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Energy Industry Consultants

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Pittsburgh, PA 15228

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May 8, 1997

Environmental Quality Board

P. O. Box 8477

Harrisburg, PA 17105-8477

COMMENTS ON THE PROPOSED WATER QUALITY ANTIDegradation REGULATION

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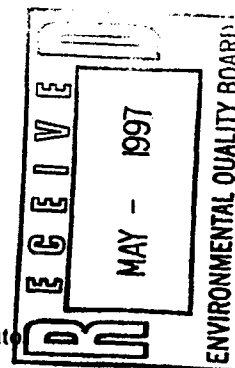
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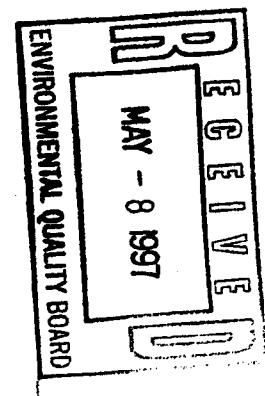
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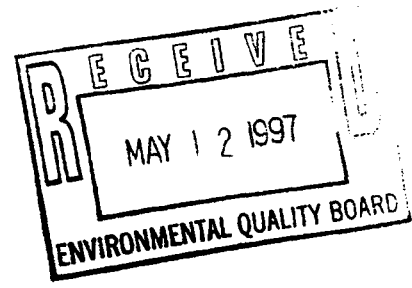
TO WHOM IT MAY CONCERN:

PLEASE RESPECT D.B.P. ANTI DEGRADATION PROPOSAL.
THESE PROPOSALS WILL JUST ADD MORE PROBLEMS TO OUR
EVERYDAY ENVIRONMENTAL CONCERNS.

THANK YOU,
Robert James Downing



97 MAY 07 11:43:27



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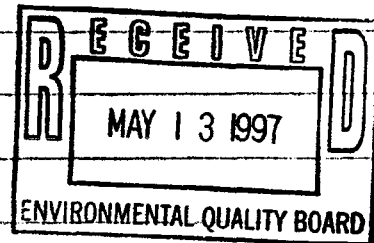
282 FOULKROD BLVD
KING OF PRUSSIA, PA
19406

ENVIRONMENTAL QUALITY BOARD DEP
PO BOX 8465
HARRISBURG, PA 17105

THIS LETTER IS TO INFORM YOU THAT
WE, THE UNDERSIGNED, ARE AGAINST
THE DEP'S CURRENT ANTI-DEGRADATION
PROPOSAL. INSTEAD, WE PROPOSE
THAT THE DEP ADOPTS THE EPA'S
CURRENT STANDARD.

Sally Smith
Stephen Smith

SALLY SMITH
STEPHEN SMITH



SHEARWOOD TERRACE DEVELOPMENT CORPORATION

436 NEWPORT ROAD

P.O. BOX 337

BLAIRSVILLE, PENNSYLVANIA 15717-0337

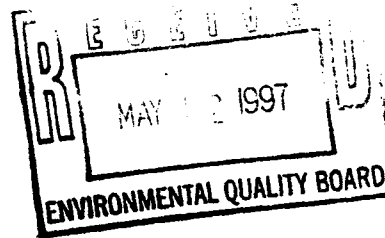
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JAMES I. SHEARER
PRESIDENT

412-459-6000
FAX 412-459-8422

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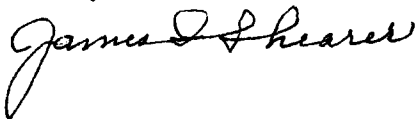
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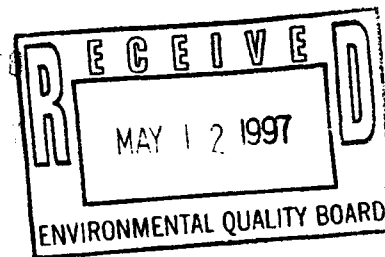




STANDARD STEEL

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STEVEN E. RENSMAN

TIMBERLANDS & CHRISTMAS TREES

46164 HARGER ROAD TITUSVILLE, PENNSYLVANIA 16354

TEL/FAX (814) 827-7670



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TEXAKOMA OIL & GAS CORPORATION

ONE LINCOLN CENTRE
5400 LBJ Freeway, Suite 500
Dallas, Texas 75240
(972) 701-9106

EXPLORATION AND PRODUCTION

MAY 27 11 0:37

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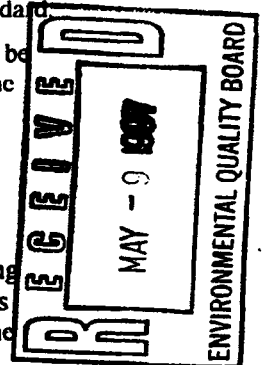
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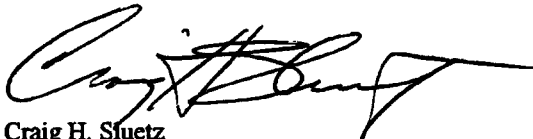
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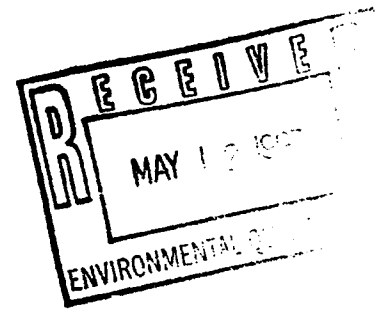
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Sincerely,



Craig H. Suetz
Manager of Trades and Acquisitions



May 8, 1997

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Environmental Quality Board
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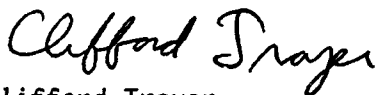
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Clifford Troyer
President



Vineyard

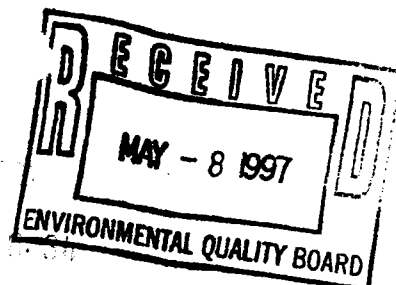
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May 8, 1997

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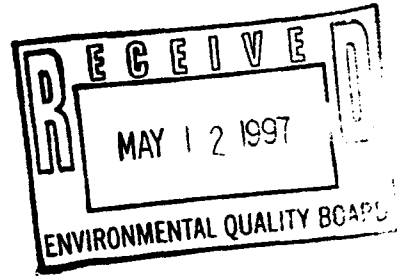
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May 8, 1997

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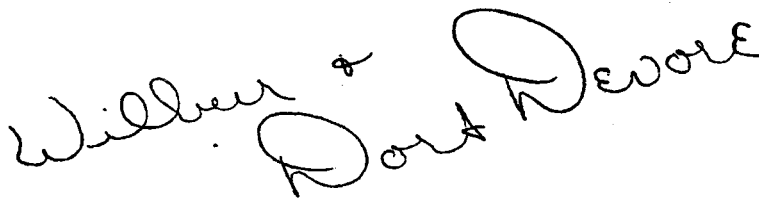
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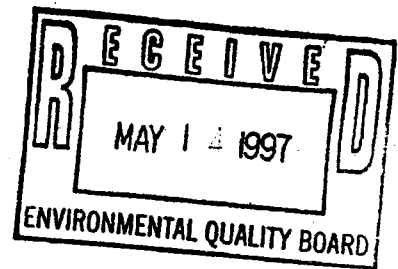
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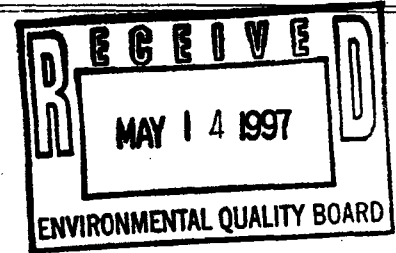
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V.P.

IPSCO DRILLING
 HC#1, Box 616
 SHEFFIELD, PA. 16347

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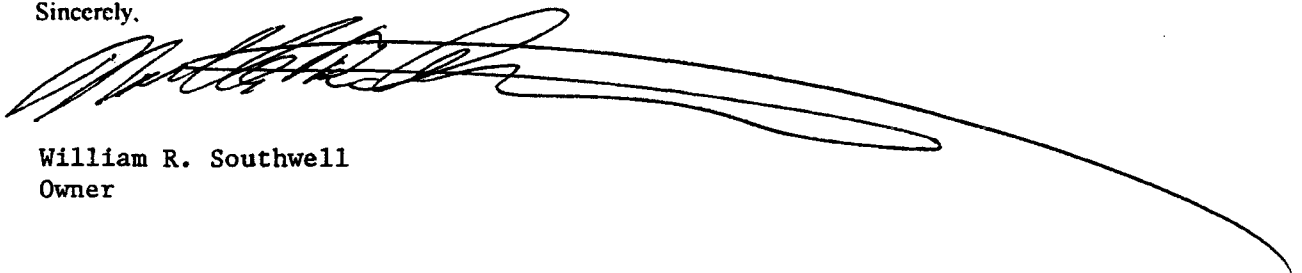
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Owner

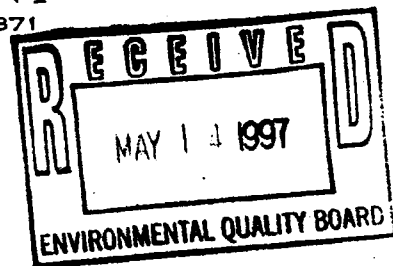


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May 8, 1997

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P. O. Box 8477
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 SEZ/TREATS

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May 9, 1997

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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Ann and William Bullock
734 Roy Road
King of Prussia, PA 19406

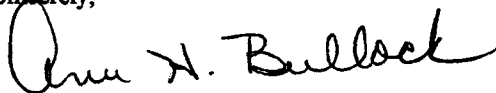
Environmental Quality Board (EQB)
Dep, P.O. Box 8465
Harrisburg, PA 17105

To Whom It May Concern:

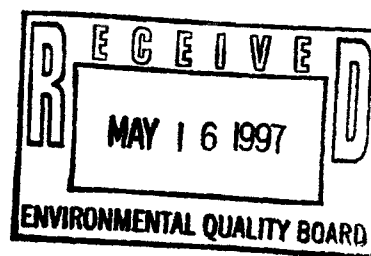
We support the Clean Water Act and reject the DEP'S current anti-degradation proposal. Please adopt simpler, better standards of the EPA.

I want better water for my family!

Sincerely,



Ann H. Bullock



07 MAY 27 09 04

May 9, 1997

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

Environmental Quality Board
P.O. Box 8465
Harrisburg Pa 17105

Dear Sir:

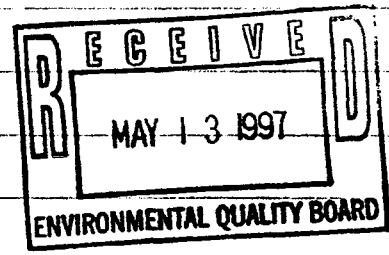
Please reject the

S.E.P. Anti Detention Act

We need clean water.
Please Respond - Thank You

Sincerely

Quincy Manning
113 Horn St
Pgh. Pa 15210



Satisfactory Service

Since 1937

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BENEYFIELD & FARRELL

Insulation Specialists

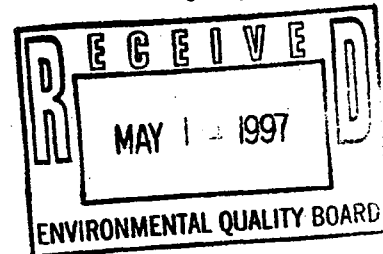
FIBERGLAS INSULATION
HOUSE COOLING FANS
KITCHEN & BATHROOM FANS
VENTILATION

3005 ENTERPRISE DRIVE
STATE COLLEGE, PA. 16801
AREA CODE 814 238-3226

PAINT PEELING PREVENTION
MOISTURE CONTROL
ELECTRIC HEATING
SOUNDPROOFING

May 9, 1997

Mr. James Seif, Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477



Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. This is a very important proposal and my comments are as follows:

This proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what is contained in the proposal as "generally better than" standards. This proposal of "generally better than" standards allows for judgement calls by the department. If data indicates the stream does not meet even one water quality standard, the stream should not qualify for a high quality or exceptional value designation.

Pennsylvania's exceptional value programs should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received planning or subdivision and land development approval within the last five years.

We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding discharges with minimal impact are welcomed. We also endorse the use of general permits on high quality streams and support the expansion of this practice to exceptional value streams. Thank you for considering these comments.

Sincerely,

A handwritten signature in cursive script that reads "Charles A. Farrell".

Charles A. Farrell

STANDARD FORM NO. 64

May 9, 1997

Dear Sir or Madam;

I'm writing on behalf of myself and entire family. I'm urging you to reject the D.E.P.'s current anti-degradation proposal and adopt the simpler, better standards of the E.P.A.

Thank you,

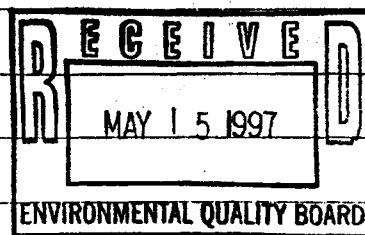
Beth Bucci

492 Yale St.

King of Prussia Pa

19406

Please respond to this letter.



May 9, 1997

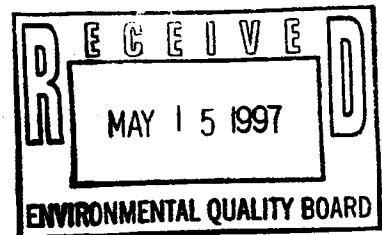
Environmental Quality Board,

I wish for you to reject
the DEP's current anti-
degradation proposal. A reply
would be appreciated.

Sincerely

Cheryl J. Irwin

CHERYL J. IRWIN
163 PERRYVISTA AVE
PGH., PA. 15237-4851





p.o. box 8477 • harrisburg, pa. 17105-8477 • (717) 787-4526

Environmental Quality Board

May 9, 1997

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COPIES: COCCODRILLI
TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
14th Floor, Harristown #2
333 Market Street
Harrisburg, PA 17101

Re: Proposed Rulemaking - Water Quality Amendments -
Antidegradation (#7-310)

Dear Mr. Nyce:

The Environmental Quality Board held a public hearing concerning the subject rulemaking May 7 in Harrisburg. Testimony and/or written statements regarding this proposal were presented to the Board at the hearing by the following individuals:

1. John Lake, Letort Regional Authority
2. Susan Gobreski, Clean Water Action
3. John Childe, Attorney at Law
4. Edie Stevens, League of Women Voters of PA
5. Larry Arata, The Darby Creek Valley Association (no written statement)
6. Megan Milford, PA Builders Association

Copies of these written statements are enclosed for your review. Please contact me if you have any questions.

Sincerely,

Sharon K. Freeman
Regulatory Coordinator

Enclosures



p.o. box 8477 • harrisburg, pa. 17105-8477 • (717)787-4526

Environmental Quality Board

May 9, 1997

ORIGINAL: #1799
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(PER CAT)

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harristown #2
333 Market Street
Harrisburg, PA 17120

RE: Proposed Rulemaking - Water Quality Amendments - Antidegradation (#7-310)

Dear Mr. Nyce:

The Environmental Quality Board has received comments regarding the above referenced proposed rulemaking from the following:

1. Ms. Joanne Armn
2. Ms. Susan Waxler
3. Mrs. Anne R. Bear
4. Ms. Lisa Bergey
5. Mr. Robert Stuart
6. I. Hartshorne and Ms. Elizabeth Hogan
7. Mr. Troy Yerk
8. Mr. Daniel Rafter
9. Ms. Lilan Cole
10. Ms. Virginia R. Dresher
11. Ms. Kathie Loren-Knorr
12. The Conky Family
13. Charles and Ruth McConnell
14. Mr. Paul Rudershausen
15. Mr. L. Arthur Watres
16. Mr. Robert J. Sloboda
17. Mr. Barry Hannigan
18. Mr. Edward A. Sowinski
19. Mr. Gary L. Shellenberger
20. Ms. Cheryl Nudo

These comments are enclosed for your review. Copies have also been forwarded to the Senate and House Environmental Resources and Energy Committees. Please contact me if you have any questions.

Sincerely,


Sharon K. Freeman
Regulatory Coordinator

Enclosure



p.o. box 8477 • harrisburg, pa. 17105-8477 • (717)787-4526

Environmental Quality Board

May 9, 1997

ORIGINAL: #1799
COPIES: NONE
(PER CAT)

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harrisstown #2
333 Market Street
Harrisburg, PA 17120

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9. Ms. Lilan Cole
10. Ms. Virginia R. Dresher
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14. Mr. Paul Rudershausen
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17. Mr. Barry Hannigan
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Sharon K. Freeman
Regulatory Coordinator

Enclosure



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Environmental Quality Board

May 9, 1997

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(PER CAT)

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harrisstown #2
333 Market Street
Harrisburg, PA 17120

RE: Proposed Rulemaking - Water Quality Amendments - Antidegradation (#7-310)

Dear Mr. Nyce:

The Environmental Quality Board has received comments regarding the above referenced proposed rulemaking from the following:

1. J. R. Hendry
2. Ms. Autumn R. Bryant
3. Mr. Albert Siggia
4. Mr. James Knickerbocker
5. Ms. Christina Calorie
6. M. Sabo
7. Mr. James E. Allen
8. Mr. Gary W. Sterner
9. Mr. Robert G. Munshower
10. Ms. Carol F. Higgins
11. Mr. George P. Fennell
12. Mr. Harry L. Richter, Jr.
13. Mr. Mark Foster and Ms. Brenda Blackburn-Foster
14. Ms. Julia Haltiwanger
15. Mr. Antoon F. Van Velzen
16. Ms. Diana Cole
17. Ms. Patricia Hendry
18. Kelly and Craig Bach
19. Ms. Karen J. Getz
20. Ms. Roberta Anne Harrison and Mr. Arthur G. Harrison

These comments are enclosed for your review. Copies have also been forwarded to the Senate and House Environmental Resources and Energy Committees. Please contact me if you have any questions.

Sincerely,

Sharon K. Freeman
Regulatory Coordinator

Enclosure



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Environmental Quality Board

May 9, 1997

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(PER CAT)

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harrisstown #2
333 Market Street
Harrisburg, PA 17120

RE: Proposed Rulemaking - Water Quality Amendments - Antidegradation (#7-310)

Dear Mr. Nyce:

The Environmental Quality Board has received comments regarding the above referenced proposed rulemaking from the following:

1. Mr. Joseph F. Grass, III
2. Ms. Candice E. Shaffer
3. Ms. Patricia Prusch
4. Mr. Scott Toomey
5. Mr. Andrew Schaum
6. Ms. Susan A. McGarvey
7. Mr. Robert J. Sheller, Ms. Stephanie A. C. Sheller and Ms. Valerie A. Collmann
8. Mr. Eval Smith
9. Ms. Ginny Van Dongen
10. Mr. Joseph R. Petrella, Jr.
11. Ms. Bonnie Provost
12. Ms. Charlotte Kerksmar
13. Ms. Barbara A. Moore
14. Ms. Deborah Thompson
15. Ms. Charlotte Jockel
16. Ms. Timothee Jean Kearns
17. Ms. Melba R. Wark
18. Mr. James A. Lowe
19. Ms. Nancy A. Romanczuk
20. Mr. Joseph R. Huegel, Sr.

These comments are enclosed for your review. Copies have also been forwarded to the Senate and House Environmental Resources and Energy Committees. Please contact me if you have any questions.

Sincerely,

Sharon K. Freeman
Regulatory Coordinator

Enclosure



p.o. box 8477 • harrisburg, pa. 17105-8477 • (717)787-4526

Environmental Quality Board

May 9, 1997

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COPIES: NONE
(PER CAT)

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harristown #2
333 Market Street
Harrisburg, PA 17120

RE: Proposed Rulemaking - Water Quality Amendments - Antidegradation (#7-310)

Dear Mr. Nyce:

The Environmental Quality Board has received comments regarding the above referenced proposed rulemaking from the following:

1. Mr. Ed Decker
2. Mr. Raymond J. Cannon
3. Mr. W. E. Roach, Roach and Associates, Inc.
4. William G. and Barbara M. Kalbfleisch
5. Mr. Mark A. Sturtevant
6. Mr. Joseph E. Veghts
7. Ms. Lynda Sprau
8. Mr. Philip E. Pyle, Jr.

These comments are enclosed for your review. Copies have also been forwarded to the Senate and House Environmental Resources and Energy Committees. Please contact me if you have any questions.

Sincerely,

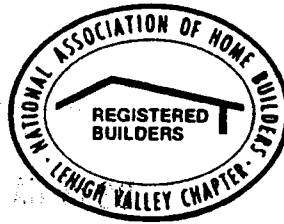
A handwritten signature in cursive script that reads "S.K. Freeman".

Sharon K. Freeman
Regulatory Coordinator

Enclosure

Curtis E. Schneck, Inc.

5426 ROUTE 873
SCHNECKSVILLE, PA 18078
Telephone (610) 767-5018

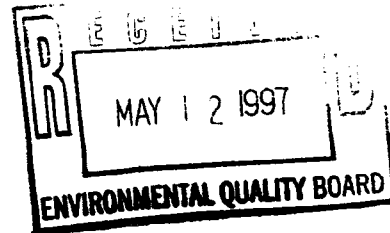


BUILDING CONTRACTOR

DEVELOPER ORIGINAL: #1799
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(PER JHJ)

May 9, 1997

Mr. James Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477



Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. This is a very important proposal and my comments are as follows:

This proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what is contained in the proposal as "generally better than" standards. This proposal of "generally better than" standards allows for judgement calls by the department. If data indicates the stream does not meet even one water quality standard, the stream should not qualify for a high quality or exceptional value designation.


Pennsylvania's exceptional value program should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received planning or subdivision and land development approval within the last five years.

We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are welcomed. We

also endorse the use of general permits on high quality streams and support the expansion of this practice to exceptional value streams.

Thank you for considering these comments.

Sincerely,
CURTIS E. SCHNECK, INC.

Curtis E. Schneck

CES/beh

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COPIES: NONE
(PER JHJ)

122 White Ave.
Linwood, PA 19061
May 9, 1997

Environmental Quality Board
DEP
P.O. Box 8465
Harrisburg, PA 17105

RE: New Proposed Water Quality Rules

Gentleman,

Please consider this letter to be my protest against the subject!

I am not at all satisfied with the continued effort on the part of DEP to avoid reasonable protection for Pennsylvania waters. The persons operating as the state's representatives are still applying the dilatory tactics which have twice within memory resulted in litigation which found the DEP at fault and the EPA forced to step in.

And now the new proposal is, for all intents and purposes, worse! Such as:

- HQ and EV need to stay as protected water uses, so that our best streams will not be downgraded.
- Contrary to Federal regulations, no weight is given to public lands in the selection process.
- Another loophole-- allows discharges and deregulation in EV waters.
- There is no integration of wetlands protection with antidegradation.
- Waters not yet assessed are protected at the lowest level. How long are they expected to last under these conditions?

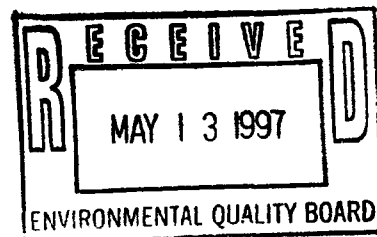
This proposal is loaded with items which are damaging to the environment. It should not be given any credence in its present form-- these regulations should be rejected!

I am asking that my feelings be conveyed to the members of the Board. Thank you.

Sincerely,



Daniel T. Sculley



Darryl L. Hurd
4 Greenwich Court
Newark, DE 19702
302/836-3013



May 9, 1997

Environmental Quality Board
DEP
P.O. Box 8465
Harrisburg, PA 17105

RE: New Proposed Water Quality Rules

Gentleman,

Please consider this letter to be my protest against the subject!

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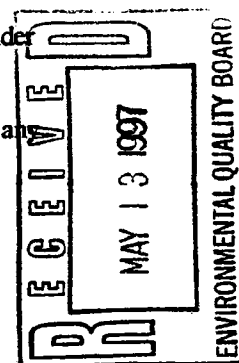
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This proposal is loaded with items which are damaging to the environment. It should not be given any credence in its present form-- these regulations should be rejected!

I am asking that my feelings be conveyed to the members of the Board. Thank you.

Sincerely,


Darryl Hurd



P.S.- I do most of my fishing in Pennsylvania. I spend money and pay taxes at establishments in PA while there. If waters are allowed to become degraded, myself and many others will not be lured into your state to spend money! This can have a direct economical impact on local business and the tax base.

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COPIES: NONE
(PER JHJ)

672 Hidden Valley Rd.
King of Prussia, PA 19406
May 9, 1997

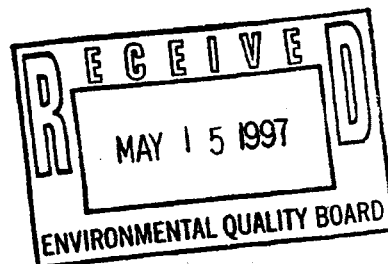
Environmental Quality Board
Department of Environmental Protection
P.O. Box 8465
Harrisburg, PA 17105

I urge you to reject the DEP's current anti-degradation proposal. Pennsylvania's beautiful waterways must be protected. Pennsylvania should be at the forefront of the nation in water quality, not lagging behind federal standards. At a minimum, Pennsylvania should adopt the EPA's water quality standards.

Sincerely yours,



David Fiorito



Friends of the Nescopeck

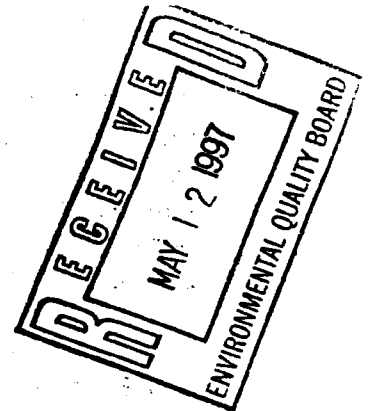
PO Box 367

Sybertsville PA 18251

"Working to Clean Up Nescopeck Creek"

97 MAY 27 11 24 AM '97

RECEIVED
MAY 12 1997



Mr. James M. Seif
Chairman, Environmental Quality Board
PO Box 8477
Harrisburg PA 17101-8477

9 May 1997

Dear Chairman Seif

The Friends of the Nescopeck offer the following comments regarding proposed regulatory changes to the state's anti-degradation policy.

As river conservation activists, the Friends of the Nescopeck are deeply concerned with the purity of waterways in Pennsylvania. We are interested in protecting and preserving the many and varied forms of life in and around our streams. And, we are deeply concerned with the future of public resources, like Nescopeck Creek and its watershed.

Pennsylvania environmental regulators (the Department of Environmental Protection) have been forced, through lawsuit, to accept tough, no-nonsense federal regulations concerning the protection of our best streams under the provisions of the federal Clean Water Act. Because DEP failed to implement its own comparable water quality standards for our state, the DEP has been made subject to federal standards, including an "antidegradation policy" that's aimed at protecting waters from unnecessary degradation, and to provide for public input before waters are degraded. Yet, the DEP wants to replace these regulations with weaker, less stringent ones that give the agency "discretion" to refuse to protect existing uses of streams, such as for aquatic life, wildlife, recreation, and potable water resources. And, the DEP has proposed new regulations that which would enable the agency (an agency that's supposed to serve the public interest, not special interests) to avoid giving high value and exceptional quality streams the protection they now receive.

- While "existing uses" and endangered species are mentioned in the agency's proposal, the language protecting them contains a loophole. However, "existing uses" and endangered species should be protected unconditionally. No loopholes, period.

- The DEP would require "high quality (HQ)" waters to pass both a water chemistry and a biology test to qualify, in excess of the federal regulatory

requirements. Either/or, but not both, is appropriate, not the agency's proposed double standard.

- Dischargers must show a public benefit before being given permission to degrade HQ streams. Yet, under the DEP's proposal, those using 25 percent or less of the "assimilative capacity" of the stream will not be required to demonstrate "social or economic justification, nor will those qualifying for "general" NPDES permits. These DEP loopholes retreat from current regulations. All degrading should show benefit.

- While the definition of "exceptional value (EV)" has not appreciably changed in the DEP's proposal, the agency would no longer have to give any weight to waters located on public lands in the "selection criteria." This is contrary to the federal regulation. Under the DEP's plan, there would be fewer ways for a stream to qualify for EV designation than ever before. Public lands merit special weighting as a selection criteria, not complete disregard as the DEP proposes. We know this first-hand, as Nescopeck Creek flows through both Game Commission and DCNR land before being degraded by acid mine drainage on private lands.

- The protection afforded to EV streams in the DEP's proposal contains a loophole that allows not only discharges but degradation of water quality. Water quality would not be maintained and protected as federal regulations require. The regulation must address how allowing discharges would maintain water quality. We have a hard time even dreaming up such a scenario.

- HQ and EV, under the DEP's proposal, are no longer considered "protected water uses," and future changes would get no scrutiny from the EPA. Thus, designations would become politicized. HQ and EV are protected uses. The DEP should recognize that fact and abide by the federal regulations.

- Currently, the DEP designates "watersheds" as HQ or EV, but its proposal would make it easier to ignore springs, seeps, wetlands, and tributaries as HQ or EV are defined as "surface waters" rather than "watersheds." The DEP proposal should retain the designation "watersheds."

- While the DEP's water quality standards recognize wetlands as "waters of the Commonwealth," there is no integration of wetlands protection with antidegradation. Wetlands should be protected to the fullest extent possible, not ignored in agency mumbo-jumbo.

- The DEP's proposal applies antidegradation to narrowly defined "discharges" rather than the broader "activities" as the federal law requires. The DEP's proposal should retain "activities" wording.

- The DEP would protect unassessed waters at the lowest level, giving dischargers the benefit of the doubt over citizens' rights. This must be another one of the Ridge administration's attempts to appear "industry friendly," but it is certainly not "people friendly" and is definitely wrong in light of our state Constitution's guarantee that the citizens have a right to clean water. HQ, or mid-level protection should apply to any unassessed waterway until an assessment is completed.

- The DEP proposal would allow the agency "veto" power over local residents and governments. This is not only dangerous, it is contrary to federal regulation.

The DEP should remember that the citizens of this state are its customers, not the special interests and big-moneyed outfits that would stand to benefit financially from loose water quality standards and regulations.

Yours for the rivers,

Alan C. Gregory
Vice President and Co-founder
Friends of the Nescopeck
PO Box 367
Sybertsville PA 18251-0367

cc: Sen. Musto

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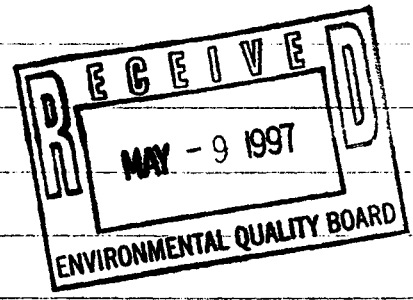
97 MAY 07 11 44 AM '97

May 9, 1997

Members of the Board

I am writing to let you know that I am against the D.E.P. proposal to weaken the standards for our waterways in Pennsylvania. I am in favor of stronger regulation to protect our waterways.

James V. D. Liza
105 Broadway Ave
W. Chester, Pa. 19382-7313



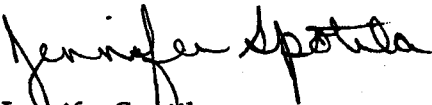
ORIGINAL: #1799
COPIES: NONE
(PER JHD)

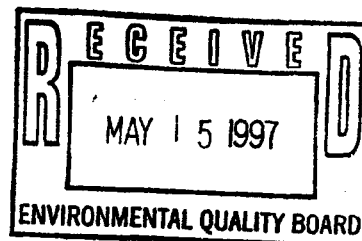
672 Hidden Valley Rd.
King of Prussia, PA 19406
May 9, 1997

Environmental Quality Board
Department of Environmental Protection
P.O. Box 8465
Harrisburg, PA 17105

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Sincerely yours,


Jennifer Spotila



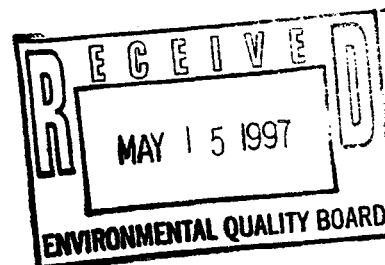
JOHN WILMER
ATTORNEY AT LAW

ORIGINAL: #1799
COPIES: COCCODRILLI
TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

21. PAXON HOLLOW ROAD, MEDIA, PA 19063 (610) 565-2736 FAX (610) 565-4825 E-MAIL-JWILMER@IX.NETCOM.COM

May 9, 1997

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



RE: Proposed Antidegradation Regulations

Dear Sirs:

I am writing to you on behalf of the Raymond Proffitt Foundation. We oppose the entire regulatory package.

The Pennsylvania Department of Environmental Protection (DEP) has proposed antidegradation water quality standards that are far worse than its original standards, recently replaced by the federal Environmental Protection Agency (EPA). If you recall, DEP's antidegradation standards did not meet federal law. The Raymond Proffitt Foundation sued the EPA twice, forcing it to promulgate tougher standards. EPA left the door open, however, by saying it would withdraw its regs if DEP came up with new ones that meet federal requirements. DEP is now proposing antidegradation standards that would close the door on stream protection.

DEP Wants Weaker Regs

DEP's proposed regs would take away existing use protection of streams and replace it with DEP's designated use. A stream's best use, therefore, would be what DEP decides, not good science or past best use. DEP also would make it more difficult for streams to be designated as High Quality or Exceptional Value by requiring a stream to meet two different and tough standards. Failure to meet one would doom a stream to less protection than it now gets.

DEP also proposes a system where it could go back and redesignate streams to lower categories than current uses, all without EPA being able to object. Imagine all the work done to upgrade the uses, and therefore the protection, of streams in this Commonwealth. DEP wants to give itself the power to undo that work, and therefore undo all the protection that all of us have fought so hard to achieve.

DEP's proposals occupy seventeen confused pages of regulations that are meant to replace less than one page of tough, simple federal regs. Here, more is not better. The DEP regs eviscerate the plain, federal language that sets water quality standards based on the goals of the Clean Water Act---to protect and restore our Nation's clean water. DEP wants to weaken and

JOHN WILMER
ATTORNEY AT LAW

change the existing laws thereby promoting the state's goals---to make an industry friendly Pennsylvania.

Existing Uses Of Streams Will Be Threatened

Our specific objections start with proposed changes to the current Tier 1 which protects the existing uses of all streams. DEP wants to give that protection based on its determination of existing uses. The federal language does not allow DEP that option, rather it requires existing uses to be determined by those uses the stream has attained since 1975 or better. The difference is that now a stream is protected at its highest use, whether or not DEP analyzes the stream.

Under the proposed scheme, though, DEP would protect a stream based on its analysis of that stream. If industry ruined a stream, then the level of protection would be that ruined level---not its best use. In addition, DEP could choose not to examine a stream, thereby depriving it of any existing uses.

Protection of existing uses is important, because it preserves the best use of a stream, not some designated use traded for political favors. If a stream has an existing use independent of government designation, then that stream cannot be destroyed or eliminated.

New Regs Will Eliminate High Quality Streams

DEP's Tier 2 also is seriously flawed. The biggest problem is that before a stream would receive special protection it would have to pass two separate tests, one chemical and one biological. The current law only requires the chemical test. We do not object to the biological test as an alternative to the chemical one because some high quality streams might have good biology but problems with chemistry. We would prefer that if DEP uses a biological test then it be instead of, not in addition to the chemical test. Thus, a stream could be considered high quality if it met either the chemical test or the biological test, but would not need to meet both tests.

We do agree with DEP that the standards for its chemical test are that the water is generally of high quality. This allows some discretion when one or more chemical parameter may not be higher than standards. We disagree, however, with DEP's score for its biological test. Based on recent studies, the DEP score of 83% would eliminate many current and potential high quality streams.

**JOHN WILMER
ATTORNEY AT LAW**

Our Best Streams Will Get Less Protection

DEP's new Tier 3 likewise lacks the protection offered by existing laws. Currently, DEP has a Tier 2½ modeled after its previous definition, which is broader in scope than the federal Tier 3 and which applies to more streams, such as those in state forests. The current DEP Tier 3 contains the federal language, and while it includes fewer types of streams, its protection is absolute because it prohibits all discharges. DEP's new Tier 3 eliminates the current federal requirements that there be no new or additional discharges.

The new Tier 3 will prevent streams from getting the highest protection by weakening current Tier 2 ½ language. First, DEP will require a candidate for Exceptional Value to meet both the chemical and the biological tests, although with impossibly higher scores than for High Quality streams. Some current Exceptional Value streams would not meet these new standards. Next, they give no weight to public forests, parks, etc., as exists now in DEP policy. Finally, other ecological features that were formerly given weight, such as endangered species, will no longer be considered.

DEP Wants To Undo Current Stream Designations

One of the scariest aspects of the proposed standards is that DEP wants to eliminate the categories of High Quality and Exceptional Value as "use" categories. This is dangerous. When a stream has a use, then under federal "antibacksliding" laws that use cannot be lowered. But if the stream category is not a use then not only can DEP downgrade it, but DEP does not need EPA approval, as they do now.

This means that DEP can lower the use, and therefore the protection, of High Quality or Exceptional Value streams without approval from EPA. Valley Creek in Chester County, for example, is an Exceptional Value stream that would be in jeopardy. It would have problems passing both the new chemical and biological tests because they are too demanding for such a stream. Exceptional Value biology scores, for example, require a 93% rating.

If a developer wanted to downgrade this valuable stream, then it could petition DEP to review the numbers under the newer, tougher standards. Given the current attitude at DEP, and its coziness with industry, guessing which way the royal thumb would point is not hard.

Other Parts Of New Regs Are Bad

We oppose many other parts of these new regs. DEP wants to allow General Permits in High Quality waters, which means no meaningful review or requirement that a discharger prove that its need is greater than the degradation of the water quality. DEP wants to limit antidegradation to covering discharges, despite court and agency rulings that activities other than

JOHN WILMER
ATTORNEY AT LAW

discharges can affect water quality, such as water withdrawal. DEP wants to narrow the protected areas from "watersheds" to "surface waters." DEP wants to allow a discharger to degrade up to 25% of the stream's assimilative capacity, without justification. DEP wants to allow some sewage plants the right to discharge into High Quality Waters without having to balance need versus pollution, as is now required.

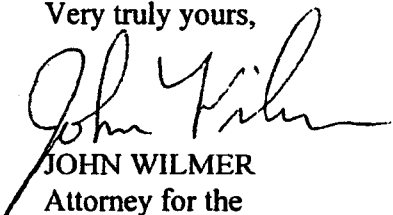
Flush These New Regs

Although these proposed regs have some good elements, unfortunately they are intertwined with the bad ones in an unhealthy way. We do not have a knife sharp enough to cut around the putrid parts to save the few good sections. This is not our fault. It is DEP's. It put forth this proposal with a "take it or leave it" philosophy. It created this doublespeak language that pretends to protect our waters while actually making it easier for industry to keep our streams from improving. DEP has forced us to choose with a broadsword.

The bottom line is that we cannot support these proposed regulations. It would be different if DEP was putting forth laws that went beyond the current protection. It would be different if these proposed laws met minimum federal requirements, with a few troublesome areas. These regs, unfortunately, will gut antidegradation and not only prevent streams from receiving protection, but undo the good work that has already been done. These proposed regs belong in the toilet.

We recommend opposition to the entire package, leaving the current federally mandated system in place.

Very truly yours,


JOHN WILMER
Attorney for the
Raymond Proffitt Foundation

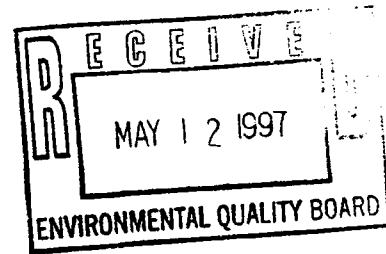


LEHIGH VALLEY BUILDERS ASSOCIATION

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1524 LINDEN STREET, ALLENTOWN, PA 18102 ■ Tel. (610) 432-4101 ■ Fax (610) 432-2923

May 9, 1997



Mr. James Seif, Chairman
P.O. Box 8477
Harrisburg, PA 17105-8477

Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental protection's proposed water quality antidegradation regulations. This is a very important proposal, and my comments are as follows:

The proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what is contained in the proposal as "generally better than" standards. This proposal of "generally better than" standards allows for judgment calls by the department. If data indicates the stream does not meet even one water quality standard, the stream should not qualify for a high quality or exceptional value designation.

Pennsylvania's exceptional value program should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received planning or subdivision and land development approval within the last five years.

We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are welcomed. We also endorse the use of general permits on high quality streams and support the expansion of this practice to exceptional value streams.

Thank you for considering these comments.

Sincerely,

Charles F. Hamilton
Executive Officer

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- First Vice President
BETTY KEMMERER
- Second Vice President
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Builder Board Meetings — Third Tuesday of the Month
Builder Membership Meetings — First Monday of the Month
Remodelers Member Meetings — Third Monday of the Month



5/9/97

PA Environmental Quality Board,

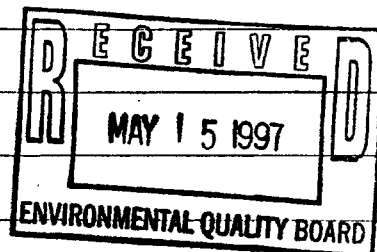
As a citizen of Montgomery County
I do not agree with the current
anti-degradation ~~proposal~~ proposal.
I believe for the safety of our
animals and our citizens this proposal
should be rejected. Please be considerate
of our feelings and our health.

Thank you

Lynette J. Ferrell
a King of Prussia Resident

Please respond:

Lynette Bark
122 Hamlet Drive
King of Prussia, Pa 19406



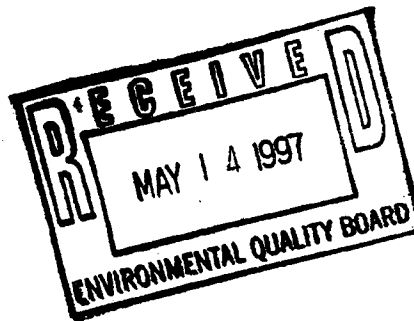


SUNRISE BUILDERS & CONTRACTORS, INC.

134 PAGE AVENUE KINGSTON, PA 18704
(717) 288-7621
FAX (717) 288-7622

May 9, 1997

Mr. James Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477



Dear Secretary Seif,

I wish to thank you for the opportunity to provide comments on the Department of Environmental Protections proposed water quality antidegradation regulations. This proposal is very important.

This proposal would help to bring balance to Pennsylvania's environmental regulations. The DEP should adopt the federal language water quality must "exceed" standards rather than "generally better than" standards.


Pennsylvania's program should include a broader scope like streams that would never qualify under the federal program.

The DEP must increase the public participation and awareness in regards to the waters' issue. All the applicants that have received planning or subdivision and land development approval within the last five years, a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions - should receive notice by first class mail.

We support the department's efforts to reduce the permitting burden for applicants; provisions for dischargers with minimal impact, endorse general permits on high quality streams and expansion of this practice to exceptional value streams.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Torre J. Lippi".

Torre J. Lippi
Sunrise Builders
President

TJL/mw

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(PER JHJ)

MAY 9, 1997

ENVIRONMENTAL QUALITY BOARD (EQB)
DEP
P.O. BOX 8465
HARRISBURG, PA 17105

TO WHOM IT MAY CONCERN:

PLEASE TELL THEM TO REJECT THE DEP'S CURRENT ANTI-DEGRADATION
PROPOSAL.

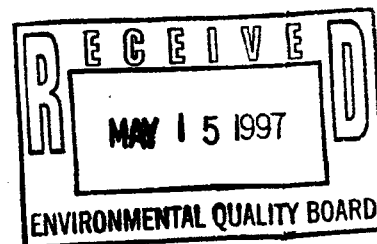
PLEASE MAIL A REPLY TO ME AT 124 BROWNLIE ROAD, KING OF PRUSSIA, PA
19406.

THANK YOU FOR YOUR TIME.

SINCERELY,

Tracy E. Hamel

TRACY E. HAMEL AND FAMILY



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(PER JHJ)

Bonnie B. Spoales
1604 Oak Grove Avenue
Pittsburgh, PA 15218

10 May 1997

Environmental Quality Board
Dept of Environmental Protection
PO Box 8465
Harrisburg, PA 117105

Dear Board Member:

It is with great fear that I write to you. I have recently been diagnosed with Multiple Chemical Sensitivity (MCS) also known as Environmental Illness (EI). I have allergies to chemicals found in my water and other parts of the environment. Over my lifetime, I have developed allergies to the environment.

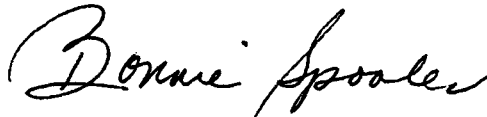
And our own Department of Environmental PROTECTION is proposing new regulations that would lower water quality standards! I am appalled! As a branch of our State government, supported by tax dollars, DEP has a responsibility to PROTECT OUR RESOURCES, especially our water! Why would they allow additional discharges into our streams? Why would the DEP make it more difficult to reach the status of High Quality for our streams? How could they possibly allow additional discharges in to the Exceptional Value status streams; who decides that the water quality is not degraded "too much."

With my allergic reaction to the environment, any is too much. My allergies have developed in the past 5 years or so. I am an adult. What about the children, the innocent, susceptible to asthma and other life threatening health risks due to environmental conditions?

I implore you to REJECT the DEP's current Anti-Degradation Proposal and adopt the similar, better standards of the Environmental Protection Agency.

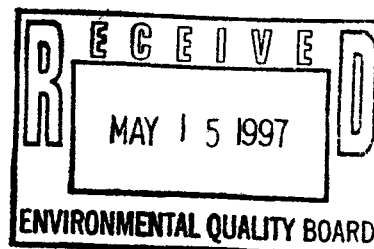
Please provide a response to my letter.

Sincerely,



Bonnie B. Spoales

Phone: 412/395-7241 (day)
243-3553 (evenings)



Blair County Builders Association



814-949-2620

P.O. BOX 432
ALTOONA, PA. 16603-0432

May 12, 1997

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Mr James Seif
Chairman
ENVIRONMENTAL QUALITY BOARD
P.O. Box 8477
Harrisburg, PA 17105-8477

Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. This is very important proposal and my comments are as follows:

This proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what it contained in the proposal as "generally better than" standards. This proposal of "generally better than" standards allows for judgement calls by the department. If data indicates the stream does not meet even one water quality standard, the stream should not qualify for a high quality or exceptional value designation.

Pennsylvania's exceptional value program should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received planning or subdivision and land development approval within the last five years.

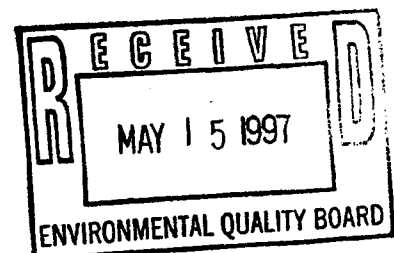
We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are welcome. We also endorse the use of general permits on high quality streams and support the expansion of this practice to exceptional value streams.

Thank you for considering these comments.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth M. Keagy".

Kenneth M. Keagy
Executive Officer



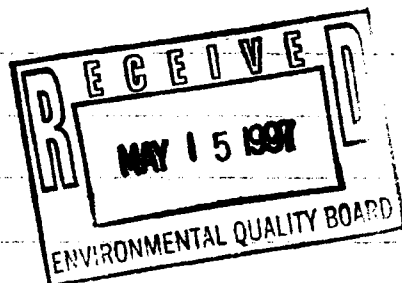
5/10/97

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To whom it may concern -

Sometimes it takes a spark to elicit latent emotions and spur people to action. It is the hard work of people such as those at the Clean Water Action who bring information regarding corporate and governmental deprivations at from behind closed doors and public relation offices ~~and~~ straight to the public's attention, as should happen fundamentally in a soundly functioning democracy. It is in the best interest of the public you serve to reject the current anti-degradation proposal, no matter the pressures exerted to do otherwise.

Sincerely,
C. Messer



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57 JUN 12 10 09:57
Barbara and Vernon Rochlin
207 N Ambler St
Quakertown. PA
18951

Environmental Quality Board
DEP, PO Box 8465
Harrisburg, PA, 17105

Dear Board Members;

We do not want our water quality compromised. Please reject the DEP's current anti-degradation proposal. Please adopt the simpler, better standards of the EPA.

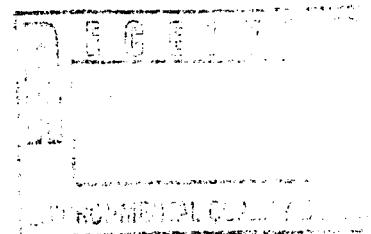
We would appreciate a reply to this letters.

Sincerely,

Barbara Rochlin
Vern Rochlin

Barbara Rochlin

Vernon Rochlin



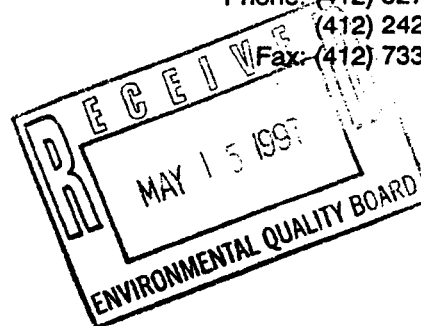
BAR DEVELOPMENT CO.

Land Development/Land Use Consultants

772 Pine Valley Drive
Pittsburgh, PA 15239

Phone: (412) 327-5755
(412) 242-6233
Fax: (412) 733-0189

May 12, 1997



Mr. James Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. This is a very important proposal and my comments are as follows:

This proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what is contained in the proposal as "generally better than" standards. This proposal of "generally better than" standards allows for judgement calls by the department. If data indicates the stream does not meet even one water quality standard, the stream should not qualify for a high quality or exceptional value designation.

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We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are welcomed. We also endorse the use of general permits on high quality streams and support the expansion of this practice to exceptional value streams.

Thank you for considering these comments.

Sincerely,

James C. Rumburg

APR 24 1997 9:56
RECEIVED

148 Similo Drive
Elizabeth, PA 15037

April 24, 1997

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Environmental Quality Board
DEP
PO Box 8465
Harrisburg, PA 17105

To whom it may concern,

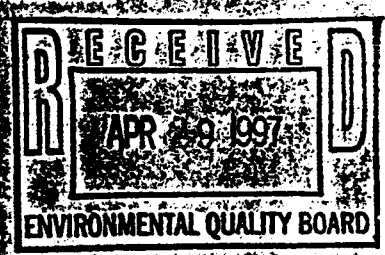
Please follow the Clean Water Act to improve the quality of
our water, by accepting the simpler better standards of the
EPA.

DO NOT accept the current DEP anti-degradation proposal.

Sincerely,



Betty Ruffman



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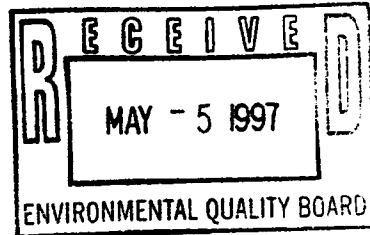
Dear Sir

5/1/97

Please adopt a simpler,
better standards of the EPA
and reject the DEP's
current anti degradation
proposal

Mrs. Janet Beer
2033 Washington St.
Allentown, Pa 18104

I would appreciate a reply
Thank you.



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Joseph E. Cottrell
7 Millersdale Road
Jeannette, Pa
15644
May 10, 1997

James Seif, Chairman
Environmental Quality Board
Box 8477
Harrisburg, Pa. 17101-8477

Dear Sir:

I am writing to voice my opposition to the proposed changes to Pennsylvania's water Antidegradation regulations.
I strongly urge you and members of your board to reject the proposed rules and protect our natural resources.

Sincerely,

Joseph E. Cottrell, Jr.
Joseph E. Cottrell, Jr.





A COUNCIL OF TROUT UNLIMITED

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MAY 17 10 30 AM
PA DEPT OF ENVIRONMENTAL PROTECTION
HARRISBURG, PA

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JEWETT
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BERESCHAK

dup

May 10, 1997



Mr. James M. Seif, Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17101-8477

Dear Mr. Seif:

These comments from Pennsylvania Trout, A Council of Trout Unlimited are in response to the proposed rulemaking on antidegradation published in the March 22, 1997 *Pennsylvania Bulletin*. Pennsylvania Trout, A Council of Trout Unlimited is the leading cold water conservation organization in the Commonwealth. Pennsylvania Trout (PA Trout) consists of over 8000 members belonging to 55 local chapters throughout the state. We are actively engaged in the preservation, enhancement and restoration of cold water resources in Pennsylvania.

PA Trout believes that a strong antidegradation policy is absolutely essential for Pennsylvania because clean water is essential for aquatic life, wildlife and for human health, enterprise and recreation. Tourism is now Pennsylvania's largest industry. The outstanding cold water fisheries of Pennsylvania provide recreation for our own citizens and attract many anglers from other states and nations. Further, the Pennsylvania Constitution guarantees Commonwealth citizens the right to pure water. The regulation in place now provides the level of protection required by law and should not be replaced by the new proposed regulations. The new proposal should only be adopted if amended significantly pursuant to the following detailed comments:

Chapter 92.81. General NPDES permits.

PA Trout believes that the total prohibition of general NPDES permits in Special Protection watersheds should remain. General permits, by their nature, allow for degradation and do not provide for sufficient oversight. Individual permits provide a level of needed protection.

Chapter 93.1. Definitions.

PA Trout supports the new definition of Exceptional Value Waters, except that "watersheds" should be the unit of designation, not "surface waters." Watersheds are a more natural unit to manage water quality, and DEP has recognized this in many other programs. Limiting the definition to surface waters risks a piecemeal approach that will not address the cause of degradation. In both the Exceptional Value and High Quality definitions "surface waters" should be replaced with "watersheds."



A COUNCIL OF TROUT UNLIMITED

May 10, 1997



Mr. James M. Seif, Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17101-8477

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Chapter 93.3. Protected water uses.

PA Trout opposes deleting HQ and EV from the list of protected water uses. The proposed rulemaking does not remove the current level of EQB oversight in designating streams as either HQ or EV. However, removing HQ and EV from the list of protected water uses does remove designation changes from necessary EPA scrutiny. By removing HQ and EV as uses, DEP can raise the designation threshold for HQ and EV (as they have done in this proposal), reassess our existing HQ and EV streams, and downgrade them at will because they don't meet the new threshold. Once designated, our best streams should remain at the highest level of protection, and not be subject to new rules. Without EPA scrutiny HQ and EV designations could become more political and existing designations could be more easily rolled back. Since the level of EQB oversight remains the same, EV and HQ should remain as protected water uses.

ANTIDegradation REQUIREMENTS

Chapter 93.4a. Existing uses.

PA Trout opposes the language that conditions protection of existing uses on the "Department's evaluation of technical data." This provision, i.e. evaluation of technical data, makes Pennsylvania's definition more restrictive than the Federal definition. The regulation should unequivocally state that existing uses and water quality must be protected, as required by the Clean Water Act and EPA's regulations. Pennsylvania should adopt the precise language from the EPA regulation: "Existing in-stream uses and the level of water quality necessary to protect the existing uses shall be maintained and protected."

We also suggest the following language for endangered species protection: "If known habitat for Federal or Pennsylvania threatened or endangered species is present, then no activity shall take place that could adversely affect the species."

Chapter 93.4b. High Quality Waters.

(a) Qualifying as High Quality Waters.

The proposal's requirement that a stream to "pass" both a chemistry and a biology test to qualify as High Quality water is less protective than and contrary to Federal requirements. We support the approach that was outlined in the final report of the Conservation stakeholders: assessing each stream using chemistry and biology, but allowing a stream to qualify on the basis of chemistry or biology.

(b) Level of protection/social or economic justification (SEJ).

PA Trout supports the provisions in this subsection clearly linking degradation of water quality, a public resource, to benefits accrued by the public.

We, however, oppose limiting the scope of this provision and the protection of High Quality Waters in general to "discharges." The current Federal regulations for Pennsylvania applies to "activities" that will result in "lower water quality." Antidegradation applies to more than "discharges"; for example channelization is an "activity"

not a "discharge" that clearly threatens to degrade water quality as well as aquatic habitat. The word "discharges" should be replaced with the word "activities."

(f) Special provisions for minimal impact discharges.

PA Trout strongly disagrees with the spirit and letter of this provision. A discharge cannot "maintain and protect" water quality if it uses up to 25% of the assimilative capacity of the water, or qualifies for a general permit. This language must be eliminated. Regardless, there is no provision in the Federal regulation for exempting any amount of degradation from all the Tier 2 requirements. All applicants wishing to degrade water quality must be required to justify the degradation as outlined in subsection (b) as well as conduct an alternatives analysis and use best available technology. The purpose of Tier 2 is to give power to the public in making decisions about their water quality. DEP takes that power away with this language.

All dischargers to HQ or EV waters, including applicants for "minimal" impact discharges, should undergo an alternatives analysis and be required to use the best available technology.

Chapter 93.4c. Exceptional Value Waters.

(a) Qualifying as Exceptional Value Waters.

As mentioned above, "watersheds" should be the relevant unit designated, rather than "surface waters". Moreover, the language of this section does not reflect or implement the appropriate definition of EV water. No weight is given to public lands, there are no recreational attributes mentioned outside of Wilderness Trout Streams, and ecological values, such as endangered species, are disregarded unless they can be measured with the Rapid Bioassessment Protocol. In short, the proposal severely limits the number of ways in which a watershed can qualify as EV, compared to the old EV program, and the current Federally-promulgated Tier 3 regulation.

The "Special Protection Waters Implementation Handbook" truly reflects all the attributes listed in the old EV definition. DEP has only proposed slight changes to the EV definition, yet does not follow through with selection criteria that reflect the new definition. The handbook language does a better job implementing the new EV definition than does this section. We strongly urge retaining the Handbook language over this proposal.

(b) Level of protection for Exceptional Value waters.

This proposal does not address EPA's disapproval of Pennsylvania's Tier 3 program because it allows discharges. The federal prohibition against any discharges into EV waters must be maintained. Moreover, allowing discharges that result in "no measurable change" means that water quality is simply not "maintained and protected." We have serious questions about DEP's methods, including the use of a median design flow, rather than Q7-10, the allowance of mixing zones, and the discharge of chemicals not normally found in surface water, up to the detection limit. DEP has

solicited public comment on almost all other aspects of the program. Why is this topic not being discussed?

Chapter 93.4d. General requirements for HQ and EV Waters.

(a) Discharge alternatives/use of best technologies.

PA Trout believes the use of the phrase "cost effective" in this subsection would open "application of discharge alternatives/use of best technologies" to subjective evaluation of costs and thus weaken protection afforded to HQ and EV Waters. We suggest language be developed here that would require use of environmentally sound discharge alternatives/best available technology "unless clearly demonstrated to be cost-prohibitive" when compared with the cost of the proposed stream discharge.

(b) Nonpoint sources.

The proposed language is objectionably weak. While there is no Federal language concerning nonpoint sources for Tier 3 streams, there is Federal language concerning Tier 2 streams. That language states that the State must ensure that all the required nonpoint source controls be in place before allowing any more degradation. This language should be adopted verbatim instead of the proposed language.

Chapter 93.4e. Public participation in HQ and EV Value Waters.

(a) Submission of antidegradation ...

(b) Assessment of waters ...

PA Trout is aware that although the stakeholders group did not come to a complete final agreement, the group did reach agreement on public participation. Their recommendations should be implemented. Under no circumstances should local residents or local governments have a "veto" power over EV designations. The waters in question are waters of the Commonwealth, not of local residents or municipalities.

(e) Public hearings for discharges to Exceptional Value Waters.

Public hearings should also be held on any proposed discharge to HQ waters. This would be consistent with the approach taken in

subsection (b) where the Department publishes a notice of its intent to study waters for either an HQ or EV classification.

Chapter 93.7. Specific water quality criteria.

PA Trout supports the retention of higher dissolved oxygen criteria for HQ streams and "existing quality" for EV streams.

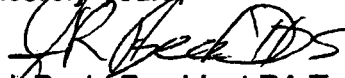
Other Issues.

This proposal is silent on how DEP plans to integrate this program with the wetlands protection program. Wetlands have not received adequate antidegradation protection in Pennsylvania.

Summary.

In summary, PA Trout believes that certain provisions of this proposal are less protective than Federal regulation and guidance, and the regulations that EPA promulgated for Pennsylvania. If these provisions are not changed we will request EPA to retain the Federal regulations for Pennsylvania. Thank you for the opportunity to comment.

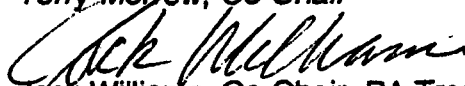
Sincerely yours,



Jack Beck, President PA Trout



Terry Morrow, Co-Chair



Jack Williams, Co-Chair, PA Trout
Environmental Committee

UNRECORDED
MAY 10 1997

James H. Cottrell
27 Bucktown Road
Adamsburg, Pa
15611-9720
May 10, 1997

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

James Seif, Chairman
Environmental Quality Board
Box 8477
Harrisburg, Pa. 17101-8477

Dear Sir:

I am writing to voice my opposition to the proposed changes to Pennsylvania's water Antidegradation regulations.
I strongly urge you and members of your board to reject the proposed rules and protect our natural resources.

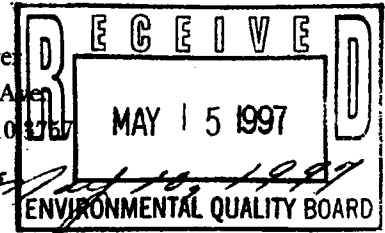
Sincerely,

James H. Cottrell
James H. Cottrell

RECEIVED
MAY 16 1997
ENVIRONMENTAL QUALITY BOARD

MAY 27 10:42

James A. Weaver
324 East Meyers Ave
Pittsburgh, PA 15210-3757



Environmental Protection Agency,
P.O. Box # 5465
Harrisburg, Pa. 1705

Dear Members,
at this time I am asking you
not to vote for the new Clean
State Act bill when it comes
time for you to do so this
year. The Clean State Act bill
has even a worse bill than the
one before it that was passed
and is presently being used at this
time in that it allows all
of these big industrial companies
to dump more waste into
our (3) three rivers here in
Pa. along with any one
else that use our (3) three
rivers here in Pa. to
dump waste into our rivers.
See the residents of the City of
Pittsburgh, Pennsylvania deserve
(over)

to have clean water for drinking
and bathing and whatever else
we use water for just as
much as any one else who
lives in the state of Pennsylvania
including yourselves. If people
like yourself and all the others in
the different parts of the state
of Pennsylvania want to drink
and bath and do what ever else
it is your use water for if
you want to do all of the
polluted water that he says
Because we the residents of Pa.
Pa. do not believe in it. If all the
members of your department
see fit to turn this bill down
when it comes up for passage
some time this year then
it is time all of your assigned
your jobs and that your department
have away with entirely. We
had enough that we hope to get
up with all the pollution given
to us by "mother nature" which he
can't do anything about without
all the other people making it
even than what it really is about.
Sincerely yours
James A. [Signature]

P.S. Kindly answer this letter.

ORIGINAL: #1799
COPIES: NONE
(PER CAT)

STAMPED DATE: 97 MAY 14 10 04 AM

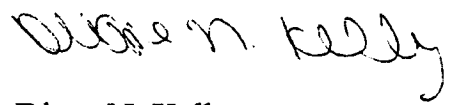
DEPARTMENT OF ENVIRONMENTAL PROTECTION
RECEIVED

Environmental Quality Board
DEP, PO Box 8465
Harrisburg, PA 17105

Dear Sirs:

Reject the DEP's current anti-degradation proposal. Adopt the simpler better standards of the EPA. Please reply. My address is: 629 Colonel Dewees Road, Wayne, PA 19087

Sincerely,



Diane N. Kelly

RECEIVED
APR
ENVIRONMENTAL QUALITY BOARD

DONEGAL



Bob Kutz
Vice President

49 Strasburg Pike
Lancaster, PA 17602
717-394-9959 (Home)

717-393-0478 (Work) 717-393-0170 (FAX)

May 12, 1997

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

Mr. James Seif
Chairman
Environmental Quality Board
16th Floor, Rachel Carson Building
P.O. Box 8477
Harrisburg, PA 17105-8477

Re: Proposed Antidegradation Regulations (Revisions to PA Code Chapters 92, 93, and 95 published on January 21, 1997.)

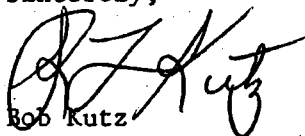
Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for PA by the U.S. Environmental Protection Agency and does not ensure that this state's highest quality waters will not be degraded.

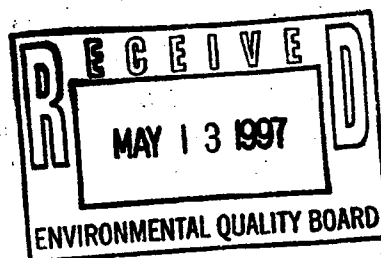
As a member of Trout Unlimited, I am acutely aware of the ecological damage that can be done by any degradation of water quality. PA is home to many outstanding trout streams that attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that PA Trout is submitting comments on the regulations pointing out their specific shortcomings. The regulations should not be adopted unless all of the problems pointed out in those comments are fixed. The existing regulation is vastly preferable to the new proposal as it is now written.

Sincerely,


Bob Kutz
Vice President

RLK/laa



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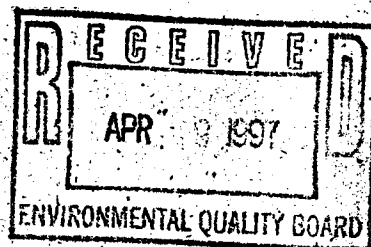


dale morgan, c.a.c. psychotherapist

DEAR MADAMS/SIRS,

I AM WRITING TO ASK YOU
TO REJECT THE DEP'S CURRENT
ANTI-DEGRADATION PROPOSAL AND TO
ADOPT THE SIMPLER, BETTER STANDARDS
OF THE EPA.

DALE MORGAN



5108 harriet st. pittsburgh pa. 15224

(412) 441-2548

Mrs. D. A. Duncan
22 Hopkinson Court
Wayne, Pa

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COPIES: NONE
(PER CAT)

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97100112 10 04 01
Environment Quality Board

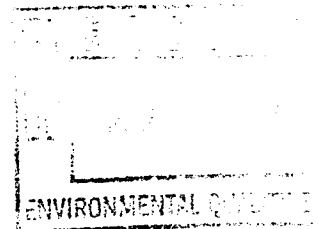
Dear Sir.

Please reject the DEP'S
current anti-degradation proposal.

Please adopt the simpler,
better standards of EPA.

Yours truly,

N. L. Duncan



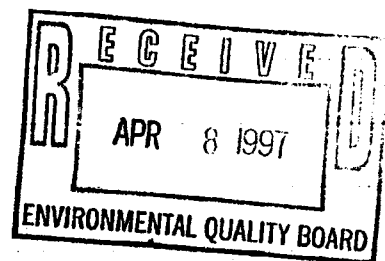
Dear EQB -

Please reject the
DEP's current anti-degradation
proposal and adopt the
simpler, better standards
of the EPA.

I'd appreciate a reply.

Thank you -

Cynthia S. Watson
2460 Glenwyth Rd.
Strafford, Pa. 19087



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(PER JHJ)

07/01/97 11:11:11
RECEIVED

May 12, 1997

191 Lowell Terrace
King of Prussia, PA 19406-1921

Environmental Quality Board
DEP, PO Box 8465
Harrisburg, PA 17105

To Whom it may concern:

We request that you:

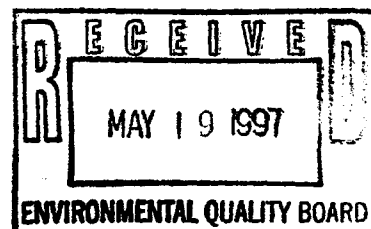
- ♦ reject the current DEP anti-degradation proposal
- ♦ adopt the simpler, better standards of the EPA

Please keep our water safe and healthy. Please respond to this request with your stated intentions. Thank you for your concern for our well-being.

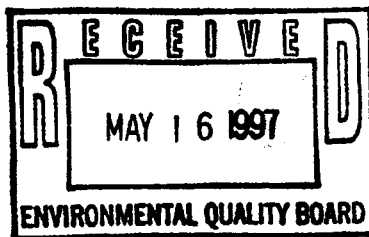
Sincerely,

Craig and Laura Moffett

Craig and Laura Moffett



STAMPED



May 12, 1997

To Members of the Board;

We wish to urge you to reject the DEP's current anti-degradation proposal. Please adopt the simpler, better standards of the EPA.

A reply would be appreciated.

Sincerely,

Kathryn Boettcher

Carl E. Boettcher

Mr. & Mrs Carl Boettcher
110 Langdale Court
King of Prussia, PA 19406

Charles A. Blauvelt
14 Blue Rock Rd.
Wilmington, DE. 19809

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COPIES: COCCODRILLI
TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

Environmental Quality Board
DEP
POB 8465
Harrisburg

5/18/12 11:01

RECEIVED

New Proposal/Water Quality Rules

Gentleman;

Please consider this letter to be my protest against the subject!

I am not at all satisfied with the continued effort on the part of the DEP to avoid reasonable protection for Pennsylvania waters. The persons operating as the state's representatives are still applying the dilatory tactics which have twice in recent memory resulted in litigation which found the DEP at fault and the EPA forced to step in.

And now the new proposal is, for all intents and purposes, worse! Such as;

HQ an EV needed to stay as protected water uses, so that our best streams will not be downgraded;

Contrary to Federal regs no weight is given to public lands in the selection process;

Another loophole - allows discharges and degradation in EV waters;

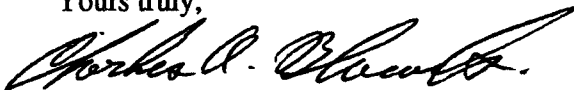
There is no integration of wetlands protection with antidegradation;

Waters not yet assessed are protected at the lowest level. How long are they expected to last under these conditions;

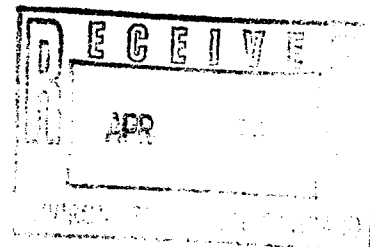
This proposal is loaded with items which are damaging to the environment. It should not be given any credence in its present form - these regulations should be rejected!

I am asking that my feelings be conveyed to the members of the Board. Thank you.

Yours truly,



Charles A. Blauvelt



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(PER CAT)

Brian Haegele
1208 West 8th St
Wilmington, DE 19806-4608

97107 12 31 9:57

Environmental Quality Board
DEP
POB 8465
Harrisburg, PA 17105

New Proposal/Water Quality Rules

Gentlemen:

Please consider this letter to be my protest against the subject!

I am not all satisfied with the continued effort on the part of DEP to avoid reasonable protection for Pennsylvania waters. The persons operating as the state's representatives are still applying dilatory tactics which have TWICE within memory resulted in litigation which found DEP at fault and the EPA forced to step in.

And now the new proposal is, for all intents and purposes, worse! Such as:

HQ and EV need to stay as protected water uses, so that our best streams will not be downgraded;

Contrary to Federal regs no weight is given to public lands in the selection process;

Another loophole - allows discharge and degradation in EV waters;

There is no integration of wetlands protection with antidegradation;

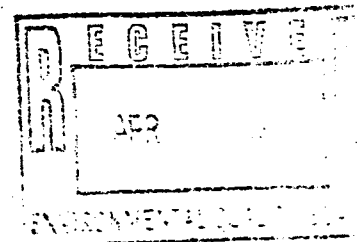
Waters not yet assessed are protected at the lowest level. How long are they expected to last under these conditions..

This proposal is loaded with items which are damaging to the environment. It should not be given any credence in its present form - these regulations should be rejected!!

I am asking that my feelings be conveyed to the members of the board. Thank you.

Yours truly,


Brian Haegele



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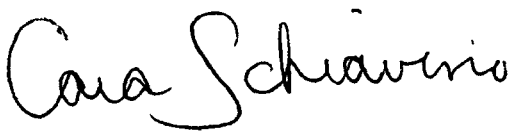
Cara Schiavino
252 Richlandtown Pike
Quakertown, PA 18951

Environmental Quality Board (EQB)
DEP
P.O. Box 8465
Harrisburg, PA 17105

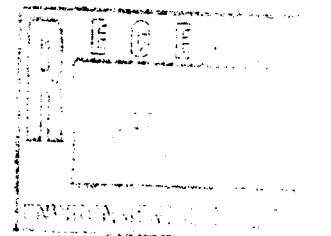
To Whom It May Concern:

I am a supporter of The Clean Water Act. I am writing to reject the DEP's current anti-degradation proposal. I live near many creeks, rivers and lakes and hope they stay protected from any more degradation. I will appreciate a response to this letter. You can send your reply to the above address.

Yours Truly,



Cara Schiavino



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Environmental Quality Board

DEP

PO Box 8465

Harrisburg Pa 17105

I understand that there is a
proposal to lower water quality standards.
I am writing to tell you I am against
this & I want to know why you would
even think that this is necessary.
I would like a reply.

Sincerely

Ernie McGinty

1027 N. Valley Forge Rd

Apt 423

Devon Pa 19333

07 MAY 12 11:14 AM

Elizabeth White Wilson

25 wistar Rd

Paoli, Pa 19301

ORIGINAL: #1799

COPIES: NONE
(PER CAT)

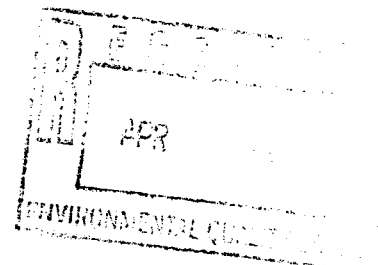
To: Environmental Quality Board

With growing amounts of industry in our nation and around the world, our streams and rivers are being exposed to greater amounts of pollutants that threaten the environment. The DEP is proposing new regulations that would lower water quality standards. I urge you to vote against the DEP's proposal.

Thank you for your attention,



Elizabeth Wilson

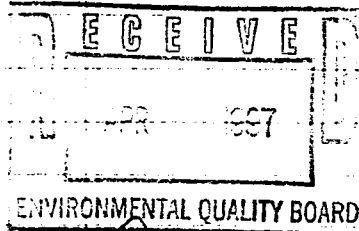


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97 MAR 12 AM 9:52

RECEIVED
FBI/DOJ

Reject the DEP's
current anti-degra-
dation proposal



Thank you
DF

Adopt the simpler
better standards of
the EPA.



Ms. Donna Freund
16 Elm St
Quakertown PA 18951-1304

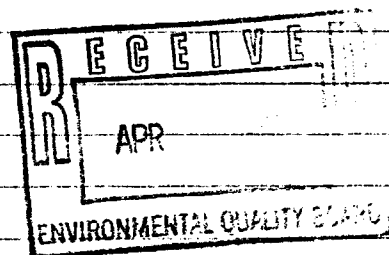
send reply, please

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(PER CAT)

Environment Quality Board (EQB) DEP
P.O. Box 8465
Harrisburg, PA 17105

Reject the DEP's current anti-gradation
proposal. Please reply.

Donna Buzdygan
414 Erie Ave.
Quakertown, PA 18951

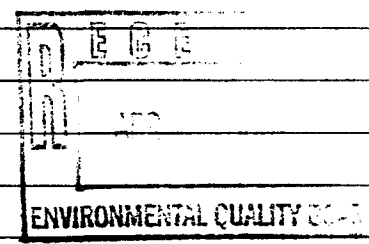


SEP 12 11 58 AM '84

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Dear Sirs -
I'm writing to you to urge
you to reject the DEP's current
anti-degradation proposal and
to adopt the simpler, better
standards of the EPA.

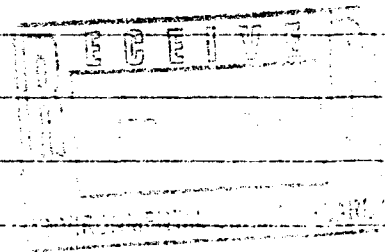
Don Haley
9 Berry Road
Acule Pt. 19301



Environmental Quality Board

Please reject the DEPS
Current anti-degradation proposal.

Thank you.
Chris Deeb



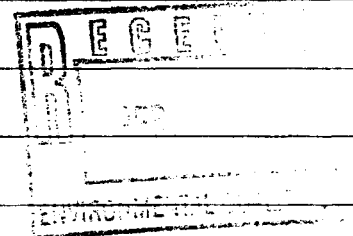
To Whom It May Concern,

I am writing to state my opposition to the DEP's
current anti-degradation proposal.

I value our waterways, and wanted you to know about
it.

Sincerely,

Jeff Sumner
1027 Valley Forge Rd (#445)
Ponon, PA 19333



97 MAY 27 10 18 AM '97

452 Atlantic Ave.
Pittsburgh, Pa 15221

May 12, 1997

Environmental Quality Board
Department of Environmental Protection
P.O. Box 8465
Harrisburg, PA 17105

Members of the Board,

I am writing to you today to express my concern over the attempt to lower existing water quality standards and permit the continuing degradation of Pennsylvania waterways. The new regulations that have been proposed by the DEP are not good enough and should be rejected!

I firmly believe that no new discharges should be allowed into Exceptional Value waterways and that waterways should only have to meet one of two standards to be considered High Quality.

Existing Use waterways should be protected at the current level without delay.

I would appreciate a response to this letter.

Sincerely,



J. Charles George



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

109 Callender Road
Pittsburgh, PA 15237
(412) 487-8964

May 12, 1997

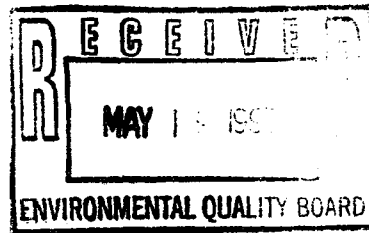
Environmental Quality Board
P. O. Box 8465
Harrisburg, PA 17105

Dear Sir,

I am a teacher of earth science in the Plum Borough School District. It seems contradictory for our state government to spend thousands of dollars on educational materials encouraging students to be conscious of protecting the environment while at the same time passing laws that allow water standards to be lowered. Please reject the upcoming proposal pertaining to the lowering of the water standards.

Sincerely,

Harlan J. Clare
Harlan J. Clare



5-12-97

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(PER JHJ)

Dear Mr. Seif,

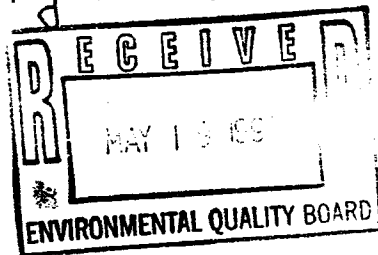
Concerning the proposed Antidegradation
Regulations (Revisions to PA Code Chapters
92, 93 & 95 published on 1-21-97)

I am writing to you to voice my opposition
to the proposed new antidegradation regulations
for Pennsylvania. The proposal weakens the
protections that exist under the current
regulations promulgated for Pennsylvania by
the U.S. Environmental Protection Agency and
will not protect the state's highest quality
water from degradation.

We know that sometimes environmental
damage is irreversible. It is always costly
to correct. Protection is cost effective.

We have a responsibility to our
children & America's future.

As a member of Trout Unlimited I
understand the existing regulation is vastly
preferable to the new proposal as it is now
written. I request antidegradation regulations
that are at least as protective as federal
regulations.



Sincerely,
Homer G. Lee

Homer G. Lee
179 King St.
E. Stroudsburg, Pa.
18301-1821

Environmental Quality Board
Dep, PO Box 8-1CS
Harrisburg, PA 17105.

ORIGINAL: #1799
COPIES: NONE
(PER CAT)

We reject the DEP's current anti-degradation proposal.

GABRIEL MALLAN
1488 Salmon Lane
WAYNE
PA 19087.

APR 13 1991

RECEIVED
APR 13 1991
ENVIRONMENTAL QUALITY BOARD

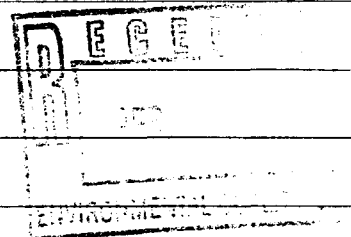
To Whom It May Concern,

I am writing to state my opposition to the DEP's
current anti-degradation proposal.

I value our waterway, and wanted you to know about
it

Sincerely,

Jeff Sumner
1027 Valley Forge Rd (#445)
Ponon, PA 19333



John M. Thompson, Inc.

981 South Bolmar Street
Phone 610-738-4880

West Chester, PA 19382
Fax 610-738-4876

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

May 12, 1997

Mr. James Seif, Chairman/Secretary
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

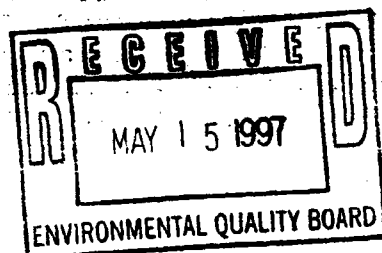
Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. This is a very important proposal and my comments are as follows:

This proposal should be subject to the Governor's Executive Order 1996-I, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what is contained in the proposal as "generally better than" standards. This proposal of "generally better than" standards allows for judgement calls by the department. If data indicates the stream does not meet even one water quality standard, the stream should not qualify for a high quality or exceptional value designation.

Pennsylvania's exceptional value program should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received planning or subdivision and land development approval within the last five years.



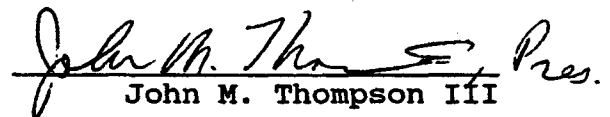
Mr. James Seif
Environmental Quality Board
Page 2

We support the department's effort to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are welcomed. We also endorse the use of general permits on high quality streams and support the expansion of this practice to exceptional value streams.

Thank you for considering these comments.

Sincerely,

JOHN M. THOMPSON, INC.


John M. Thompson III

JMT/mhj

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07/11/97 10:11:00

May 12, 1997

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Environmental Quality Board
P.O. Box 8465
Harrisburg, PA 17105

I would like you to reject the DEP'S current anti-degradation proposal, and adopt the simpler, better standards of the EPA.

Please keep me updated on the progress.

Thank You,

Judy Boyle
238 Fingal St.
Pgh, PA 15211

