refuse disposal site to no more than one year. Act 74 removed the one-year limitation and clarified that any rules or regulations promulgated must also be consistent with federal provisions. Act 74 prompted the proposed regulatory revisions to 25 PA Code Chapters 88 and 90, aligning state regulations with state law.

Under the proposed regulatory revisions before the Board, coal refuse disposal sites, which are subject to full-cost bonding, may temporarily cease operations with Department approval while maintaining all permit obligations, including water treatment requirements.

PCA would like to thank the Pennsylvania Department of Environmental Protection, mainly the Bureau of Mining Programs (BMP), for working with the Mining and Reclamation Advisory Board (MRAB), through both the Legislative, Technical and Regulatory Committee and the full Board, in developing the proposed rulemaking. The collaboration between the BMP and the

MRAB demonstrates a cooperative relationship between government and industry representatives and resulted in proposed improvements to the regulations found at 25 PA Code Chapters 88 and 90.

If you have any questions or would like to discuss further, please contact me at gleason@pacoal.org at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "Rachel Gleason". The script is cursive and fluid.

Rachel Gleason
Executive Director
Pennsylvania Coal Alliance