

Proposed Rulemaking: Water Quality Standards; Chester Creek et al. Stream Redesignations

Environmental Quality Board
October 13, 2026





Purpose

Federal Clean Water Act

- Requires states to adopt water quality standards, including designating uses, criteria to protect uses and an antidegradation policy

Pennsylvania Clean Streams Law

- Policy is to prevent further pollution and reclaim and restore streams to an unpolluted condition
- Regulations should consider the present and future uses of waters

Water Quality Standards

- Generally, water quality standards define how we know if waters are polluted
- More specifically, water quality standards are regulations that define...
 - What **uses** waters are protected for (like water supplies, recreation, and aquatic life)
 - The water quality **criteria** necessary for waters to support protected uses
 - Requirements to prevent degradation of water quality (**antidegradation**)

Stream Evaluation Summary

Stream	County	Reason for Evaluation
Bear Creek (04115)	Carbon	Routine stream monitoring
Grassy Meadow Run	Carbon	Routine stream monitoring
Bear Creek (04123)	Carbon	Routine stream monitoring
Dennison Run	Carbon	Routine stream monitoring
Broad Run	Carbon	Routine stream monitoring
Jeans Run	Carbon	Routine stream monitoring
UNT 04060 to Mahoning Creek	Carbon	Routine stream monitoring
UNT 04055 to Mahoning Creek	Carbon	Routine stream monitoring
Stewart Creek	Carbon	Routine stream monitoring



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Stream Evaluation Summary

Stream	County	Reason for Evaluation
UNT 03181 to Tohickon Creek	Bucks	Permit writer's request with an NPDES permit renewal
UNT 64027 to Sixpenny Creek	Berks	Request by Nature Conservancy
Chester Creek	Chester	Reevaluation due to EPA disapproval
Logan Spring Run	Huntingdon /Blair	Permit writer's request with an NPDES permit renewal
Bermudian Creek	Adams	Routine stream monitoring
Reynolds Run	Lancaster	Reevaluation due to EPA disapproval
UNT 32599 to North Fork Dunkard Fork	Greene	Routine stream monitoring

Stream Evaluation Criteria & Qualifiers

The stream redesignations in this proposed rulemaking rely on the following special protection qualifiers and other evaluation criteria:

§ 93.4b. Qualifying as High Quality (HQ) or Exceptional Value (EV) Waters

- HQ - Class A wild trout stream qualifier (§ 93.4b(a)(2)(ii))
- EV - Outstanding National, State, regional or local resource water (§ 93.4b(b)(1)(iii))
- EV - Biological assessment qualifier (§ 93.4b(b)(1)(v))

§ 93.3. Protected water uses

Proposed Redesignations

Stream Name	County	Zone Description	List	Designated Use		
				Current	Requested	Recommended
Bear Creek (04115)	Carbon	Basin	D	HQ-CWF	NA	EV
Grassy Meadow Run	Carbon	Basin	D	HQ-CWF	NA	EV
Bear Creek (04123)	Carbon	Basin	D	HQ-CWF	NA	EV
Dennison Run	Carbon	Basin	D	HQ-CWF	NA	EV
Broad Run	Carbon	Basin	D	HQ-CWF	NA	EV
Jeans Run	Carbon	Basin	D	HQ-CWF	NA	EV
UNT 04060	Carbon	Basin	D	CWF	NA	EV
UNT 04055	Carbon	Basin	D	CWF	NA	EV
Stewart Creek	Carbon	Basin, Source to Crooked Run	D	CWF	NA	EV
Stewart Creek	Carbon	Basin, Crooked Run to Mouth	D	CWF	NA	HQ-CWF

Proposed Redesignations

Stream Name	County	Zone Description	List	Designated Use		
				Current	Requested	Recommended
UNT 03181	Bucks	Basin	E	TSF	NA	EV
UNT 64027	Berks	Basin	F	HQ-CWF	EV	EV
Chester Creek	Chester	Basin, Source to East Branch Chester Creek	G	WWF	NA	TSF
Chester Creek	Chester	Basin, Dutton Mills Road Bridge to UNT 00526	G	WWF	NA	TSF
Logan Spring Run	Huntingdon- Blair	Basin	N	WWF	NA	CWF
Bermudian Creek	Adams	Basin, Source to UNT 08719	O	WWF	NA	CWF
Bermudian Creek	Adams	Basin, UNT 08719 to SR 94	O	WWF	NA	TSF
Reynolds Run	Lancaster	Basin	O	HQ-TSF	NA	HQ-CWF
UNT 32599	Greene	Basin	W	TSF	NA	EV



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Opportunities for Public Participation Prior to Rulemaking

- DEP notice of intent to assess the streams and request for technical data
- DEP notice and minimum 30-day comment period on draft evaluation report



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Rulemaking Notifications

Four notification letters via USPS

- Sent to municipalities, county planning commissions, county conservation districts, regional planning commissions, USEPA Region 3, other agencies (PFBC and PGC), and commentators on proposed rule (when possible)
- Prior to EQB meeting - proposed
- Beginning of comment period
- Prior to EQB meeting - final
- Final rule sent to IRRC/Committees

eNotices are delivered at similar times

- When the rulemaking is on EQB meeting agenda
- At the beginning of public comment period
- When the EQB has adopted the rulemaking

Implementation

National Pollutant Discharge Elimination System (NPDES)

- Requires effluent limitations that are protective of the Designated Use (§ 92a.12)
- Designated use changes to High Quality or Exceptional Value should have no impact on existing activities discharging under an individual NPDES permit
- New or expanding discharges may be subject to more stringent treatment requirements to meet Designated and Existing Uses



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Advisory Committee

DEP presented this proposed rulemaking to the Agricultural Advisory Board on April 10, 2025.



Affected Parties

- Out of a statewide total of >17,000 NPDES permits, DEP identified 11 facilities with active NPDES general permits and one “no exposure” conditional exclusion from an NPDES stormwater permit for discharges to the stream segments being redesignated to special protection
- Permittees operating under a general permit or a no exposure exclusion will be required to obtain an individual permit upon renewal



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Recommendation

DEP recommends the Board adopt **this** proposed rulemaking with a 45-day comment period and a public hearing.

Questions?

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The Department of Environmental Protection's mission is to protect Pennsylvania's air, land and water resources and to provide for the health and safety of its residents and visitors, consistent with the rights and duties established under the Environmental Rights Amendment (Article 1, Section 27 of the Pennsylvania Constitution).