



## Interstate Mining Compact Commission

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GREGORY E. CONRAD

April 1, 2004

The Honorable Kathleen A. McGinty  
Secretary  
Department of Environmental Protection  
Rachel Carson State Office Building  
P. O. Box 2063  
Harrisburg, PA 17105-2063

Dear Secretary McGinty:

I recently had the opportunity to review a draft of a report prepared by the Pennsylvania Department of Environmental Protection entitled "Coal Ash Beneficial Use in Mine Reclamation and Mine Drainage Remediation in Pennsylvania". This comprehensive and thorough analysis of the beneficial use of coal ash in Pennsylvania could not come at a better time with regard to the on-going debate about the value and use of coal combustion by-products as part of the mine reclamation process. As you know, IMCC and its member states have been engaged over the past several years in a dialogue with the Environmental Protection Agency and the Office of Surface Mining concerning the need for national regulations or guidelines addressing mine placement of coal combustion by-products at both coal and noncoal mines. Our position has been that additional federal regulations are unnecessary given the quality and comprehensive nature of existing state regulatory programs. We have also emphasized our overriding concern that any regulatory program not inhibit or undermine efforts to use coal combustion by-products in mine placement situations, given the significant environmental benefits that attend this use.


The recent report completed by the Department of Environmental Protection, together with the Pennsylvania State University, stands as a ringing endorsement for the beneficial use of coal ash and supports the arguments of the states that we are effectively and comprehensively regulating this activity, while ensuring that the opportunities for beneficial use are not unduly restricted. As the report notes, in many instances, mine placement of coal ash not only alleviates the creation and use of unsightly refuse piles (which are a legacy we are still struggling to find answers for, including co-generation), but more importantly it allows us to address abandoned mine land problems that would otherwise go unattended, due to limited amounts of money available to address all AML sites. In particular, coal ash placement has allowed us to address the pervasive problem of acid mine drainage, as the report demonstrates in elaborate detail. The success of these projects in Pennsylvania is

legendary and has been an encouragement to other states, while serving as a textbook example of how to remediate acid mine drainage problems using coal ash.

We are indeed fortunate that the authors of this impartial and objective report have taken the time and effort to publish their findings and information, which can now be shared with others and hopefully stimulate further efforts to beneficially use coal ash. They are to be commended for a job well done and Pennsylvania is to be lauded for its continuing efforts to seek and implement pollution prevention technologies and solutions that not only address your own situation, but that inspire others to do so as well.

We are delighted to endorse this important contribution to the debate on the beneficial use of coal ash and intend to distribute the report to as wide an audience as possible so that others can benefit from this excellent work. We also believe that the report can serve as the basis for setting objective and meaningful criteria for where various types of coal ash can be used and placed as part of the mining and reclamation process in order to achieve desired results.

Sincerely,



Gregory E. Conrad  
Executive Director

cc. J. Scott Roberts  
All Commissioners