

4/11/2009

**Pottsville District Mining Office, DEP**  
**5 West Laurel Boulevard**  
**Pottsville, PA 17901-2454**

**Right-to-Know Officer:**

I have been trying in vain for years to acquire a few of the “verifiable facts” and “scientific data” that your office has collected to prove that the coal fly ash from the A/C Fuels site did not pollute the wetlands directly below.

This is the same Right-to-Know law request that was made a few months ago and ignored by the Pottsville District Mining Office. I have enclosed a copy of that original request.

Under the Right-to-Know law that was established on January 1, 2009 I am requesting the following:

1. Send one “verifiable fact” from the recent investigation of Randy Shustack SMCI Supervisor that DEP feels best defends their stance that this was not a toxic release
2. Send one “scientific data” from the recent investigation of Randy Shustack SMCI Supervisor that DEP feels best defends their stance that this was not a toxic release

All that I ask is that these two documents would have been collected during the time frame that DEP alleges this investigation occurred. Please do not send leachate test results since they represent the wrong application for coal fly ash erosion. Do not send the opinion of Mr. Shustack; just the facts.

Sincerely,

Steven Dreyer

Enclosure: Terry Mutchler April 1, 2009 Letter Received  
Right-to-Know Uniform Request Form  
Right-to-Know law request January 27, 2009