



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

March 11, 2016

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Drinker, Biddle & Reath, LLP
Bonnie A. Barnett, Esq.
One Logan Square, Ste. 2000
Philadelphia, PA 19103-6996

Re: Consent Order and Agreement
Natural Resource Damage Assessment
2005 PPL Fly Ash Spill

Dear Bonnie:

Under cover of this letter, the Department is providing a copy of a proposed Consent Order and Agreement ("CO&A") between Martins Creek, LLC ("Martins Creek"), Talen Generation, LLC ("Talen"), the Pennsylvania Fish and Boat Commission ("PAFBC") and the Pennsylvania Department of Environmental Protection ("PADEP"). The purpose of the proposed CO&A is to resolve Natural Resource Damage claims associated with the August 2005 fly ash spill at the Martins Creek Steam Electric Station in Lower Mount Bethel Township, Northampton County.

If Martins Creek and Talen are in agreement with the terms of the CO&A, please have authorized corporate officials from each company sign six (6) copies and send them to Laurie Shelper, Esq. at the PAFBC, 1601 Elmerton Avenue, P.O. Box 67000, Harrisburg, PA 17106-7000. Ms. Shelper will have the six (6) originals signed by PFBC and then forwarded to PADEP for signature. PADEP will then sign and date the agreement and distribute fully executed originals to Martins Creek, Talen, PFBC and the Delaware River Basin Commission.

Please do not hesitate to contact me at your earliest convenience if you have any questions or concerns. Thank you for your time and attention to this matter.

Yours truly,



Sean L. Robbins
Assistant Counsel

Enclosure

cc: J.R. Holtsmaster
Laurie Shelper, Esq.
Pamela Bush, Esq.

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