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April 6, 2004

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

Dear Secretary McGinty:

The American Coal Ash Association is a non-profit organization whose members include electric utilities, ash marketers, members of academia, researchers and others interested in the beneficial use of coal ash. Our mission is to promote the management and use of coal combustion products (CCPs) in ways that are environmentally sound, technically viable and economically competitive. Our members represent approximately 47% of the total CCPs produced by the electric utility industry and more than 90% of the CCPs marketed and managed within the United States.

We recently had the opportunity to review the draft document prepared by the Pennsylvania Department of Environmental Protection titled, "Coal Ash Beneficial Use in Mine Reclamation and Mine Drainage Remediation in Pennsylvania." This comprehensive document does an excellent job of portraying Pennsylvania's model program for the use of CCPs in mining applications. The DEP has thoroughly documented numerous examples of CCP beneficial uses, uses that would otherwise require disposal of the same material as waste.

This draft document is another example of thorough analysis and fact-based decision making. It supports the conclusions recently issued by the Joint Legislative Air and Water Pollution Control and Conservation Committee (JCC) on the use of coal combustion materials in mine reclamation projects. We were pleased to read that the committee advised against a statewide moratorium on the ash use. The use of CCPs for mine reclamation has been successfully demonstrated in many states across the United States. Those groups in Pennsylvania who continue to oppose the use of coal ash in mine reclamation do so, despite the strong evidence to the contrary that this is a practice of great



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environmental and economic benefit. The groups also would be well served to read the data contained in the DEP draft report to better understand the objective, scientific details of the issue rather than depending on their subjective feelings and confusion.

It would seem obvious that removing large piles of waste coal and burning it in power generation stations would, of itself, be a good thing. Then, to take the ash from these power plants and use it to remediate, and in some cases eliminate an environmental problem would be of greater value. The specific details described in this report of projects at a number of sites across Pennsylvania bear out this wisdom. The citizens of Pennsylvania should be re-assured that the data and research that is contained in this document validates the oversight and implementing actions that have taken place over many years.

Our association is most appreciative of the leadership role that Pennsylvania has taken in mine reclamation activities and especially in the use of coal ash to remediate abandoned and active mine sites. We believe that the staffs of the DEP and the faculty and students at The Pennsylvania State University are to be commended for their outstanding efforts in assembling this data.

We appreciate very much the opportunity to review this fine document and have committed to assist in the distribution of the document on CD, when it is finalized. Please do not hesitate to contact us if we can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "David Goss". The signature is fluid and cursive, with a large initial "D" and "G".

David Goss
Executive Director