

May 8, 1997

ORIGINAL: #1799  
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(PER JHJ)

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

### **COMMENTS ON THE PROPOSED WATER QUALITY ANTIDegradation REGULATION**

One of the main reasons I voted for Governor Ridge was his promise to cut back on excessive environmental regulations. He asked you to help him fulfill that promise when he issued Executive Order 1996-1.

Governor Ridge's Executive Order requires any state regulation that is more stringent than its federal counterpart to be brought into line with the federal standards unless there is a state law that requires a stronger program or there is some overriding Pennsylvania interest that warrants tougher controls.

The proposed water quality antidegradation regulation ignores Governor's Executive Order. It includes many elements that are substantially more stringent than the what is required by EPA's antidegradation program without any justification other than a failed regulatory negotiation.

The Department of Environmental Protection should have drafted the proposed regulation to satisfy the mandates of the Governor's executive order. Since it did not, you should change the regulation to do so before you approve it as a final rule.

I urge you to amend the final regulation as follows:

#### **Change the Exceptional Value Waters program so that it only applies to outstanding waters on public lands.**

The EV waters standard is the most glaring violation of the Governor's Executive Order contained in the proposed regulation. EPA's program only applies to Outstanding National Resource Waters on public lands, but DEP's proposal goes much further.

The EV designation should be reserved for streams that are truly unique or exhibit statewide or national significance. Many of the Pennsylvania streams currently classified as EV cannot meet that standard, and the proposed regulation lets DEP continue to designate EV streams that could never meet such a standard.

Almost half of the streams now classified by DEP as EV waters are on private lands. DEP should not be permitted to designate waters that flow through private lands for EV protection because of the extreme restrictions the designation imposes on individuals and communities who wish to use the waters responsibly to improve their quality of life.

#### **Expand public participation in the EV designation decision.**

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- DEP should be required to inform the owners of private watershed lands that would be affected by a new EV designation how it will limit what they can do on their property.

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**Make general permits available on all Special Protection waters.**

The proposed regulation allows general permits for minor discharges on HQ streams. This is a positive step, but it should go further. Many private individuals own the minerals under EV watershed lands. If their discharge qualifies for a general permit, they should be able to use that permit on both HQ and EV streams. Otherwise they may not be able to extract the minerals economically.

**Keep the “de minimis” permit threshold to ease the permitting burden.**

I support the proposal to ease the permitting burden for minor discharges to HQ streams.

**Change the High Quality Waters program to match federal standards.**

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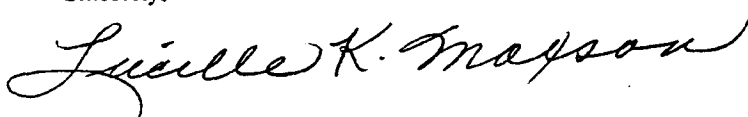
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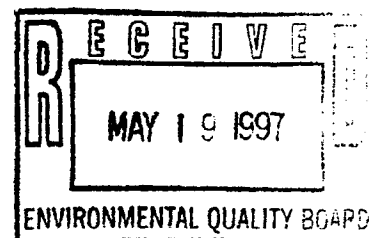
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Thank you for considering these comments. I hope that you will hold the DEP accountable for living up to the requirements of the Governor’s Executive Order.

Sincerely,



SULLIVAN & CLARK, Partners  
P.O. Box 144  
Youngsville, Pa. 16371



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5-13-97

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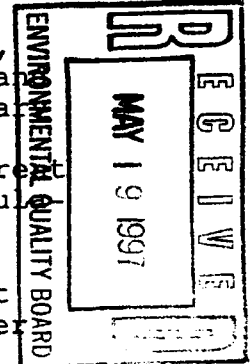
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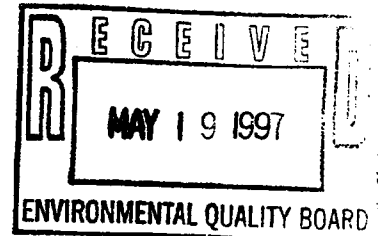
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*Randy Buchanan*



Form 8

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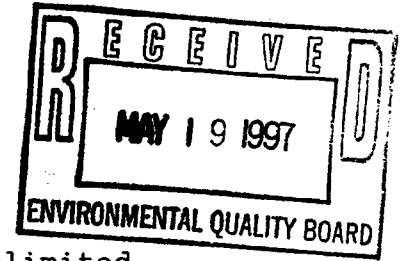
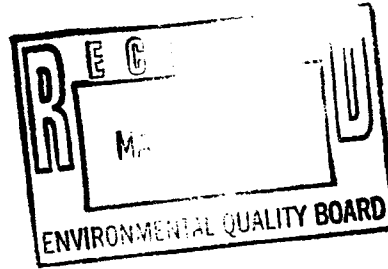
Thank you

*Paul Burns*



Dr. Paul Burns, D.D.S.  
206 Leila St.  
Johnstown, PA 15905-2740

May 13, 1997



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*Michael S. Androssik*

951 Arrow Rd

Windber, PA 15963

Mr. Robert Wardrop  
3297 Menoher Blvd.  
Johnstown, PA 15905-5608

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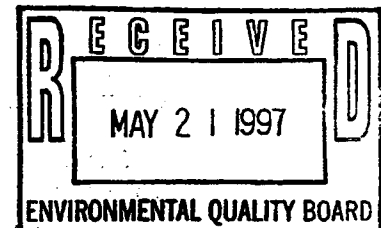
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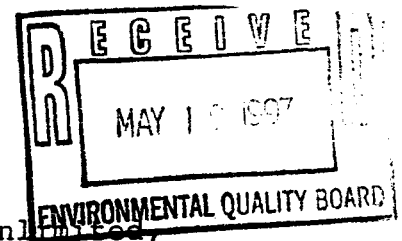
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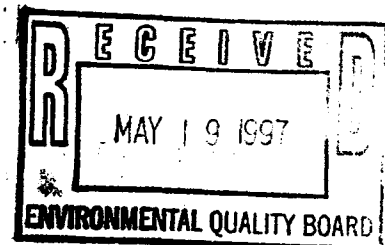
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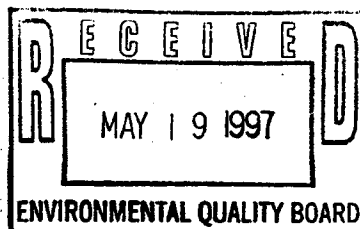
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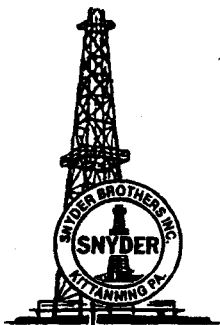
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Kenneth Mesko





# SNYDER BROTHERS INC.

P.O. Box 1022, 409 Butler Road  
Kittanning, PA 16201

Phone (412) 548-8101 FAX (412) 545-8243

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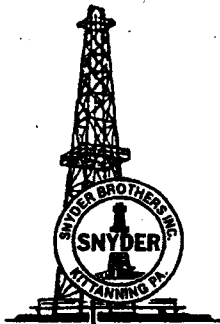
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Mark A. Karenchack  
Assistant Secretary



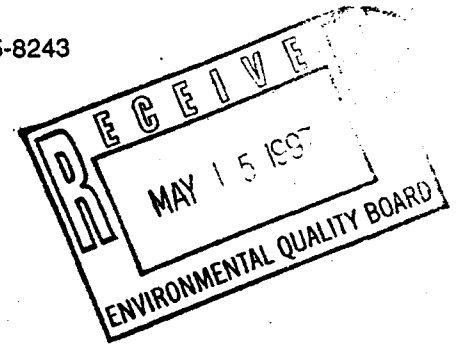


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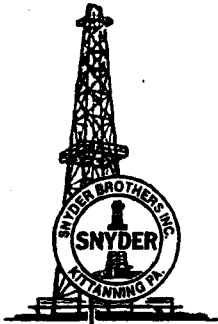
Sincerely,

**SNYDER BROTHERS, INC**



Amy M. Kijowski  
Administrative Assistant



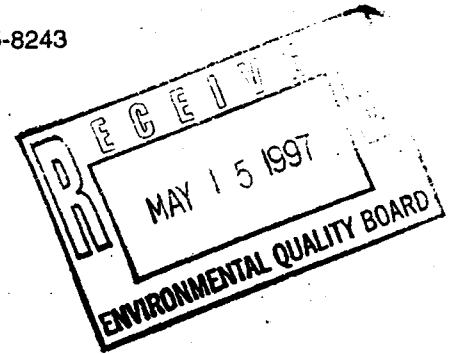


# **SNYDER BROTHERS, INC.**

P.O. Box 1022, 409 Butler Road  
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May 13, 1997



Environmental Quality Board  
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Harrisburg, PA 17105-8477

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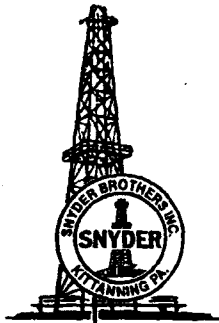
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Lloyd W. Cravener





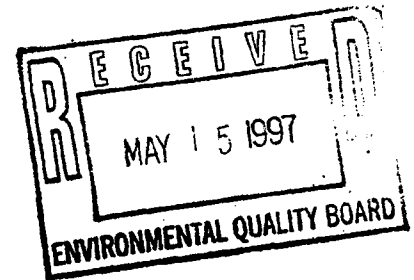
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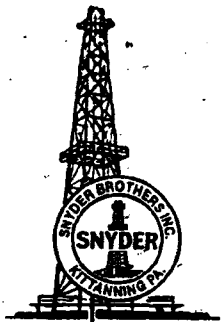
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Ronald D. Piechowicz





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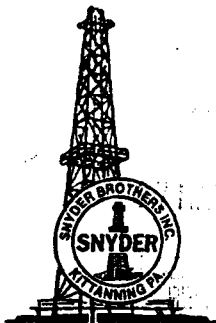
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A handwritten signature in cursive script that reads "Carol A. Toy".

Carol A. Toy





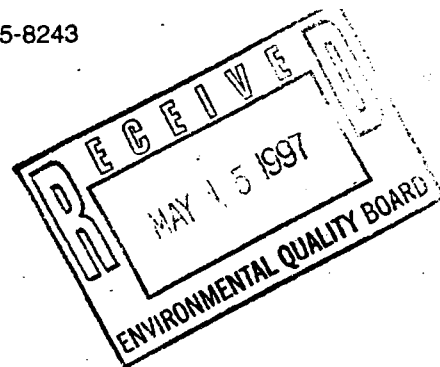
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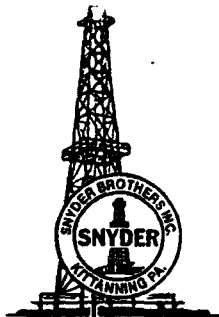
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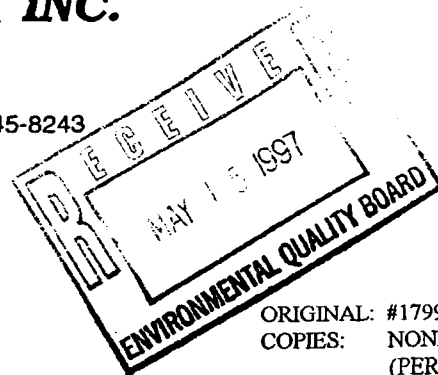




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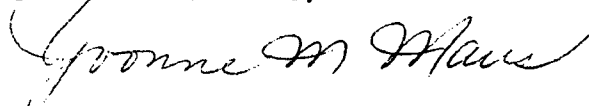
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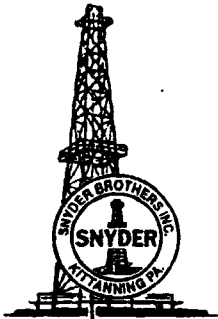
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Yvonne M. Maus

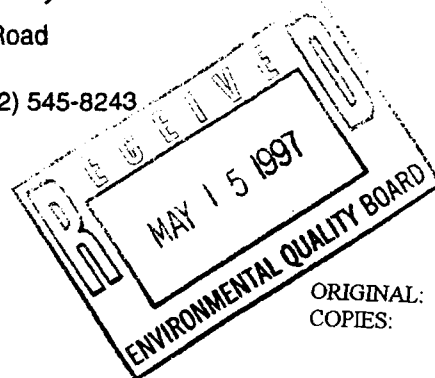




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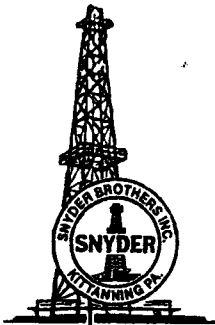
Sincerely,

**SNYDER BROTHERS, INC.**



Kurt A. Walker





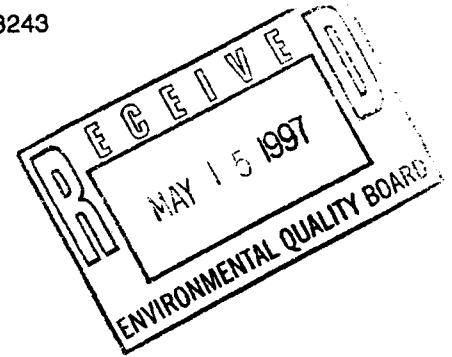
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Phone (412) 548-8101 FAX (412) 545-8243

May 13, 1997



Environmental Quality Board  
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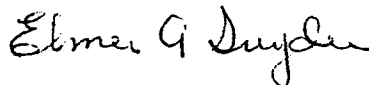
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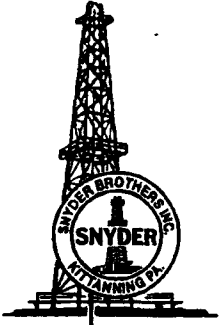
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**SNYDER BROTHERS, INC.**



**Elmer A. Snyder  
Chairman & CEO**





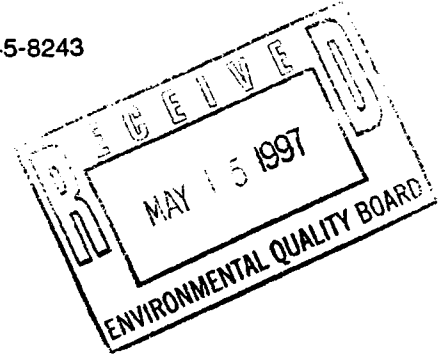
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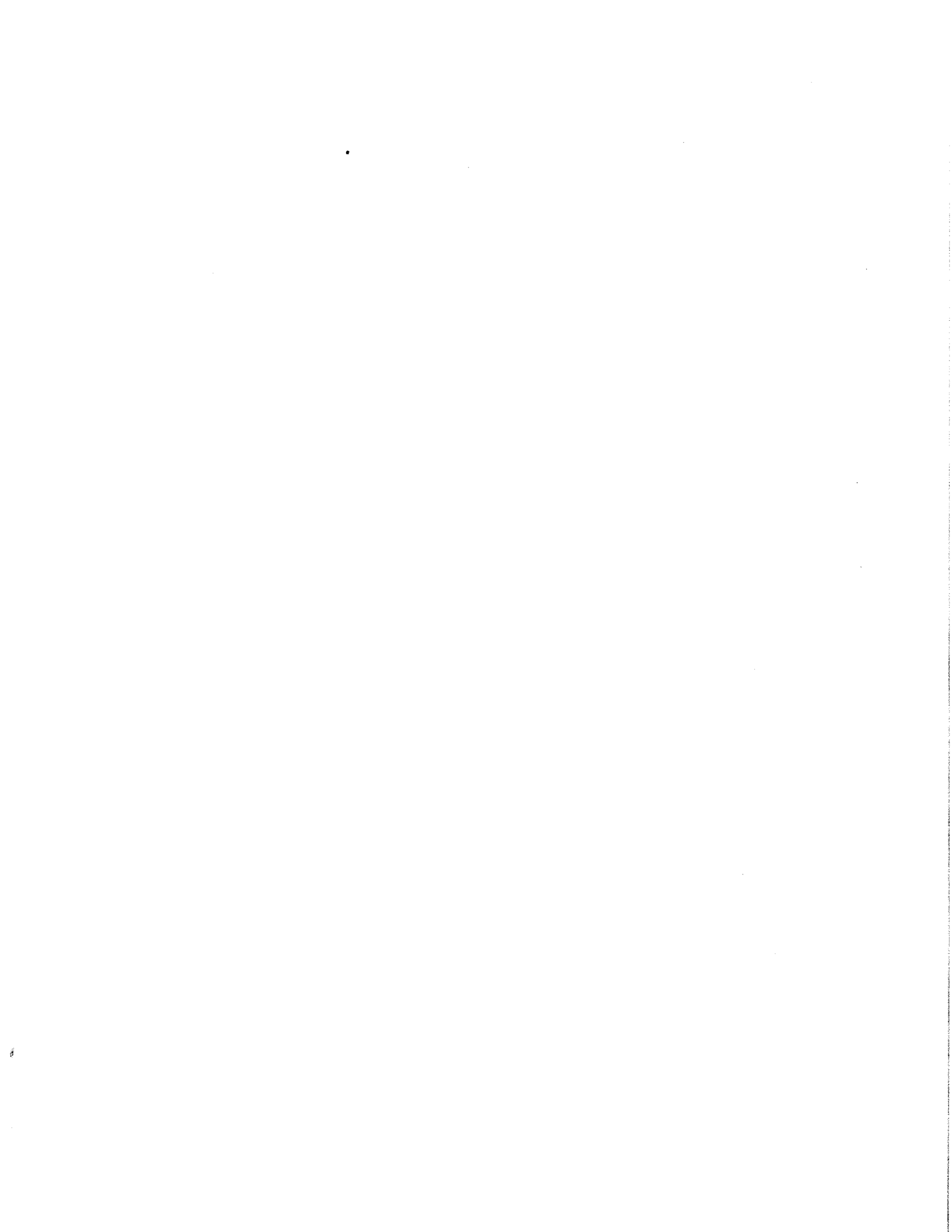
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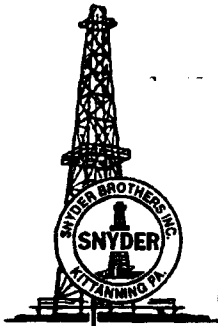
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A handwritten signature in black ink, appearing to read "Robert W. Smith", written over a horizontal line.

**Robert W. Smith  
Safety Director**



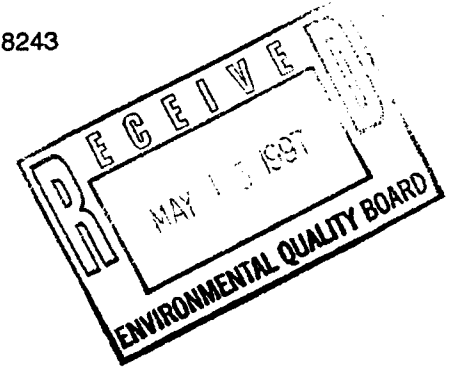


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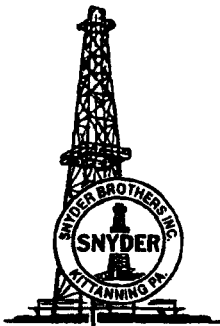
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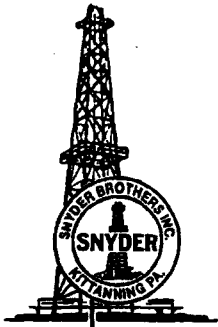
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Daniel G. Boylstein  
Controller





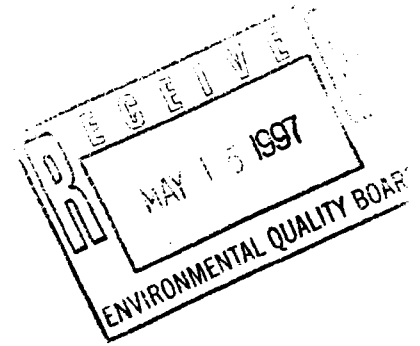
# **SNYDER BROTHERS, INC.**

P.O. Box 1022, 409 Butler Road  
Kittanning, PA 16201

Phone (412) 548-8101 FAX (412) 545-8243

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 13, 1997



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

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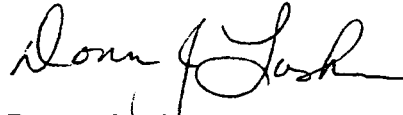
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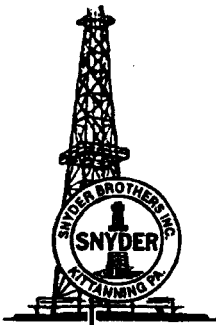
Sincerely,

**SNYDER BROTHERS, INC.**



Donna Lasher





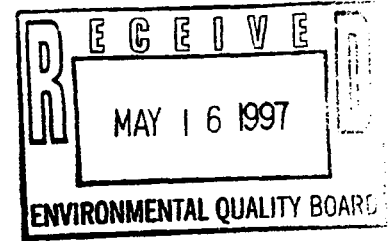
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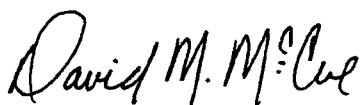
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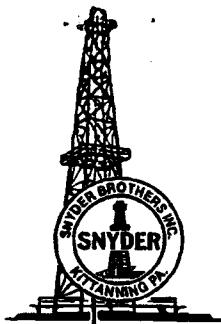
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David M. McCue



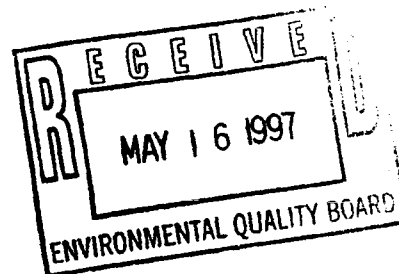


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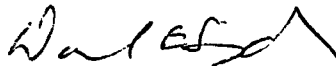
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David E. Snyder  
President



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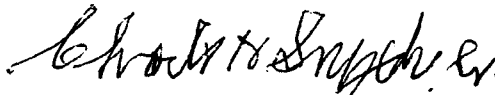
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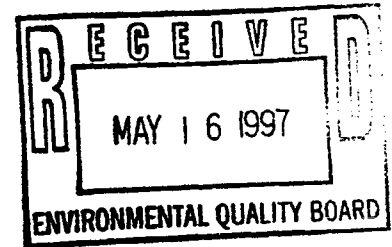
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439 Sharpless St.  
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May 13, 1997

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Environmental Quality Board  
DEP  
POB 8465  
Harrisburg, Pa. 17105

New Proposal Water Quality Rules

Gentlemen:

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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 discharges and degradation in EV waters;

There is no integration of wetlands protection with antidegradation; assessed

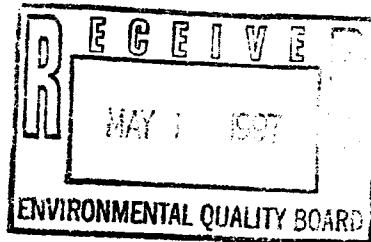
Waters not yet/assess are protected at the lowest level. How long are they expected to last under these conditions?

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 ask that my feelings be conveyed to the members of the Board. Thank you.

Yours truly,

*Carroll D. McCulloch*  
Carroll D. McCulloch



Form 11-43

ORIGINAL: #1799  
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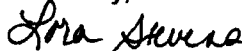
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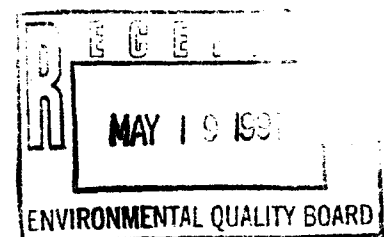
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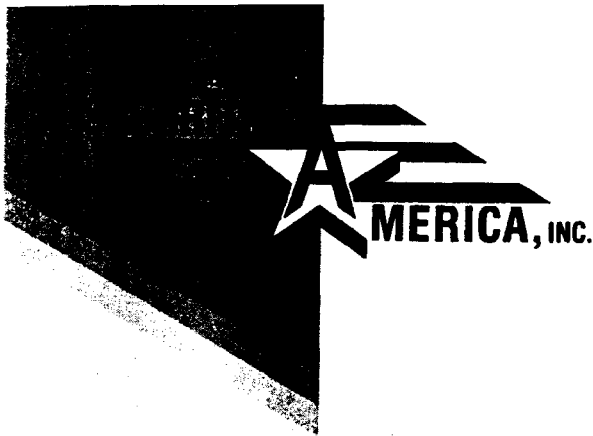
I am asking that my feelings be conveyed to the members of the Board. Thank You.

Sincerely,



Lora Stevens  
33 West Pothouse Rd.  
Phoenixville, PA 19460





**Richard F. Stevens, Jr.**  
*Financial Consultant*

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

**New Proposal/Water Quality Rules**

Gentlemen:

Please consider this 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 states representatives are still applying the dilatory tactics which have 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:

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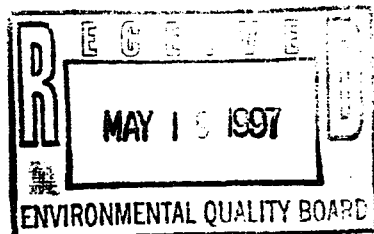
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33 West Pothouse Rd.  
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Environmental Quality Board  
DEP  
PCB8465  
Harrisburg PA 17105

New Proposal Water Quality Rules

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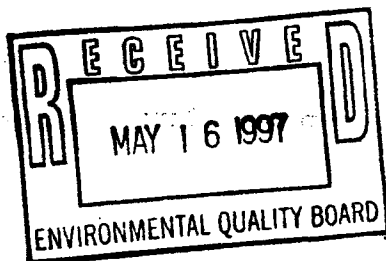
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Yours truly

*John Fortunato*

JOHN FORTUNATO  
332 GRANVIEW CIRCLE  
HOWEY BROOK PA. 19344



Environmental Quality Board  
DEP  
POB8465  
Harrisburg PA. 17105

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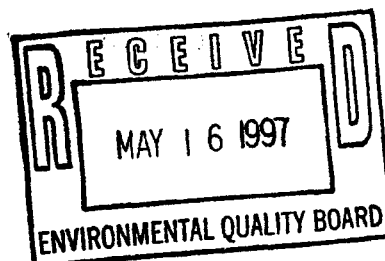
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Yours truly

*Carmella Barrett*  
CARMELLA BARRETT  
901 FLORENCE LA.  
NORRISTOWN, PA 19401



Environmental Quality Board  
DEP  
POB8465  
Harrisburg PA 17105

New Proposal Water Quality Rules

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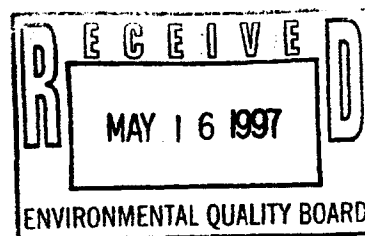
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Yours truly

*Douglas B. Home*

Douglas B. Home 24 Highland Ave. Lansdale  
PA 19346.





Environmental Quality Board  
DEP  
PCB8465  
Harrisburg PA. 17105

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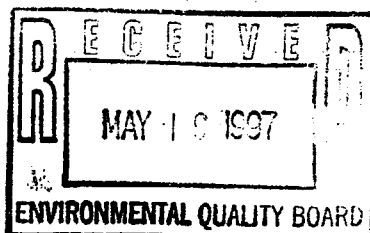
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Yours truly

*Joseph F. Kennedy*  
JOSEPH F. KENNEDY  
404 RIVERVIEW RD  
NORRISTOWN PA 12401



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

Environmental Quality Board  
DEP  
POB8465  
Harrisburg PA 17105

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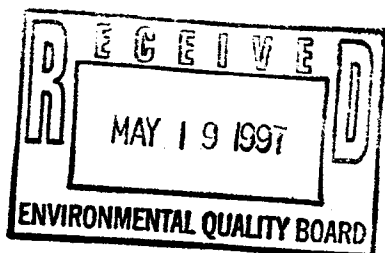
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Yours truly

*Howard P. Shellem*

Howard h. Shellem  
45 Village Way  
Malvern PA 19355



Environmental Quality Board  
DEP  
POB8465  
Harrisburg PA 17105

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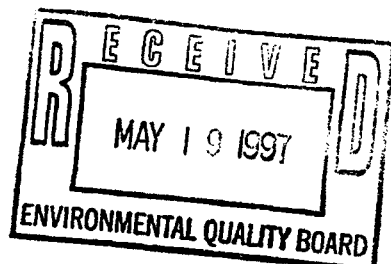
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Yours truly

GERARD A. FASANO  
108 CHATHAM CT  
HARRISBURG PA 17044

*Gerard A. Fasano*



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

Environmental Quality Board  
DEP  
POB8465  
Harrisburg Pa. 17105

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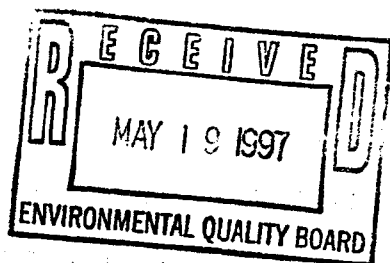
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Yours truly



*Paul J. Geraghty*  
PAUL J GERAGHTY  
1904 STELLIGENE ST  
NORRISTOWN PA 19403

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

Environmental Quality Board  
DEP  
PCB8465  
Harrisburg PA 17105

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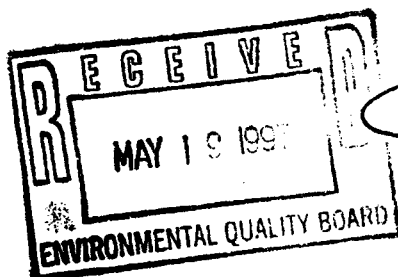
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RICH BLASETTI  
RICHARD RIDGE  
NEWTOWN SQUARE, PA 19073

Environmental Quality Board  
DEP  
POB8465  
Harrisburg, PA. 17105

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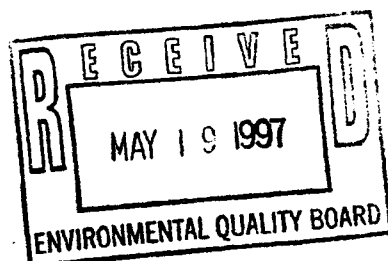
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*Robert A. Saraceni, Jr.*  
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914 Pullman Dr.  
North Wales PA 19454

Environmental Quality Board  
DEP  
POB8465  
Harrisburg PA 17105

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Yours truly

*Mary Morelli*

*Mary Morelli*

*108 Richmond Road*

*Paoli PA 19301*



May 19, 1997

Mr. James Seif  
Chairman  
Environmental Quality Board  
PO 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.

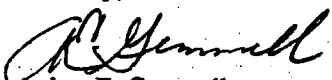
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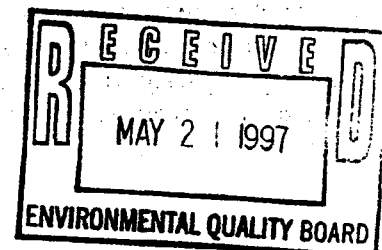
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We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are welcomed. We also endorse the use of general permits on high quality streams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

Thank you for considering these comments.

Sincerely,

  
Arthur E. Gemmell  
Owner of A. E. Gemmell Builder





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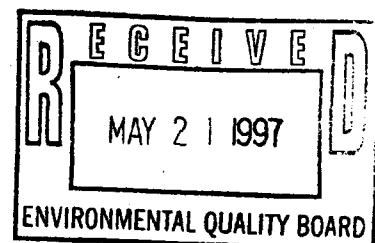
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Sincerely,



Robert B. White  
Owner of Bob White General Contracting



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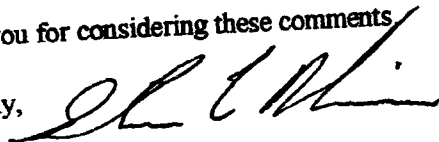
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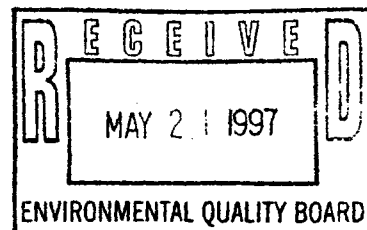
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Sincerely,



Steven K. Misner  
Owner of S. Misner Construction





# SIERRA CLUB

Pennsylvania Chapter

RECEIVED P.O. Box 606  
99 MAY 21 PM 3:35  
Harrisburg, PA 17108

RECEIVED  
REVIEW COMMISSION

May 19, 1999

The Honorable Arthur Hershey  
Pennsylvania House of Representatives  
Room 214 CA  
Harrisburg, PA 17120

Original: 1799  
Coccordilli  
cc: Coccodrilli  
Tyrrell  
Jewett  
Sandusky  
Legal

Dear Representative Hershey:

I am writing on behalf of the Pennsylvania Chapter of the Sierra Club to urge your support for the final rulemaking on antidegradation that is before the Environmental Quality Board. We believe that the Department of Environmental Protection has effectively addressed the major deficiencies that USEPA identified in Pennsylvania's antidegradation regulations.

The final rulemaking represents a substantial improvement over the 1997 proposed rulemaking, especially in the clarification of the criteria for waters to qualify as High Quality and Exceptional Value streams. While we have some specific outstanding concerns, we believe that the changes that DEP has made from that earlier proposal ensure that Pennsylvania's program has the potential to afford adequate protection to its lakes, rivers and streams.

Our support for this rulemaking is predicated on the understanding that the DEP will be revising the Special Protection Handbook. We see that revision process as an opportunity to ensure that the implementation of the antidegradation regulation will be effective. We intend to be actively engaged in that revision process.

Thank you for your attention.

Sincerely yours,

Mike Stibich  
Chair, Sierra Club Pennsylvania Chapter



PRINTED ON RECYCLED PAPER

Form  
157

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

Dear Sir:

This letter is in reference to the antidegradation regulation proposal in the March 22, 1997, *Pennsylvania Bulletin*.

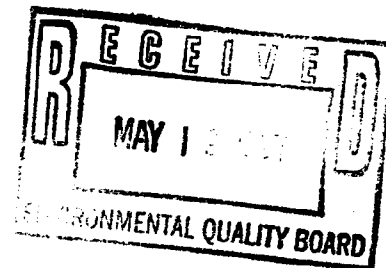
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I am also very disappointed that DEP did not mention wetlands in their antidegradation proposal. The current regulation, put into place by EPA, gives this protection to wetlands. How can wetlands be given HQ or EV protection if the criteria to make a "surface water" HQ or EV are based on streams?

The proposed regulation has little good to recommend them and much bad. The proposed regulation should be rejected by the Board.

Sincerely yours,

*PA. Thompson*



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

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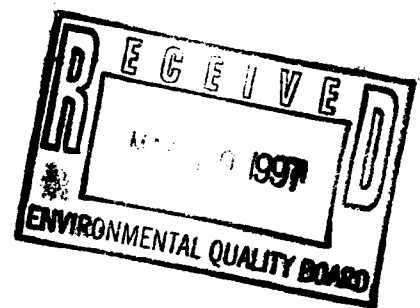
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Kenneth V. Raylurek



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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Harrisburg, PA 17105-8477

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Sincerely yours,

*Tyler L Raybruck*



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

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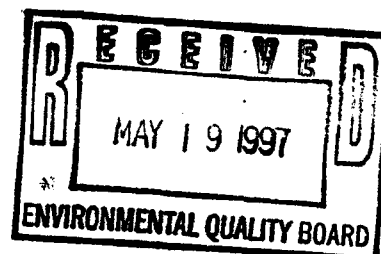
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Sincerely yours, *Timothy J. Rejzack*



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

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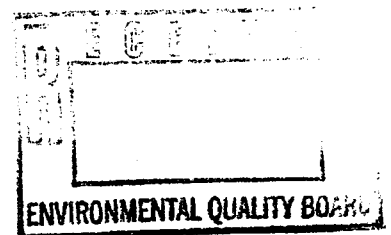
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Sincerely yours,

*Susan M. Guntrum*





ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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Environmental Quality Board  
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Harrisburg, PA 17105-8477

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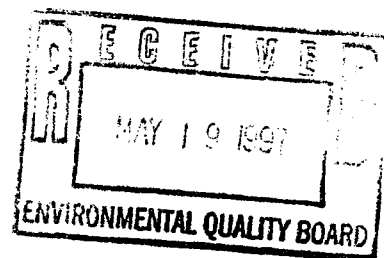
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Sincerely yours,

Mark A. Carrier



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Harrisburg, PA 17105-8477

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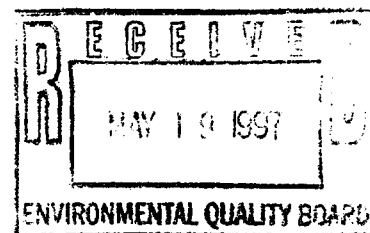
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*Logan Lee Carpenter*



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Environmental Quality Board  
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Harrisburg, PA 17105-8477

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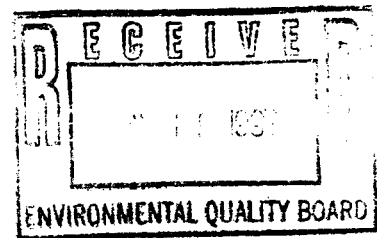
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Sincerely yours,

*Trish Smith*



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

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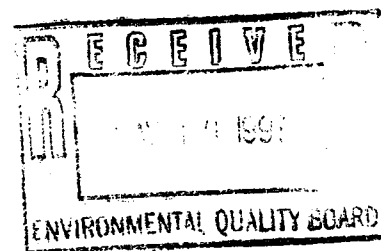
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Sincerely yours,

*James W. Kesner*  
HC 1 Bx 11  
Marble P. 16334



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

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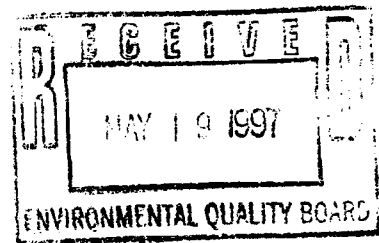
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Sincerely yours,

*Shawn L. Dechant*



ORIGINAL: #1799  
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(PER JHJ)

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

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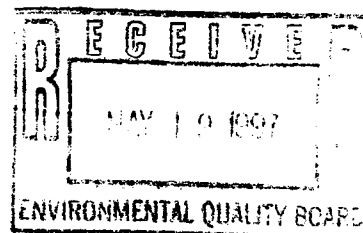
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Sincerely yours,

*David A. Wallisch*  
315 Jared St  
Brookville PA. 15825



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

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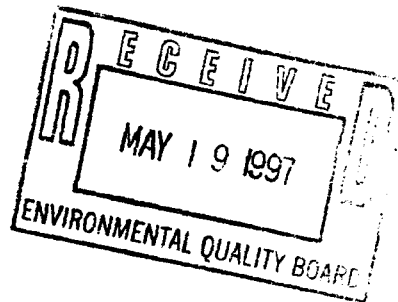
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Sincerely yours,

*J. James Weaver*  
10 ROSE SIDING ROAD  
BROOKVILLE, PA. 15825



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

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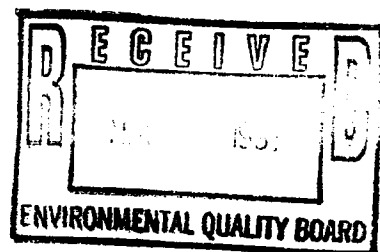
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*Belle Sue Weaver*





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*Diborak L. Trumpton*  
*Fisher, PA 16225*



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Environmental Quality Board  
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Harrisburg, PA 17105-8477

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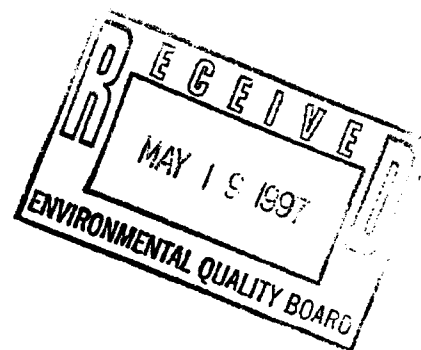
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*Dan Kuffman*  
Box 142 A RD #1  
Rossiter, Pa. 15772



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Environmental Quality Board  
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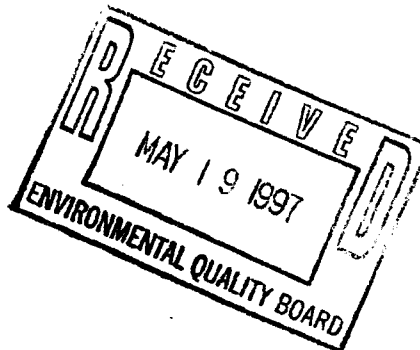
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*Ann M. Sanders*



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Environmental Quality Board  
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Harrisburg, PA 17105-8477

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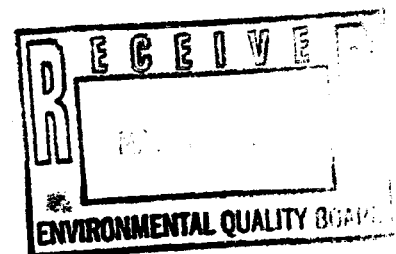
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Sincerely yours,

*Rony Caputo*  
*73 Jenks St*  
*Brookville PA 15825*



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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Environmental Quality Board  
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Harrisburg, PA 17105-8477

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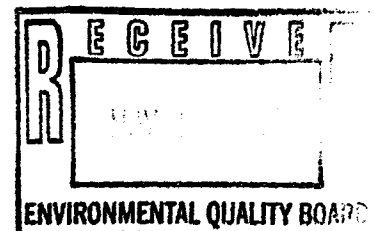
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Sincerely yours,

*Jim Straitiff*  
RD # 1  
*Seigel, Pa. 15860*



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Sincerely yours,

Ron Battaglia  
272 Western Ave.  
Brookville, Pa 15825



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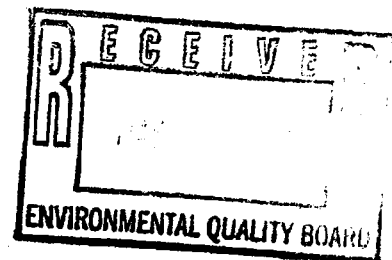
*Richard E. Lamer*

*11 Long. Ave.*

*RR 2 Box 129*

*Brookville, Pa.*

*15825*



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

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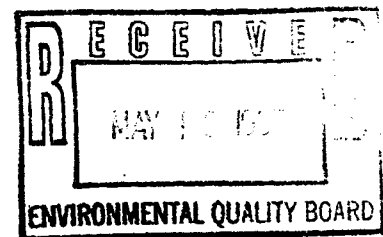
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Sincerely yours,

*Jay L. Smith*

*R.D. 1 Box 15A*

*Corsica, PA 15829*





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Environmental Quality Board  
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Harrisburg, PA 17105-8477

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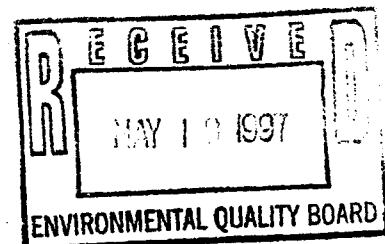
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*Donna L. Richards*  
214 Cuckoo Ave.  
Brookville, Pa. 15025



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*Thomas R. Acholl*  
RD. 2 Box 507  
Sumnerville Pa 15864

