



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 8461
Harrisburg, PA 17105-8461
January 15, 2009

Bureau of Mining and Reclamation

717-787-5103

Mr. George Rieger
Director
Office of Surface Mining
Harrisburg Field Office
4th and Market Sts, Ste 3C
Harrisburg, PA 17101

RE: Primacy ABS Bond Forfeiture Status

Dear Mr. Rieger:

In August 2008, Pennsylvania submitted a formal program amendment to the Office of Surface Mining Reclamation and Enforcement regarding the legacy of Pennsylvania's defunct primacy alternate bonding system. The program amendment included, among other things, status information on various primacy ABS bond forfeitures. Pennsylvania recognizes the importance of keeping OSMRE and the public informed of progress on the Primacy ABS bond forfeitures.

Pennsylvania is hereby providing you with a report on the progress recently made on the Primacy ABS bond forfeitures. This is not a program amendment nor is it a revision to the formal program amendment submitted in August 2008. These documents and information are being provided to keep OSMRE informed of the progress Pennsylvania has made addressing the Primacy ABS bond forfeitures these past months. We intend to post this report on the Pennsylvania Department of Environmental Protection website. A copy of this letter and attachments is also being provided to Mr. Kurt Weist, Esq., attorney for the plaintiffs in the bonding litigation.

Enclosed for your information and records are documents relating to the Primacy ABS bond forfeiture project. All of the files are included on the enclosed CD.

The enclosed table of contents lists the documents included as additional enclosures. The documents include updated summaries of the Primacy ABS BF discharge sites, land reclamation sites, and the potential Primacy ABS discharge sites. This is in the same format as was the documents submitted with the program amendment in August. I have also included a document highlighting the specific progress since August.

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The enclosures also include updated tracking spreadsheets for the ABS BF Discharge costs, land reclamation projects and the statistical summary. A new spreadsheet which includes the revenue for the Reclamation Fee O & M Trust Account is also included.

The "AMD Treat" output for a recalculation of the treatment costs for the Frank Kowalski site (65723055) has also been included.

I will make my staff available to review these documents with your staff as needed. If you need additional information you may contact me at the above number.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph G. Pizarchik".

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

Enclosures

Mr. George Rieger

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bcc: Richard Morrison w/enclosure
Joseph Pizarchik w/enclosure
William Allen
Mike Terretti w/enclosures (emailed)
Watershed Managers w/enclosures (emailed)
District Mining Managers w/enclosures (emailed)
File
30 Day File

JGP:WA:srb:mla