



800 North Third Street, Suite 303  
Harrisburg, Pennsylvania 17102  
Telephone (717) 909-3742  
Fax (717) 909-1941  
www.epga.org

**One Page Summary of EPGA Comments on Proposed Rulemaking: 25 Pa. Code Chapter 93:  
Triennial Review of Water Quality Standards**

**Possible Conflict with Statutes:** EPGA questions whether the regulation is consistent with Section 5(a) of the Clean Streams Law (35 P.S. § 691.5(a)) in that it fails to properly analyze the economic impact on industry in Pennsylvania and appropriately consider the state of scientific and technological knowledge.

**Economic Impact of the Regulations:** EPGA has serious concerns with the potential economic impact of this regulation. The Preamble suggests that this rulemaking will only impact “persons expanding a discharge or adding a new discharge point.” However, if adopted, this rulemaking will impact all existing discharges containing chlorides and sulfates as part of the NPDES permit renewal process including electric generating facilities.

The technology needed to remove chlorides and sulfates has not been developed for use in electric power industry applications and is not in commercial use in the United States at flows that commonly occur from many of the electric generation plants in PA.

The types of wastewater that could be impacted in our industry include, but are not limited to: Flue Gas Desulfurization (FGD) purge water, cooling tower blowdown, landfill leachate, demineralizer regeneration water, ash pond effluent, coal pile runoff effluent, and wetland mitigation water. Costs to retrofit these technologies to our systems are extremely high with no guarantee that the needed reductions will be obtained with that equipment.

EPGA’s comments include recent examples of studies designed to evaluate emerging Zero Liquid Discharge (ZLD) technologies and processes and assessments of their feasibility as FGD wastewater treatment alternatives. The ZLD options evaluated had estimated capital costs ranging from \$70.7 million to \$111.9 million and annual operating expenses ranging from \$3.59 million to \$9.7 million.

Based on the experience of EPGA members the information in the preamble regarding the costs and the maturity of the available technology is wholly inaccurate.

**Need and Possible Conflict with Existing Regulations:** Discharges of sulfates and chlorides, which are primary sources of TDS, are already regulated under Title 25 PA Code Chapter 95 (Wastewater Treatment Requirements) that became effective on August 21, 2010. As a result, the rationale for the proposed chloride and sulfate rulemaking is flawed.

**Dissolved Oxygen:** EPGA supports the change from discrete minimum daily averages to 7-day averages as these standards are more representative and better capture the temporal variability in streams and water bodies.

**Temperature:** The existing rate of temperature change criterion (2°F during a 1-hour period) cannot even be met under naturally occurring conditions without any influence from a point source discharge. Several literature reviews do not support the existing standard. Since there is no available basis for the temperature criterion, it is appropriate that the Department review the limit. A report entitled, “Evaluating the Seasonal Effects of Short-Term Temperature Fluctuations on Macroinvertebrates and Fish in the Susquehanna River near the Brunner Island Steam Electric Station” should be considered by the Department in its evaluation of a revised temperature criterion.

**Aquatic Life Standard and Human Health Standard for Molybdenum:** It is our understanding that the aquatic life molybdenum standards were developed as a result of a request from one regional office for only one or two NPDES discharges. This is an inappropriate foundation for developing a statewide standard. Regarding the proposed human health criteria, our concerns are the same as those expressed by the Senate Environmental Resources and Energy Committee during the previous water quality standard triennial review. There is no drinking water standard or federal water quality standard for molybdenum.