



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 8461
Harrisburg, PA 17105-8461
August 1, 2008

Bureau of Mining and Reclamation

717-787-5015

Mr. Kurt J. Weist
Senior Attorney
Citizens for Pennsylvania's Future
610 North Third Street
Harrisburg, PA 17101

Re: Formal submission to OSM in response to Part 732 notices and the required program amendment codified in 30 CFR § 938.16(h)

Dear Mr. Weist:

Enclosed for your information is a compact disc which contains the materials submitted to the Office of Surface Mining Reclamation and Enforcement (OSM) in response to the program amendment required under 30 CFR 938.16(h) and the Part 732 Notices issued to the Pennsylvania Department of Environmental Protection (Department) regarding the former alternate bonding system (ABS Program Amendment). These materials constitute Pennsylvania's formal response describing the changes to the mining program made to address the Part 732 Notices and 30 CFR § 938.16(h).

It is expected that OSM will provide for a public comment period as OSM processes the ABS Program Amendment. The copy of the ABS Program Amendment, together with the supporting information and documents, are being provided to you now in order that your clients and you will have sufficient time to review them and prepare comments before the close of the public comment period.

On a related matter, thank you for your letter dated June 25, 2008, concerning the Department's June 16, 2008, submission of informational material to OSM relating to the ABS Legacy. The Bureau of Mining and Reclamation's (BMR) intention for the June 16 submission of data to OSM was to provide details for the sites that have been identified as part of the ABS Legacy in order to give OSM and you a head start in your review of this information in connection with the formal program submission—a copy of which is enclosed with this letter.

I appreciate your review of the information and effort to point out the computational errors on the recapitalization spreadsheet. These errors have been corrected. These numbers have also been corrected in the Financial Summary document included with Pennsylvania's formal program amendment submission to OSM.



In your letter, you request "the AMD Treat printouts (or other treatment cost estimates) for the permitted ABS discharge sites that lack full-cost treatment guarantees." BMR has not compiled these documents. We have managed this part of the project using the Treatment Trust tracking database. I have included a document file of a report from this database on the enclosed compact disc. This report was generated on July 29, 2008. This document will provide you with the available treatment cost estimates (but not the detailed calculations). In the meantime, if you need the AMD Treat printouts (or other treatment cost estimates), then you may request them from the Department's District Offices.

After you have had a chance to review the materials on the enclosed compact disc, I will make my staff available to review any of the documents contained on the disc with you, if you think that would be helpful. Mr. Richard Morrison, program counsel for the mining program, has indicated that he also will make himself available to answer questions you may have on the formal program amendment submission.

Thank you for your interest in this matter.

Sincerely,



Joseph G. Pizarchik, Esquire
Director
Bureau of Mining and Reclamation

Enclosure

cc: George Rieger