

**EXECUTIVE SUMMARY**  
**DESIGNATED WATER USES AND WATER QUALITY CRITERIA**  
**Big Brook, et al., Proposed Rulemaking**

As part of its continuing water quality management program and ongoing review of water quality standards, the Department of Environmental Protection (Department) recommends that the Environmental Quality Board (Board) adopt the following amendments to 25 Pa. Code Chapter 93, §§93.9b, 93.9f, 93.9g, 93.9n, 93.9o and 93.9r as set forth in Annex A of this proposed rulemaking and summarized below:

**Big Brook, et al.**

<b>Stream</b>	<b>County</b>	<b>Reach</b>	<b>List</b>	<b>Current Designation*</b>	<b>Requested Designation*</b>	<b>Recommended Designation*</b>
Big Brook	Wayne	Basin, Source to T477 (Gridline Road) Bridge Crossing in Lebanon Twp.	B	HQ-CWF	EV	Basin, EV
Mill Creek	Berks	Basin	F	None	---	CWF
Brooke Evans Creek	Montgomery	Basin	F	WWF	EV	WWF (no change)
Wissahickon Creek	Montgomery	Basin, Source to Route 73 Bridge	F	TSF	WWF	Basin, TSF, MF (no change, add MF)
Beaver Creek	Chester	Basin, Source to East Brandywine – Caln Township Border	G	None	---	Basin, CWF, MF
Beaver Creek	Chester	Basin, East Brandywine-Caln Township Border to Mouth	G	TSF, MF	---	
Stone Creek	Bedford	Basin, Source to Confluence with UNT 14908 at RM** 0.34	N	None	---	WWF
Unnamed Tributary (UNT) 14908 to Stone Creek	Bedford	Basin	N	None	---	CWF
Stone Creek	Bedford	Basin, UNT 14908 to Mouth	N	None	---	CWF
Furnace Run	Lancaster/Lebanon	Basin, Source to SR1026	O	TSF	HQ/EV	HQ-CWF
Clarion River	Clarion	Main Stem, Inlet of Piney Lake to Mouth	R	CWF	WWF	WWF

\* WWF = Warm Water Fishes  
 TSF= Trout Stocking  
 CWF= Cold Water Fishes

HQ = High Quality  
 EV = Exceptional Value  
 MF = Migratory Fishes

\*\* RM = River Mile

UNT = Unnamed Tributary

These streams were evaluated in response to five petitions, as well as requests from the Department's Regional and Central Offices as follows:

Petition:

- Big Brook - (Lebanon Twp. (Wayne Co.) Board of Supervisors)
- Brooke Evans Creek - (Larry Piasecki)
- Wissahickon Creek - (Upper Gwynedd Twp; Montgomery Co.)
- Furnace Run - (students from Conestoga Valley High School, Lancaster County)
- Clarion River - (Iron Furnace Chapter of Trout Unlimited, the Alliance for Wetlands and Wildlife, the Commissioners of Clarion County, and Reliant Energy Mid-Atlantic Power Holding LLC)

Department:

- Beaver Creek, Mill Creek, Stone Creek

These regulatory changes were developed as a result of aquatic studies conducted by the Department. The physical, chemical, and biological characteristics and other information on these waterbodies were evaluated to determine the appropriateness of the current and requested designations using applicable regulatory criteria and definitions. In reviewing whether waterbodies qualify as HQ or EV waters, the Department considers the criteria in § 93.4b (relating to qualifying as High Quality of Exceptional Value Waters). Based upon the data collected in these surveys, the Department recommends the designations described in the preceding table and as set forth in Annex A of the proposed rulemaking.

This proposed rulemaking is being made under the authority of Sections 5(b)(1) and 402 of The Clean Streams Law (35 P.S. §§691.5 (b)(1) and 691.402), which authorize the Environmental Quality Board to develop and adopt rules and regulations to implement the provisions of the Clean Streams Law, and Section 1920-A of the Administrative Code of 1929 (71 P.S. §510-20), which grants to the Board the power and duty to formulate, adopt, and promulgate rules and regulations for the proper performance of the work of the Department. In addition, Section 303 of the Federal Clean Water Act (33 U.S.C. §1313) sets forth requirements for water quality standards and the federal regulation at 40 CFR §131.32 sets forth certain requirements for portions of the Commonwealth's antidegradation program. This regulation is not more stringent than the federal requirements found in the companion federal regulations.

The streams proposed for redesignation are already protected at their existing use and, therefore, the designated use changes will have no additional impact on treatment requirements. Existing discharges are unaffected by changes to the designated use of the water body. Some new or expanding discharges may be subject to more stringent treatment requirements to meet designated and existing stream uses.

The proposed redesignations will be implemented through The Department's permit and approval actions. For example, the National Pollutant Discharge Elimination System (NPDES) permitting program bases effluent limitations on the use designation of the stream. These permit conditions are established to assure water quality criteria are achieved and designated and existing uses are protected. Dischargers are required to provide effluent treatment according to the water quality criteria associated with existing uses and revised designated water uses.

The Department recommends that these revisions be adopted by the Board and published in the *Pennsylvania Bulletin* as proposed rulemaking with a 45-day public comment period. Public hearings and/or meetings will be scheduled at appropriate locations if sufficient interest is shown during the public comment period.