EXHIBITS
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF CHIEF COUNSEL
(717) 787-7060
April 30, 1997

SUBJECT: Government Construction Contracts for Reclamation of Abandoned Mine Lands which Contracts Involve the Incidental Removal of Coal or the Placement of Excess Spoil on Adjacent Abandoned Mine lands

TO: Ernest F. Giovannitti
Director
Bureau of Abandoned Mine Reclamation

FROM: Joseph G. Pizarchik
Assistant Counsel
Bureau of Regulatory Counsel

This office has been asked for a legal opinion concerning the Pennsylvania Department of Environmental Protection's (PADEP) statutory authority to enter into government construction contracts for the purpose of reclaiming abandoned mine lands where such contracts involve the incidental removal of coal or the placement of excess spoil on adjacent abandoned mine lands.

In addition to the statutory authority provided by the Pennsylvania laws cited above, Section 413(a) of the Surface Mining Control and Reclamation Act 30, U.S.C. §1242(a), provides PADEP the authority to establish, administer and conduct a state reclamation plan which includes government construction contracts that involve the incidental removal of coal or the placement of excess spoil on adjacent abandoned mine lands.
EXHIBIT 11B

PUBLIC PARTICIPATION IN PART F OF THE
RECLAMATION PLAN (AMENDMENT NO. 2)
Rachel Carson State Office Building  
P.O. Box 8476  
Harrisburg, PA 17105-8476  
October 6, 1997

Bureau of Abandoned Mine Reclamation  
717-783-2267

«ADDRESS»

Dear «SALUTATION»:

Enclosed for your information, review, and comment is a copy of our Amendment No. 2 to our Abandoned Mine Reclamation Plan, under the provisions of the Federal Surface Mining Control and Reclamation Act of 1977. This Amendment updates our Reclamation Plan, Amendment No. 1 to the Plan, and incorporates new Title IV Abandoned Mine Lands initiatives.

The purpose of this Plan Amendment is to allow the Commonwealth more flexibility in achieving reclamation of AML lands through contracts with private individuals, construction contractors, coal companies, and municipalities. Presently, where coal is removed as part of a government financed reclamation contract, at least 50% of the cost of the project must be from government sources. The proposed Amendment would allow projects to be undertaken without regard to the 50% requirement. In addition, this Amendment allows the Commonwealth to enter into agreements with coal mine operators to direct the placement of excess spoil off permit to achieve reclamation of adjacent AML lands that otherwise may go unreclaimed.

We will be publishing a newspaper notice in each coal county which will advise the public of our intention to submit the Plan Amendment to OSM. That notice will also state that if they want a copy of the Plan Amendment, they can contact our offices in Harrisburg, Wilkes-Barre, or Ebensburg.
Please review the enclosed draft Amendment and send us your comments, if any, within the next 30 days. Should you have any questions concerning this draft Plan Amendment, please contact Donald Barnes in the Ebensburg District Office at 814-472-1900.

Sincerely,

[Signature]

Ernest F. Giovannitti
Director
Bureau of Abandoned Mine Reclamation

Enclosure

bcc: Ernest Giovannitti
      Mike Ferko w/Enclosure
      Charles Meyers w/Enclosure
      Don Barnes w/Enclosure

EFG: AIF: SRR dln
Ms. Susan Fox  
Executive Director  
Pennsylvania Association of Conservation Districts, Inc.  
225 Pine Street  
Harrisburg, PA 17101

Dear Ms. Fox:

Enclosed for your information, review, and comment is a copy of our Amendment No. 2 to our Abandoned Mine Reclamation Plan, under the provisions of the Federal Surface Mining Control and Reclamation Act of 1977. This Amendment updates our Reclamation Plan, Amendment No. 1 to the Plan, and incorporates new Title IV Abandoned Mine Lands initiatives.

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Ms. Susan Fox

October 6, 1997

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Sincerely,

Ernest F. Giovannitti
Director
Bureau of Abandoned Mine Reclamation

Enclosure
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<th>ADDRESS</th>
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| Mr. Edward Feigel  
District Manager  
Allegheny Conservation District  
Lexington Technology Park  
Building #1, Suite 102  
400 North Lexington Avenue  
Pittsburgh, PA 15208 | Mr. Feigel | MR EDWARD FEIGEL  
DISTRICT MANAGER  
ALLEGHENY CNSRVTN DISTRICT  
LEXINGTON TECHNOLOGY PARK  
BLDG 1 STE 102  
400 N LEXINGTON AVE  
PITTSBURGH PA 15208 | Mr. Edward Feigel |
| Mr. David Rupert  
District Manager  
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Kittanning, PA 16201 | Mr. Rupert | MR DAVID RUPERT  
DISTRICT MANAGER  
ARMSTRONG CNSRVTN DIST  
ARMSDALE ADMIN BLDG  
RR 8 BOX 294  
KITTANNING PA 16201 | Mr. David Rupert |
| Ms. Victoria Michaels  
District Manager  
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1000 Third Street, Suite 202  
Beaver, PA 15009-2026 | Ms. Michaels | MS VICTORIA MICHAELS  
DISTRICT MANAGER  
BEAVER CNSRVTN DISTRICT  
1000 3RD ST STE 202  
BEAVER PA 15009-2026 | Ms. Victoria Michaels |
| Mr. Terry Miller  
District Manager  
Bedford Conservation District  
Fairlawn Court, Suite 4  
702 West Pitt Street  
Bedford, PA 15522 | Mr. Miller | MR TERRY MILLER  
DISTRICT MANAGER  
BEDFORD CNSRVTN DIST  
FAIRLAWN COURT STE 4  
702 W PITT ST  
BEDFORD PA 15522 | Mr. Terry Miller |
| Ms. Donna Fisher  
District Manager  
Blair Conservation District  
1407 Blair Street  
Hollidaysburg, PA 16648 | Ms. Fisher | MS DONNA FISHER  
DISTRICT MANAGER  
BLAIR CNSRVTN DIST  
1407 BLAIR ST  
HOLLIDAYSBURG PA 16648 | Ms. Donna Fisher |
| Mr. Michael Lovegreen  
District Manager  
Bradford Conservation District  
Stoll Natural Resource Center  
R.R. 5, Box 5030C  
Towanda, PA 18848 | Mr. Lovegreen | MR MICHAEL LOVEGREEN  
DISTRICT MANAGER  
BRADFORD CNSRVTN DIST  
STOLL NATURAL RES CENTER  
RR 5 BOX 5030C  
TOWANDA PA 18848 | Mr. Michael Lovegreen |
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<td>Mr. Ronald Fodor&lt;br&gt;District Manager&lt;br&gt;Butler Conservation District&lt;br&gt;122 McCune Drive&lt;br&gt;Butler, PA 16001-6501</td>
<td>Mr. Fodor</td>
<td>MR RONALD FODOR DISTRICT MANAGER&lt;br&gt;BUTLER CNSRVTN DIST&lt;br&gt;122 MCCUNE DR&lt;br&gt;BUTLER PA 16001-6501</td>
<td>Mr. Ronald Fodor</td>
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<td>Mr. Robert Piper, Jr.&lt;br&gt;District Manager&lt;br&gt;Cambria Conservation District&lt;br&gt;401 Candlelight Drive&lt;br&gt;P.O. Box 187&lt;br&gt;Ebensburg, PA 15931</td>
<td>Mr. Piper</td>
<td>MR ROBERT PIPER JR DISTRICT MANAGER&lt;br&gt;CAMBRIA CNSRVTN DIST&lt;br&gt;401 CANDLELIGHT DR&lt;br&gt;PO BOX 187&lt;br&gt;EBENSBURG PA 15931</td>
<td>Mr. Robert Piper, Jr.</td>
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<td>Ms. Kristen Focht&lt;br&gt;District Manager&lt;br&gt;Cameron Conservation District&lt;br&gt;416 North Broad Street&lt;br&gt;Emporium, PA 15834</td>
<td>Ms. Focht</td>
<td>MS KRISTEN FOCHT DISTRICT MANAGER&lt;br&gt;CAMERON CNSRVTN DIST&lt;br&gt;416 N BROAD ST&lt;br&gt;EMPORIUM PA 15834</td>
<td>Ms. Kristen Focht</td>
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<td>Mr. James Clauser&lt;br&gt;District Manager&lt;br&gt;Carbon Conservation District&lt;br&gt;92 Blakeslee Boulevard, East&lt;br&gt;Lehighton, PA 18235</td>
<td>Mr. Clauser</td>
<td>MR JAMES CLAUSER DISTRICT MANAGER&lt;br&gt;CARBON CNSRVTN DIST&lt;br&gt;92 BLAKESLEE BLVD EAST&lt;br&gt;LEHIGHTON PA 18235</td>
<td>Mr. James Clauser</td>
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<td>Mr. Robert Sweitzer&lt;br&gt;District Manager&lt;br&gt;Centre Conservation District&lt;br&gt;414 Holmes Avenue, Suite 4&lt;br&gt;Bellefonte, PA 16823</td>
<td>Mr. Sweitzer</td>
<td>MR ROBERT SWEITZER DISTRICT MANAGER&lt;br&gt;CENTRE CNSRVTN DIST&lt;br&gt;414 HOLMES AVE STE 4&lt;br&gt;BELLEFONTE PA 16823</td>
<td>Mr. Robert Sweitzer</td>
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<td>Ms. Kathy Stroop&lt;br&gt;District Manager&lt;br&gt;Clarion Conservation District&lt;br&gt;Mayfield Professional Building&lt;br&gt;R.R. 3, Box 265&lt;br&gt;Clarion, PA 16214</td>
<td>Ms. Stroop</td>
<td>MS KATHY STROOP DISTRICT MANAGER&lt;br&gt;CLARION CNSRVTN DIST&lt;br&gt;MAYFIELD PROFESSIONAL BLDG&lt;br&gt;RR 3 BOX 265&lt;br&gt;CLARION PA 16214</td>
<td>Ms. Kathy Stroop</td>
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| Mr. George Richards  
District Manager  
Clearfield Conservation District  
650 Leonard Street  
Clearfield, PA 16830 | Mr. Richards | MR GEORGE RICHARDS  
DISTRICT MANAGER  
CLEARFIELD CNSRVTN DIST  
650 LEONARD ST  
CLEARFIELD PA 16830 | Mr. George Richards |
| Ms. Mary Ann Bower  
District Manager  
Clinton Conservation District  
2 State Route 150  
Mill Hall, PA 17751 | Ms. Bower | MS MARY ANN BOWER  
DISTRICT MANAGER  
CLINTON CNSRVTN DIST  
2 STATE ROUTE 150  
MILL HALL PA 17751 | Ms. Mary Ann Bower |
| Ms. Mary Ruth Wagner  
District Manager  
Columbia Conservation District  
702 Sawmill Road, Suite 105  
Bloomsburg, PA 17815 | Ms. Wagner | MS MARYRUTH WAGNER  
DISTRICT MANAGER  
COLUMBIA CNSRVTN DIST  
702 SAWMILL RD STE 105  
BLOOMSBURG PA 17815 | Ms. Mary Ruth Wagner |
| Ms. Lynn Sandieson  
District Manager  
Crawford Conservation District  
1012 Water Street, Suite 18  
Meadville, PA 16335 | Ms. Sandieson | MS LYNN SANDIESON  
DISTRICT MANAGER  
CRAWFORD CNSRVTN DIST  
1012 WATER ST STE 18  
MEADVILLE PA 16335 | Ms. Lynn Sandieson |
| Mr. John Orr  
District Manager  
Dauphin Conservation District  
1451 Peters Mountain Road  
Dauphin, PA 17018 | Mr. Orr | MR JOHN ORR  
DISTRICT MANAGER  
DAUPHIN CNSRVTN DIST  
1451 PETERS MOUNTAIN RD  
DAUPHIN PA 17018 | Mr. John Orr |
| Mr. Robert Dippold  
District Manager  
Elk Conservation District  
P.O. Box 448  
Ridgeway, PA 15853 | Mr. Dippold | MR ROBERT DIPPOLD  
DISTRICT MANAGER  
ELK CNSRVTN DIST  
PO BOX 448  
RIDGEWAY PA 15853 | Mr. Robert Dippold |
| District Manager  
Fayette Conservation District  
10 Nickman Plaza  
Lemont Furnace, PA 15456 | District Manager | DISTRICT MANAGER  
FAYETTE CNSRVTN DIST  
10 NICKMAN PLAZA  
LEMONT FURNACE PA 15456 | District Manager |
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<td>Mr. Douglas Carlson</td>
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<td>MR DOUGLAS CARLSON DISTRICT MANAGER FOREST CNSRVTN DIST PO BOX 456 TIONESTA PA 16353</td>
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<td>Mr. Louis Kopczyk</td>
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<td>Mr. Ernest Keller&lt;br&gt;District Manager&lt;br&gt;Lackawanna Conservation District&lt;br&gt;395 Bedford Street&lt;br&gt;Clarks Summit, PA 18411</td>
<td>Mr. Keller</td>
<td>MR ERNEST KELLER&lt;br&gt;DISTRICT MANAGER&lt;br&gt;LACKAWANNA CNSRVTN DIST&lt;br&gt;395 BEDFORD ST&lt;br&gt;CLARKS SUMMIT PA 18411</td>
<td>Mr. Ernest Keller</td>
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<td>Ms. Jo Ann McCready&lt;br&gt;District Manager&lt;br&gt;Lawrence Conservation District&lt;br&gt;County Government Center&lt;br&gt;New Castle, PA 16101</td>
<td>Ms. McCready</td>
<td>MS JO ANN MCCREADY&lt;br&gt;DISTRICT MANAGER&lt;br&gt;LAWRENCE CNSRVTN DIST&lt;br&gt;CNTY GOVERNMENT CNTR&lt;br&gt;NEW CASTLE PA 16101</td>
<td>Ms. Jo Ann McCready</td>
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<td>Mr. Charles Wertz&lt;br&gt;District Manager&lt;br&gt;Lebanon Conservation District&lt;br&gt;2120 Cornwall Road, Suite 5&lt;br&gt;Lebanon, PA 17042-9788</td>
<td>Mr. Wertz</td>
<td>MR CHARLES WERTZ&lt;br&gt;DISTRICT MANAGER&lt;br&gt;LEBAÑON CNSRVTN DIST&lt;br&gt;2120 CORNWALL RD STE 5&lt;br&gt;LEBAÑON PA 17042-9788</td>
<td>Mr. Charles Wertz</td>
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<td>Mr. Robert Yonker&lt;br&gt;District Manager&lt;br&gt;Luzerne Conservation District&lt;br&gt;Smith Pond Road&lt;br&gt;P.O. Box 250&lt;br&gt;Lehman, PA 18627-0250</td>
<td>Mr. Yonker</td>
<td>MR ROBERT YONKER&lt;br&gt;DISTRICT MANAGER&lt;br&gt;LUZERNE CNSRVTN DIST&lt;br&gt;SMITH POND RD&lt;br&gt;PO BOX 250&lt;br&gt;LEHMAN PA 18627-0250</td>
<td>Mr. Robert Yonker</td>
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<td>Mr. Thomas Corbett&lt;br&gt;District Manager&lt;br&gt;Wyoming Conservation District&lt;br&gt;2130 County Farm Road, Suite 6&lt;br&gt;Montoursville, PA 17754</td>
<td>Mr. Corbett</td>
<td>MR THOMAS CORBETT&lt;br&gt;DISTRICT MANAGER&lt;br&gt;LYCOMING CNSRVTN DIST&lt;br&gt;2130 COUNTY FARM RD STE 6&lt;br&gt;MONTOURSVILLE PA 17754</td>
<td>Mr. Thomas Corbett</td>
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<td>Mr. James Johnson&lt;br&gt;District Manager&lt;br&gt;McKean Conservation District&lt;br&gt;Drawer E&lt;br&gt;Custer City, PA 16725</td>
<td>Mr. Johnson</td>
<td>MR JAMES JOHNSON&lt;br&gt;DISTRICT MANAGER&lt;br&gt;MCKEAN CNSRVTN DIST&lt;br&gt;PO BOX E&lt;br&gt;CUSTER CITY PA 16725</td>
<td>Mr. James Johnson</td>
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<td>Mr. James Mondok</td>
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<td>Mercer Conservation District</td>
<td>MERCER CONSERVATION DISTRICT</td>
<td>Ms. Badman</td>
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<td>747 Greenville Road</td>
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<td>Ms. Badman</td>
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<td>Mercer, PA 16137</td>
<td>MERCER CONSERVATION DISTRICT</td>
<td>Ms. Badman</td>
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<td>Mr. Carolyn Badman</td>
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<td>Ms. Badman</td>
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<td>Northumberland Conservation</td>
<td>NORTHUMBERLAND CONSERVATION DISTRICT</td>
<td>Ms. Ernst</td>
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<td>Sunbury, PA 17801</td>
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<td>Ms. Sandy Ernst</td>
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<td>MS. SANDY ERNST</td>
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<td>334B Port Allegheny Road</td>
<td>POTTER CONSERVATION DISTRICT</td>
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<td>Coudersport, PA 16915</td>
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<td>Mr. Craig Morgan</td>
<td>MR. CRAIG MORGAN</td>
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<td>District</td>
<td>MR. CRAIG MORGAN</td>
<td>Mr. Morgan</td>
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<td>Schuylkill Conservation District</td>
<td>SCHARLICK CONSERVATION DISTRICT</td>
<td>Mr. Morgan</td>
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<td>1206 Ag Center Drive</td>
<td>1206 AG CENTER DR</td>
<td>Mr. Morgan</td>
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<td>Portsville, PA 17901</td>
<td>PORTSVILLE PA 17901</td>
<td>Mr. Morgan</td>
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<td>Mr. David Steele</td>
<td>MR. DAVID STEELE</td>
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<td>MR. DAVID STEELE</td>
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<td>Somerset Conservation District</td>
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<td>Mr. Steele</td>
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<td>1590 North Center Avenue, Suite 103</td>
<td>1590 NORTH CENTER AVENUE STE 103</td>
<td>Mr. Steele</td>
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<td>Mr. Jacqueline Rouse</td>
<td>MR. JACQUELYN ROUSE</td>
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<td>District</td>
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<td>Ms. Steele</td>
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| Ms. Lillian Theophanis  
District Manager  
Susquehanna Conservation District  
31 Public Avenue  
Montrose, PA 18801 | Ms. Theophanis | MS LILLIAN THEOPHANIS  
DISTRICT MANAGER  
SUSQUEHANNA CNSRVTN DIST  
31 PUBLIC AVE  
MONTROSE PA 18801 | Ms. Lillian Theophanis |
| Mr. Ralph Brugger  
District Manager  
Tioga Conservation District  
5 East Avenue  
Wellsboro, PA 16901 | Mr. Brugger | MR RALPH BRUGGER  
DISTRICT MANAGER  
TIOGA CNSRVTN DIST  
5 EAST AVE  
WELLSBORO PA 16901 | Mr. Ralph Brugger |
| Mr. Jan Balombiny  
District Manager  
Venango Conservation District  
R.R. 5, Box 320  
Franklin, PA 16323 | Mr. Balombiny | MR JAN BALOMBINY  
DISTRICT MANAGER  
VENANGO CNSRVTN DIST  
RR 5 BOX 320  
FRANKLIN PA 16323 | Mr. Jan Balombiny |
| Mr. Todd Fantaskey  
District Manager  
Warren Conservation District  
609 Rouse Avenue, Suite 203  
Youngsville, PA 16371 | Mr. Fantaskey | MR TODD FANTASKEY  
DISTRICT MANAGER  
WARREN CNSRVTN DIST  
609 ROUSE AVE STE 203  
YOUNGSVILLE PA 16371 | Mr. Todd Fantaskey |
| Mr. Gary Stokum  
District Manager  
Washington Conservation District  
100 West Beau Street, Suite 602  
Washington, PA 15301 | Mr. Stokum | MR GARY STOKUM  
DISTRICT MANAGER  
WASHINGTON CNSRVTN DIST  
100 W BEAU ST STE 602  
WASHINGTON PA 15301 | Mr. Gary Stokum |
| Mr. Robert Muller, Jr.  
District Manager  
Wayne Conservation District  
470 Sunrise Avenue  
Honesdale, PA 18431 | Mr. Muller | MR ROBERT MULLER, JR  
DISTRICT MANAGER  
WAYNE CNSRVTN DIST  
470 SUNRISE AVE  
HONESDALE, PA 18431 | Mr. Robert Muller, Jr. |
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| Mr. Gregory Phillips  
District Manager  
Westmoreland Conservation District  
Donohoe Center  
R.D. 12, Box 202B  
Greensburg, PA 15601 | Mr. Phillips | MR GREGORY PHILLIPS DISTRICT MANAGER WESTMORELAND CNSRVTN DIST DONOHOE CENTER RR 12 BOX 202B GREENSBURG PA 15601 | Mr. Gregory Phillips |
| Mr. Shane Kleiner  
District Manager  
Wyoming Conservation District  
R.R. 3, Box 178B  
Tunkhannock, PA 18657 | Mr. Kleiner | MR SHANE KLEINER DISTRICT MANAGER WYOMING CNSRVTN DIST RR 3 BOX 178B TUNKHANNOCK PA 18657 | Mr. Shane Kleiner |
| Ms. Susan Fox  
Executive Director  
Pennsylvania Association of Conservation Districts, Inc.  
225 Pine Street  
Harrisburg, PA 17101 | Ms. Fox | MS SUSAN FOX EXECUTIVE DIRECTOR PA ASSOC CNSRVTN DISTS INC 225 PINE ST HARRISBURG PA 17101 | Ms. Susan Fox |
Attached are three copies of a notice that we would like published in the Pennsylvania Bulletin on October 11, 1997. This is a type 20 application.

Should you have any questions, please telephone Toni Malach at 783-2156.

Attachment
NOTICE OF AVAILABILITY OF DRAFT OSM TITLE IV PROGRAM
RECLAMATION PLAN AMENDMENT NO. 2

The Department of Environmental Protection (DEP), Bureau of Abandoned Mine Reclamation, is proposing to amend Pennsylvania's Abandoned Mine Reclamation Plan, under the provisions of the Federal Surface Mining Control and Reclamation Act of 1977, P.L. 95-87, as amended. Amendment No. 2 updates the Reclamation Plan originally approved in 1982, Amendment No. 1 to that Plan approved October 30, 1992, and incorporates the following new Title IV Abandoned Mine Lands initiatives. The purpose of this Plan Amendment is to allow the Commonwealth more flexibility to achieve reclamation of AML lands through contracts with private individuals, construction contractors, coal companies, and municipalities. Presently where coal is removed as part of a Government financed reclamation contract, at least 50% of the cost of the project must be from Government sources. The proposed Amendment would allow projects to be undertaken without regard to the 50% requirement. In addition, this Amendment is to allow the Commonwealth to enter into agreements with coal mine operators to direct the placement of excess spoil off permit to achieve reclamation of adjacent AML lands that otherwise may go unreclaimed.

The draft Abandoned Mine Reclamation Plan Amendment No. 2 is available for public review and comment. To be considered, comments must be submitted to and received by the Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, P.O. Box 8476, Harrisburg, PA 17105-8476 within 30 days of the date of this Bulletin. A copy of the Abandoned Mine Reclamation Plan Amendment may be obtained by contacting the following DEP offices:

Bureau of Abandoned Mine Reclamation
P.O. Box 8476
Harrisburg, PA 17105-8476
Telephone: 717-783-2156

Wilkes-Barre District Office
Bureau of Abandoned Mine Reclamation
Two Public Square
Wilkes-Barre, PA 18711-0790
Telephone: 717-826-2371

Ebensburg District Office
Bureau of Abandoned Mine Reclamation
122 South Center Street
Ebensburg, PA 15931-0149
Telephone: 814-472-1800
Please have the attached Notice published in each of the 45 listed counties. The Notice contains information regarding the Bureau of Abandoned Mine Reclamation’s Reclamation Plan Amendment No. 2. Please send me a copy once it has been published.

If at all possible, please have this published sometime next week or the following week to coincide with its publication in the Pennsylvania Bulletin and corresponding mailings. Should you have any questions or need additional information, please contact me at 783-5881.

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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**Ebensburg District Office**
Bureau of Abandoned Mine Reclamation
122 South Center Street
Ebensburg, PA 15931-0149
Telephone: 814-472-1800
INTEROFFICE MEMORANDUM

Date: 17-Nov-1997 10:37am EST
From: Donald R. Barnes
BARNES.DONALD
Dept: Ebensburg - DMO
Tel No: (814) 472-1900

Sent By: Beth Kyler

TO: Andrew "Bud" Friedrich
{ FRIEDRICH.ANDREW }

CC: Jeffrey Jarrett
{ JARRETT.JEFFREY }

Subject: Amendment #2 Comments

Based on our recent conversation, apparently no written comments to AML Plan Amendment #2 have been received during the comment period. I received one telephone call during the comment period and I am including the following information as advised by Ernie.

<table>
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<th>Date</th>
<th>Caller</th>
<th>Affiliation</th>
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<tr>
<td>10/30/97</td>
<td>Jack Emrick</td>
<td>Cambria County Conservation District</td>
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Mr. Emrick's questions were general in nature and he wanted to gain a better understanding of what this program was attempting to accomplish. Mr. Emrick also inquired about the possibility of initiating some type of credit program for the elimination and/or reclamation of coal refuse piles. I advised Mr. Emrick that a credit program was not contemplated under this amendment and that the primary reclamation incentives in this proposal were the ability to remove incidental and necessary coal under a government financed contract and reduced liability for water quality provided the contractor complies with all the terms of the contract.

If any additional information is required, please advise.