

3217

**Kathy Cooper**

---

**From:** IRRC  
**Subject:** FW: Environmental Quality Board proposed regulation #7-532 (IRRC #3217): "Federal Office of Surface Mining Reclamation and Enforcement (OSM) Program Consistency"



---

**From:** Elam M. Herr [<mailto:eherr@psats.org>]  
**Sent:** Friday, November 16, 2018 4:29 PM  
**To:** Michelle Elliott <[melliott@irrc.state.pa.us](mailto:melliott@irrc.state.pa.us)>  
**Subject:** RE: Environmental Quality Board proposed regulation #7-532 (IRRC #3217): "Federal Office of Surface Mining Reclamation and Enforcement (OSM) Program Consistency"

Michelle: We have reviewed the Environmental Quality Board's Proposed Regulation #7-532 (IRRC # 3217): "Federal Office of Surface Mining Reclamation and Enforcement Program Consistency." Although the majority of the regulations do not affect our members we do have one issue.

Presently, 25 Pa. Code, Section 86.31 requires notification by registered mail to the municipality where the mining is proposed. The federal rules do not change this requirement, yet the proposed regulation would revise 25 Pa. Code, Section 86.31 (c) (1) to still require notification, but by electronic notice and delete the registered mail requirement. We would contend that this notification is too important to not notify the municipality by registered mail. Since the federal policy does not require electronic notification, we would ask that the existing notification by registered mail be retained.

We appreciate the opportunity to comment on this proposed regulation. Should you need to discuss further, please contact me. Elam

Elam M. Herr  
Asst. Executive Director  
PSATS  
4855 Woodland Dr.  
Enola, PA 17025  
717-763-0930 (o)  
717-979-1133 (c)  
[eherr@psats.org](mailto:eherr@psats.org)