

2422

Tate, Michele

From: Bonita Hoke [bchoke@palwv.org]
Sent: Wednesday, January 27, 2010 3:06 PM
To: EP, RegComments
Subject: Comments to 25 PA Chapter 96--Wastewater Treatment Requirements

Please find attached the League of Women Voters of Pennsylvania's comments on Proposed Amendments to *25 Pa. Chapter 95 relating to Wastewater Treatment Requirements*.

Bonita C. Hoke, Executive Director
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January 26, 2010

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA

Dear Board Members:

In response to the request of Pennsylvania Department of Environmental Protection for comments on proposed amendments to 25 PA Chapter 95 relating to Wastewater Treatment Requirements that will govern discharges of high Total Dissolved Solids (TDS), chlorides and sulfates, the League of Women Voters of Pennsylvania has prepared the attached comments and recommendations.

A one-page summary is also attached so that you may have it in your agenda packet prior to the meeting at which the final-form regulations will be considered.

The League is appreciative of the opportunity to provide input as we continue to support measures that reduce pollution in order to protect surface water, ground water and drinking supplies throughout the Commonwealth.

Sincerely,

Olivia Thorne
President
League of Women Voters of Pennsylvania

Attachments (2)



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**Comments of
The League of Women Voters of Pennsylvania
Proposed Amendments to 25 Pa. Chapter 95 relating to Wastewater Treatment
Requirements**

The League of Women Voters of Pennsylvania views the proposed regulations that would limit new, large, high-TDS (Total Dissolved Solids) dischargers, total chlorides and total sulfates as an important step in improving the water quality in the Commonwealth. High concentrations of TDS have caused problems for both industrial users and public water suppliers who draw from our rivers and streams.

Given the increasing amount of wastewater created by the growth in Marcellus Shale drilling and other sources, the LWVPA opposes the weakening of the proposed regulations and any extension of the implementation timeline.

The LWVPA has three recommendations to strengthen DEP's proposed standards.

- First, the TDS effluent standard should be changed ideally to a **daily maximum** or, at the least, a **maximum daily average**. A monthly average will not adequately protect drinking water and aquatic life against spikes of highly concentrated discharges. The best available technology should be used to monitor TDS effluent on a frequent basis. Dilution has proven to be an unreliable remedy for these multiple sources of pollution.
- Second, all TDS dischargers, both large and small, should be covered by the standard, particularly those that discharge any TDS concentration greater than 500 mg/L.
- Third, existing dischargers need to be covered as soon as possible or, at the least, when their permits are renewed. New sources and new discharges at existing sources should be covered immediately.

The LWVPA believes that the assimilative capacity, of our waters and streams should not be considered an appropriate treatment for industrial wastes. Strong standards can promote the development and implementation of the technology to treat high TDS wastes safely and economically.

We request that the Environmental Quality Board review its regulations for toxic wastes and support the development of a comprehensive monitoring system to identify contaminants, insure their proper treatment, and track water used, re-used, and discharged. Pennsylvania's history shows that failure to regulate in the present will cost taxpayers exponentially more for future cleanup and remediation. Furthermore, weak standards will encourage importation of waste water from other states, increasing the amount of TDS emissions in our waters.



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January 26, 2010

TO: Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

FROM: League of Women Voters of Pennsylvania
226 Forster Street
Harrisburg, PA 17102

RE: Proposed amendments to 25 Pa. Code Chapter 95
(relating to Wastewater Treatment Requirements)

The League of Women Voters of Pennsylvania (LWVPA) applauds the Department of Environmental Protection's proposed amendments to **25 Pa. Chapter 95 relating to Wastewater Treatment Requirements** to establish new effluent standards for new sources of wastewaters containing high Total Dissolved Solids (TDS) concentrations. The proposed amendments are a positive step toward improving water quality in Pennsylvania's rivers and streams.

Studies of the Monongahela, Beaver, Conemaugh, and the West Branch of the Susquehanna Rivers indicate widespread current and potential pollution from TDS, chlorides and sulfates among others from a number of existing sources (mining operations, oil and gas extraction, landfills, food processing, agriculture, untreated sewage and others). These high concentrations of TDS have caused problems for both industrial users and public water suppliers who draw from these sources.

An August 5, 2009 Penn State study projects 1000 Marcellus Shale wells will be drilled in 2010 and 2800 wells by 2020. The League is concerned not only with the environmental impact of the individual wells, but also with the cumulative effects of 3000 wells. The resulting discharge of wastewater from this rapidly growing industry could severely stress the assimilative capacity of PA waters. The Commonwealth's Clean Streams Law (P.L. 1987, No. 394) delegates to DEP the authority and, thus, the responsibility to preserve and improve the purity of Pennsylvania's waters and to develop remedies to restore currently polluted waters.

Proposed Regulation

The proposed regulation would limit new, large, high-TDS dischargers to 500 mg/L of TDS, 250 mg/L of total chlorides and 250 mg/L of total sulfates as a monthly average.

Comments

The LWVPA recommends:

- the TDS effluent standard be changed ideally to a **daily maximum** or, at the least, a **maximum daily average**. A monthly average will not adequately protect drinking water and aquatic life against spikes of highly concentrated discharges. The best available technology should be used to monitor TDS effluent on a frequent basis. Dilution has proven to be an unreliable remedy for these multiple sources of pollution;
- all TDS dischargers, both large and small, be covered by the standard. Dischargers of TDS at any concentration greater than 500 mg/L should be covered; and
- existing dischargers be covered as soon as possible or, at the least, when their permits are renewed. New sources and new discharges at existing sources should be covered immediately.

Strong standards can promote the development and implementation of the technology to treat high TDS wastes safely and economically. It is the Department of Environmental Protection's responsibility to protect the water resources of the Commonwealth. The assimilative capacity of Pennsylvania's streams should not be considered an appropriate treatment for industrial wastes.

In conclusion, the LWVPA opposes the weakening of the proposed standards and any extension of the implementation timeline. We further encourage adopting the recommendations to strengthen these proposed regulations as included in our above comments. The League respectfully requests that the Environmental Quality Board review its regulations for toxic wastes and support the development of a comprehensive monitoring system to identify contaminants, insure their proper treatment, and track water used, re-used, and discharged. Pennsylvania's history shows that failure to regulate in the present will cost taxpayers exponentially more for future cleanup and remediation. Furthermore, weak standards will encourage importation of wastewater from other states, increasing the amount of TDS emissions into our waterways.