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May 14, 1997

203 Fingal Street
Pittsburgh, Pa. 15211

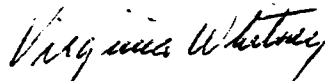
Environmental Quality Board (EQB)
DEP
P.O. Box 8465
Harrisburg, Pa. 17105

Dear Sirs:

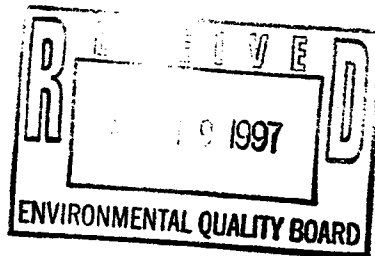
I want to make a request regarding the DEP's current anti-degradation proposal. I would ask that you reject this proposal and adopt the simpler, better standards of the EPA. I want to know our water is safe and clean.

Please write and let me know that this request will be honored. You can reply by writing to me at the above address.

Sincerely yours,



Mrs. Virginia Whitney



May 14, 1997

Dear Sirs:

Please protect our waterways from further degradation.
Please reject the DEP's current anti-degradation proposal
and instead adopt the simpler, better standards of the EPA.

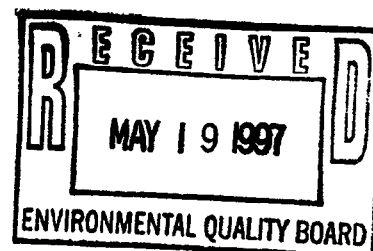
Sincerely,

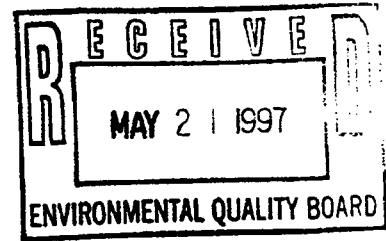


Mrs. Dale D. Koonce

401 Hillside Road

King of Prussia, Pa. 19406





*Michael J. Murphy
Construction, Inc.*

1625 VALLEY ROAD
NEWTOWN SQUARE, PA 19073
(610) 275-358-9310

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May 14, 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 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 1996-1, 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.

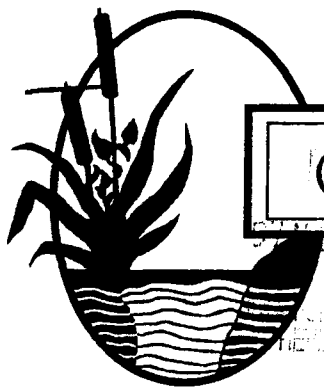
Pennsylvania's exceptional value program should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

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,



Codorus Monitoring Network

Working toward a healthy Codorus Creek
R.D.4, Box 4624, Spring Grove, PA 17362
Phone/Fax: (717) 225-3769 E-mail: codorusnet@aol.com

May 14, 1997

Environmental Quality Board
PO Box 8465
Harrisburg, PA 17105

Codorus Monitoring Network Inc. urges PA DEP to adopt regulations which meet the standards of the Clean Water Act. Specifically:

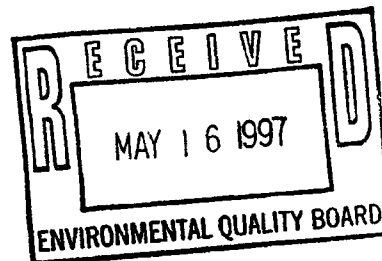
- * Return to the current standards for selecting "High Quality" streams.
- * Provide existing use protection while reviewing data.
- * Strengthen protection for "Exceptional Value" streams.

Our organization is keenly aware of how difficult it is to bring a stream into compliance with water quality standards once a "pollution precedent" has been established. The waterways of the Commonwealth of Pennsylvania deserve the full protection of the law.

Our organization does not want to see any stream degraded and wants laws enacted and enforced that will protect our water resources from anything close to the disgraceful condition of Codorus Creek in York County.

Respectfully submitted,

John Klunk, President



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COPIES: COCCODRILLI
TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

Bill McCune
713 Westmoreland Ave.
Jeannette, PA 15644



May 14, 1997

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

Dear Mr. Seif:

This letter is in **opposition** to the proposed changes for Pennsylvania's Antidegradation regulations concerning the "existing uses" for the waters of the Commonwealth of Pennsylvania as they appeared in the Pennsylvania Bulletin. The current "existing uses" protection afforded by the EPA in response to a Federal order to include such language in the regulations is at least representative of the Clean Water Act.

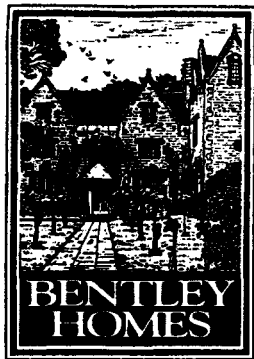
I am also very **disappointed** that the DEP did not mention wetlands in their antidegradation proposed changes. In the past, protection of wetlands not under jurisdiction of the Army Corps of Engineers was afforded by Pennsylvania regulations. In the past two years, we have seen these good regulations nibbled away by changes in the general permit regulations, adoption of the use of the Army Corps of Engineers Wetland Delineation Manual, instead of the Federal Manual for Delineating Jurisdictional Wetlands and now, no mention of the antidegradation of wetlands in the proposed antidegradation regulation. Wetlands are waters of the Commonwealth of Pennsylvania, and deserve protection equal to the federal regulations.

Here in southwestern PA, we are losing streams to coal mining, both from waste disposal sites and subsidence. Past industrial practices concerning wastewater effluents of steel mills and related industries nearly destroyed our three rivers in Pittsburgh and support industries did kill many streams in counties adjoining Allegheny County. We need strong "existing use" regulations and an agency that is willing to enforce those regulations. I am **against** any proposal for "existing use" protection that qualifies the Federal language as this proposal does. Make the PA regulations the same as the Federal regulations.

The proposed regulations have very little good and much bad. They should be **rejected** by the board. It is time to listen to the citizens of Pennsylvania who want a clean and green legacy for our children.

Yours in Conservation,


Bill McCune



BENTLEY HOMES
1595 PAOLI PIKE • WEST CHESTER, PA • 19380
610-436-5500 • FAX 610-431-3876

May 14, 1997

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

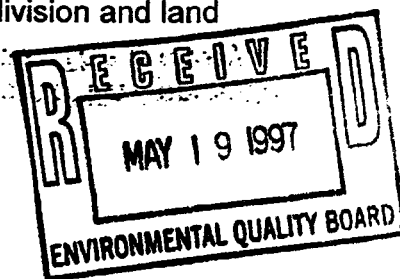
Dear Secretary Seif:

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:

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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.

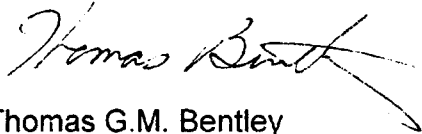


May 14, 1997
Page 2

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,

A handwritten signature in cursive script that reads "Thomas Bentley". The signature is written in black ink and is positioned above the printed name.

Thomas G.M. Bentley

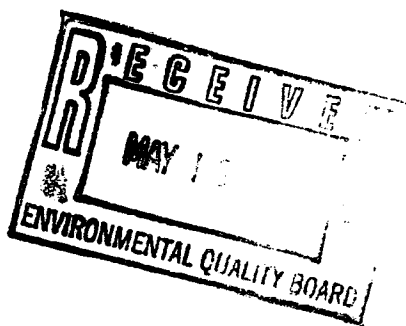
May 14, 1997

Dear Environmental Quality Board,

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

Thank you.

John M. Howes
383 Hillside Rd
King of Prussia, Pa
19406



56 DeFoe St.
Pittsburgh, PA 15214
May 14, 1997

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

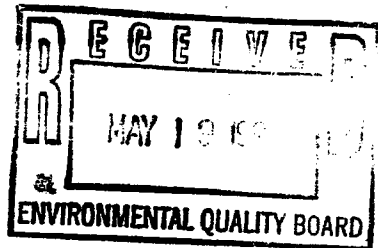
Gentlemen:

Re: Clean Water Act

I urge you to reject the DEP's current anti-degradation proposal. Similar or better standards of the EPA are desirable.

It is my understanding that the DEP is proposing new regulations that would lower water quality standards. Does that make sense? Take one look at all of our rivers and some of our streams! They do not need additional waste/discharges.

Please let me hear from you on this matter.



Yours truly,

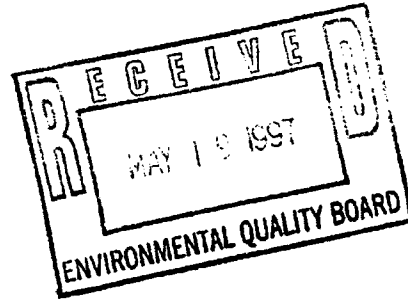
Anna Dax
(ANNA DAX)

cc: Mr. Michael McCabe
EPA Regional Administrator

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May 14, 1997

Senator Richard Tighlman
Main Capitol Bldg.
Harrisburg, PA 17120




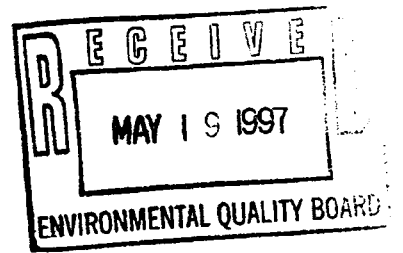
Senator Tighlman ::

I am writing this letter to urge you not to allow lower water quality standards. We must reject the Department of Environmental Protection Agency's anti-degradation proposal. The issue of clean water is something that must not be compromised. I support the simpler, better clean water standards proposed by the Environmental Protection Agency. I know that I can count on you for your support in the fight for clean water.

Please confirm that you have read this letter and include your comments to it.

Regards,


Allan J. Williamson
424 Powderhorn Rd
King of Prussia, PA



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Anna M. Pyshnik
10145 Hillcrest Ave.
Wexford, Pa. 15090
May 14, 1997

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

Dear Members of the Board,

Please reject The DEP's current anti-degradation proposal and adopt the simpler, better standards of the of the EPA. We need to have a cleaner environment for ourselves and future generations. Thank you for you continues work in this area.

Sincerely,

A handwritten signature in cursive script that reads "Anna M. Pyshnik".

Anna M. Pyshnik

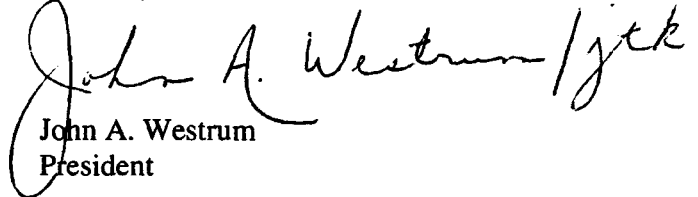
May 13, 1997
Mr. James Seif
Page 2

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,


John A. Westrum
President

May 14, 1997

The Environmental Quality Board

DEP PO Box 8465

Harrisburg PA 17105

To whom it may concern:

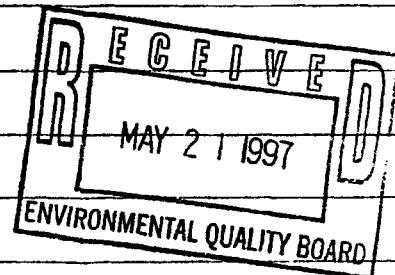
I am requesting that you reject the DEP's
current anti-degradation proposal

Sincerely,

Nancy Huger

327 Valley View

King of Prussia PA 19406



Douglas & Amy Cresse

498 Evergreen Rd
King of Prussia, PA 19406

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May 14, 1997

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

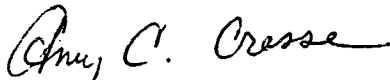
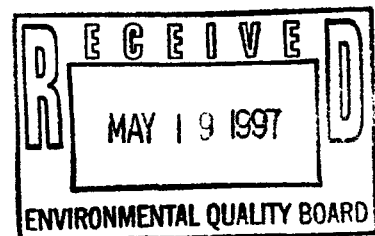
We are concerned with the DEP's proposed new regulations that would lower water quality standards. Please reject the DEP's current anti-degradation proposal.

We kindly request your reply.

Sincerely,



Douglas A. Cresse


Amy C. Cresse



GARIS HOMES

Quality, built for generations

May 14, 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 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,

Glenn E. Garis
President



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(PER JHI)

57 MAY 27 11 04 AM '97
MAIL ROOM

I N T E R O F F I C E M E M O R A N D U M

Date: 14-May-1997 06:33pm EST
From: Fred Bohls CFP
fcfp@ix.netcom.com@PMDf@DER003
Dept:
Tel No:

TO: Regcomments (Regcomments@A1.dep.state.pa.us@PMDf@

Subject: Proposed Antidegradation Regulationsn

Atten: Mr. James Seif, Chairman
Environmental Quality Board

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

I am writing to express my opposition to thje proposed new
antidegradation regulations for Pennsylvania. the Proposal weakens the
protections that exist under current regulations promulgated for
Pennsylvania 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.
Pennsylvania is home to many outstanding trout streams that attracts
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 that unless we make
protecting high water quality a top priority, we will lose it.

I understand that Pennsylvania Trout Unlimited 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 corrected. The existing set of regulations is
vastly preferable to the proposals as now written.

Sincerely,

FRED BOHLS, Legislative Chairman
State Council, Trout Unlimited

~~~~~  
FRED BOHLS, CFP  
Bohls Financial Services  
P. O. Box 3303  
Camp Hill, PA 17011-9698  
Office: (717) 732-2448  
Fax: (717) 732-2414  
e-mail: fcfp@ix.netcom.com



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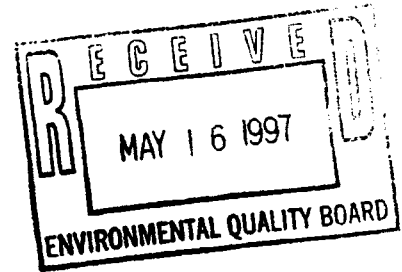


717-296-7210

Fax: 717-296-5682

302 East Harford Street, P.O. Box 276  
Milford, Pennsylvania 18337

May 14, 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:

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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,

Thomas C. Hogan, Pres.

**HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN**  
A PROFESSIONAL CORPORATION

ACTS Center-Blue Bell  
375 Morris Road  
Post Office Box 1479  
Lansdale, PA 19446-0773  
Phone (215) 661-0400  
Fax (215) 661-0315

ATTORNEYS AT LAW  
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May 14, 1997



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

Dear Secretary Seif:

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I 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. I also endorse the use

Gerald Hamburg  
Edward Rubin  
J. Edmund Mullin  
J. Scott Maxwell  
Steven H. Lupin  
Douglas I Zeiders  
Carl N. Weiner  
Jonathan Samel  
Merle R. Ochrach  
Mark F. Himsworth  
Michael B. Goodman  
Steven A. Hann  
Steven B. Barrett  
Margaret R. Crinnion  
Christen A. Gilmore  
Robin E. Seifert  
Eric P. Kressman  
Alan R. Kaye  
\*Michael R. Harris  
Of Counsel

\*Member Florida Bar

Mr. James Seif  
Page 2  
May 14, 1997

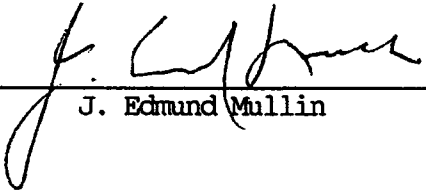
of general permits on high-quality streams and support the expansion of this practice to exceptional-value streams.

Thank you for considering these comments.

Very truly yours,

HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN

By:

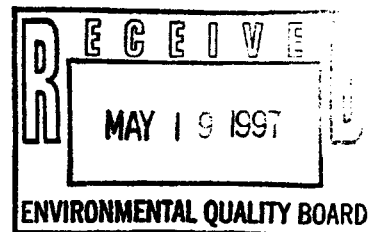
  
\_\_\_\_\_  
J. Edmund Mullin

JEM:mlm

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43 Francis Street  
Uniontown, PA 15401  
May 14, 1997

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



Dear Sirs:

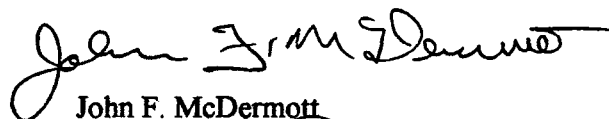
We are native Pennsylvania citizens who are concerned about our environment. We, therefore, urge you to reject the DEP's antidegradation proposal.

Please send a response to:

John F. and Sally McDermott  
43 Francis Street  
Uniontown, PA 15401  
(Phone: 412-439-1299)

Thank you for your attention to this matter.

Sincerely,

  
John F. McDermott

  
Sally McDermott

Date 5/14/97

Edward R. Brezina  
Bureau of Watershed Conservation  
P.O. Box 8555  
Harrisburg, PA 171055-8555



RE: Proposed Antidegradation Regulations

Dear Mr. Brezina:

I am completely opposed to your gutting everything that is good about the current antidegradation regulations and replacing them with weaker laws that will not protect our streams. These new regs will not protect existing uses, will make it harder for streams to get protection as high quality and exceptional value streams, and worst of all, will allow the redesignation of existing streams to lower categories that offer less protection.

The few good elements of your proposed scheme cannot be separated from the overall bad language. I would suggest, therefore, that you withdraw the entire package and rewrite it so that it protects the environment. In the alternative, keep the regulations now in place.

In addition, these proposed regulations do not meet minimum federal requirements, and you know that they do not. You were hired to protect the environment, so please do your job and stop wasting taxpayer money by refusing to comply with the law.

Sincerely, *Roger Holland*  
*Jean Holland*

Name: Jean Holland

Address: 8114 Elberon Ave.  
Philadelphia Pa 19111

cc: Michael McCabe,  
EPA Regional Administrator  
841 Chestnut Building  
Philadelphia, PA 19107

RECEIVED PA DEP  
DIV OF WQ ASSESS & STDS  
97 MAY 19 PM 3:18

J.D. SCHMEZER  
3 EDGEWATER VILLAGE  
LATROBE, PA. 15650

May 14, 1997

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

Dear Mr. Seif:

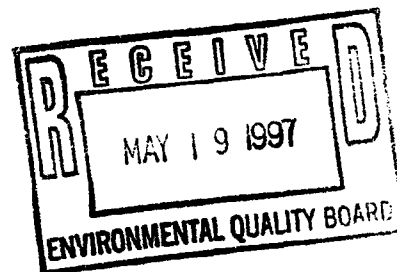
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Sincerely,



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(PER JHJ)

May 14, 1997

Environmental Quality Board  
DEP  
P.O. Box 84645  
Harrisburg, PA 17105

Re: Clean Water Action:

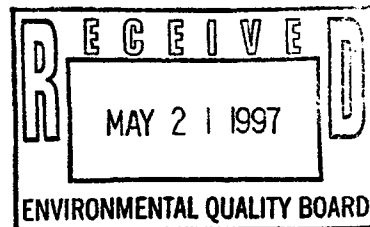
To Whom it may Concern:

This letter is in regards to the DEP's current anti-degradation proposal. We wish the proposal to be rejected.

Big businesses should not be allowed to dump anymore waste into the waterways. If they continued to dump wastes into the streams and lakes, what would happen to our eco-system in the future. Think about it.

Sincerely,

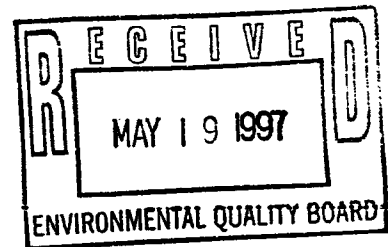
James and Joanne Lagan  
160 Flintlock Road  
King of Prussia, PA 19406



Leo L. Estes  
511 Saude ave.  
Essington, Pa. 19029-1112

05-14-97

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



New Proposal /Water Quality Rules

Gentleman:

Plseas 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 degradation in EV waters.

There is no integration of wetlands protection with anti-degradation:

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

  
Leo L. Estes

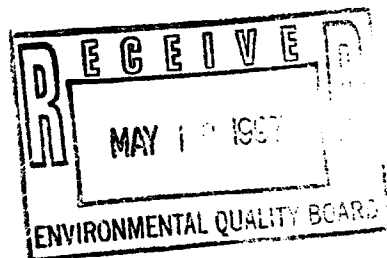


5/14/97

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(PER JHJ)

E.Q.B.

P.O. Box 8465



Please, REJECT THE  
DEP'S ANTI-DEGRADA-  
TION PROPOSAL.

ALSO, PLEASE REPLY TO  
ME IN WRITTING. THANK YOU.

Sincerely,  
Lois E. Schurer  
Lois E. Schurer  
813 Harden Drive  
Pittsburgh, PA. 15229

713 WESTMORELAND  
JEANETTE PA  
15044

May 14, 1997

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

Dear Mr. Seif:

This letter is in **opposition** to the proposed changes for Pennsylvania's Antidegradation regulations concerning the "existing uses" for the waters of the Commonwealth of Pennsylvania as they appeared in the Pennsylvania Bulletin. The current "existing uses" protection afforded by the EPA in response to a Federal order to include such language in the regulations is at least representative of the Clean Water Act.

I am also very disappointed that the DEP did not mention wetlands in their antidegradation proposed changes. In the past, protection of wetlands not under jurisdiction of the Army Corps of Engineers was afforded by Pennsylvania regulations. In the past two years, we have seen these good regulations nibbled away by changes in the general permit regulations, adoption of the use of the Army Corps of Engineers Wetland Delineation Manual, instead of the Federal Manual for Delineating Jurisdictional Wetlands and now, no mention of the antidegradation of wetlands in the proposed antidegradation regulation. Wetlands are waters of the Commonwealth of Pennsylvania, and deserve protection equal to the federal regulations.

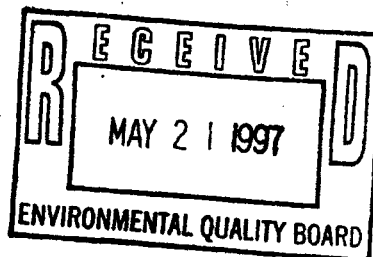
Here in southwestern PA, we are losing streams to coal mining, both from waste disposal sites and subsidence. We need strong "existing use" regulations and an agency that is willing to enforce those regulations. I am **against** any proposal for "existing use" protection that qualifies the Federal language as this proposal does. Make the PA regulations the same as the Federal regulations.

The proposed regulations have very little good and much bad. They should be **rejected** by the board.

Sincerely,



*P.S. Please wake-up!*



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May 14, 1997

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

Environmental Quality Board (EQB)  
DEP, PO Box 8465  
Harrisburg, PA 17105

RE: The Clean Water Act

To whom it may concern,

I am writing to request that you reject the DEP's current anti-degradation proposal. We need standards that protect our waterways from any more degradation!  
Please send a reply!

Sincerely,

*Melissa A. Kline*

Melissa A. Kline  
317 Prince Frederick Street  
King of Prussia, PA 19406

RECEIVED  
MAY 19 1997  
ENVIRONMENTAL QUALITY BOARD

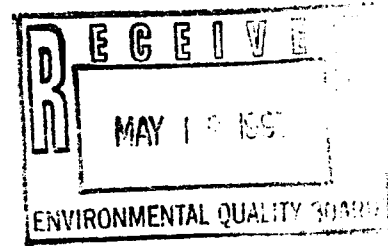
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May 14, 1997

07/00/97 11:00 AM

RECEIVED

Environmental Quality Board (EQB)  
DEP, PO Box 8465  
Harrisburg, PA 17105



RE: The Clean Water Act

To whom it may concern,

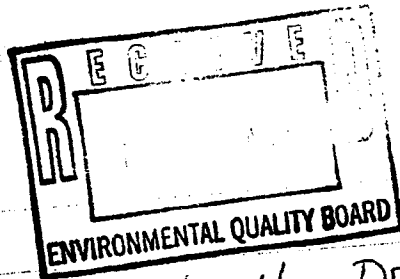
I am writing to request that you reject the DEP's current anti-degradation proposal. We need standards that protect our waterways from any more degradation.

Please send a reply!

Sincerely,

Myrna M. Kline  
317 Prince Frederick Street  
King of Prussia, PA 19406

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(PER JHJ)



5/14/97

Please reject the DEP's current anti-degradation proposal! Our water is dirty enough as it is. Adopt the simpler, better standards of the EPA.

Thank you,  
Mia Fitzgerald

ENVIRONMENTAL QUA  
DEP, PO BOX 844

17105/2093 65

M. Fitzgerald  
536 KINGWOOD RD.  
RING OF PRUSSIA, PA 19106

May 14, 1997

Environmental Quality Board  
DEP  
PO Box 8465  
Harrisburgh PA 17105

Dear Sir/Madam:

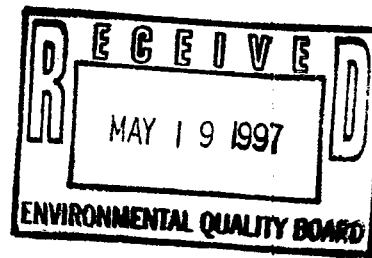
I write to urge you to reject the DEP's current anti-degradation proposal regarding our water quality in Pennsylvania. We recently moved to Pennsylvania from New Hampshire and would like to support efforts for preserving the quality of our water.

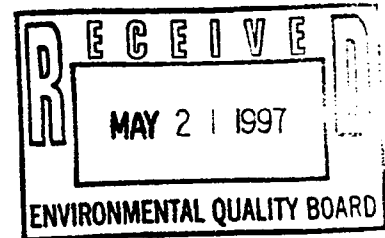
Adopt the simpler, better standards of the EPA. Thank you, and please reply.

Sincerely,

*Martha Lada*  
*Michael Lada*

Michael and Martha Ladam  
10046 Oakridge Drive  
Wexford PA 15090





*Michael J. Murphy  
Construction, Inc.*

1625 VALLEY ROAD  
NEWTOWN SQUARE, PA 19073  
(610) ~~275~~ 358-9310

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(PER JHJ)

May 14, 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 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 1996-1, 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,

May 14, 1997

Dear Sirs:

Please protect our waterways from further degradation.  
Please reject the DEP's current anti-degradation proposal  
and instead adopt the simpler, better standards of the EPA.

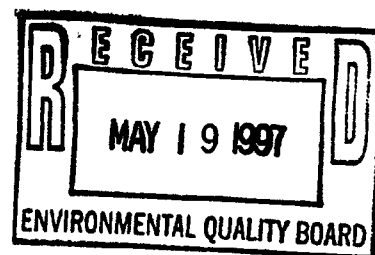
Sincerely,



Mrs. Dale D. Koonce

401 Hillside Road

King of Prussia, Pa. 19406





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COPIES: NONE  
(PER JHJ)

May 14, 1997

203 Fingal Street  
Pittsburgh, Pa. 15211

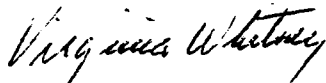
Environmental Quality Board (EQB)  
DEP  
P.O. Box 8465  
Harrisburg, Pa. 17105

Dear Sirs:

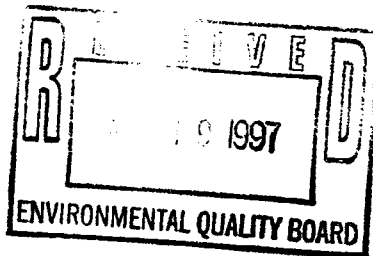
I want to make a request regarding the DEP's current anti-degradation proposal. I would ask that you reject this proposal and adopt the simpler, better standards of the EPA. I want to know our water is safe and clean.

Please write and let me know that this request will be honored. You can reply by writing to me at the above address.

Sincerely yours,



Mrs. Virginia Whitney



May 14, 1997

The Environmental Quality Board

DEP PO Box 8465

Harrisburg PA 17105

To whom it may concern:

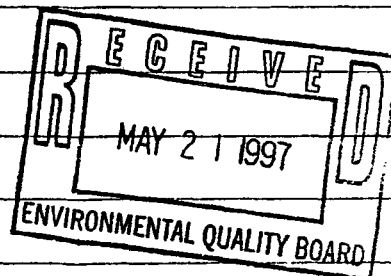
I am requesting that you reject the DEP's  
current anti-degradation proposal

Sincerely,

Nancy Hoge

327 Valley View

King of Prussia PA 19406



May 14, 1997


Environmental Quality Board  
Dept. of Environmental Protection  
PO Box 8465  
Harrisburg, PA 17105

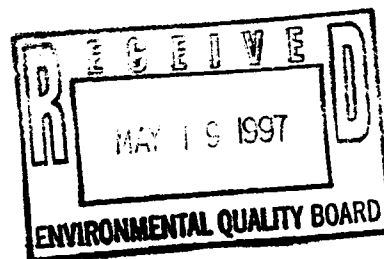
To the members of the Board: :

I am writing this letter to urge you not to allow lower water quality standards. We must reject the Department of Environmental Protection Agency's anti-degradation proposal. The issue of clean water is something that must not be compromised. I support the simpler, better clean water standards proposed by the Environmental Protection Agency. I know that I can count on you for your support in the fight for clean water.

Please confirm that you have read this letter and include your comments to it.

Regards,

  
Phyllis Archer  
424 Powderhorn Rd  
King of Prussia, PA



*Ralph E. Kates, III, Esquire*

**ATTORNEY-AT-LAW**  
358 SOUTH FRANKLIN STREET  
WILKES-BARRE, PA 18702  
(717) 824-9374

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COPIES: COCCODRILLI  
TYRRELL  
JEWETT  
SANDUSKY  
WYATTE  
BERESCHAK

May 14, 1997



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

RE: Proposed Anti-Degradation Regulations  
(Revisions to Chapter 92, 93 and 95 of  
the Pennsylvania Code, Published 1/21/97)

Dear Chairman Seif:

The signatories to this letter are writing to express their opposition to the proposed anti-degradation regulations published on January 21, 1997 as proposed amendments to Chapters 92, 93 and 95 of the Pennsylvania Code.

Pennsylvania's prior anti-degradation regulations were found inadequate by the only federal court which has considered the issue. As a result, EPA imposed federal anti-degradation regulations on Pennsylvania in January of this year.

The proposed revisions to Chapters 92, 93 and 95 of the Pennsylvania Code are less protective than those which pre-dated the Raymond Proffit Foundation decision. Obviously, they are less protective than the federal regulations now in effect. Some highlights of the proposal's shortcomings are as follows:

- \* The Clean Water Act and the regulations in place now require that "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." The proposed regulations only protect existing uses "when the Department's evaluation of technical data establishes" that a water has attained an existing use. This conditions the law's protection on whatever review process DEP chooses to implement. Such unbridled bureaucratic digression leaves much room for mischief.

James Seif, Esquire  
May 14, 1997  
Page 2

- \* While the definition of Exceptional Value ("EV") waters has not appreciably changed, DEP no longer would give any weight to waters located on public lands in the selection criteria. This is contrary to the federal regulation.
- \* The protection afforded High Quality ("HQ") streams contains a loophole for discharges that exhaust less than 25% of a stream's capacity to assimilate pollution. This permits continuing, incremental degradation of water quality in these streams.
- \* The regulations do not contain an absolute prohibition on additional discharges into EV waters.
- \* Currently DEP designates watersheds as HQ or EV; the new regulations provide only for the designation of "surface waters" as HQ or EV. This ignores springs, seeps, wetlands and tributaries.

We understand that Pennsylvania Trout is submitting detailed comments on the proposed regulations. The proposed regulations should not be adopted in their current form. They should be amended to incorporate the comments of Pennsylvania Trout. If they cannot be so amended, the proposed regulations should be dropped in favor of continuing the existing regulatory scheme.

Many of us in Northeastern Pennsylvania have struggled long to correct the harmful environmental effects of decisions made by previous generations. We have come to realize that business development and respect for the environment are not contradictory goals. There is no reason to degrade now these watersheds which are presently categorized as high quality or of exceptional value.

Very truly yours,



Ralph E. Kates, III, Esquire  
Legislative Chairman, Stanley  
Cooper Sr. Chapter Trout Unlimited

| NAME                                                         | ADDRESS                                 |
|--------------------------------------------------------------|-----------------------------------------|
| William B. Stuber Pres. Stony Cooper Chapter Trust Unlimited | 41 E UNION ST, KINGSTON, PA 18704       |
| John P. Bergeri                                              | 29 Joseph St. Dallas PA 18612           |
| Stan Coop                                                    | 852 So Main Wilkes-Barre Pa 18702       |
| Albert W. Clooney                                            | 1051 Murray St Forty Fort Pa 18704      |
| Thomas C. Donnelly                                           | 106 White Birch Lane Dallas, PA 18612   |
| Wm J. [unclear]                                              | 4 W HARRISON TUNKHANNOCK PA 18657       |
| Michael Romanowski                                           | 626 Church St. Swyersville, PA 18704    |
| Fred F. Murray                                               | 160 Shady Ridge Shavertown PA 18708     |
| John L. Krebs                                                | 62 Cemetery St. Ashley, Pa. 18706       |
| E. K. Kallehoffer                                            | 145 Eley St. Kingston Pa. 18704<br>3937 |
| John Morris                                                  | 400 N. Pioneer Ave., Dallas, PA 18612   |
| Ohio Benavise                                                | 214 Lee Park Ave. W.B., Pa.             |
| Adam Benavise                                                | 214 Lee Park Avenue Wilkes-Barre, PA    |
| Ninhal G. Maton                                              | 119 CHURCH ST. OLD FORGE, PA 18518      |
| David Tomcull                                                | 668 Lincoln St Hazleton, PA 18201       |

NAME

ADDRESS

- REX A. MARINO 500 W. DIAMOND AVE HAZLETON PA 18201
- DALE HOUSEKNECHT 100 LAUREL DR MTH TOP PA 18707
- RICHARD GUREIS R381 SCHUYLER AVE KINGSTON, PA 18704
- ED BURATTI 189 ANDOVER W-B. PA 18702
- MIL CHAPMAN 384 PARRISH ST. W-B, PA. 18702
- JOHN BERTON 1423 MAPLE ST SCRANTON PA 18505
- JAMES RODDA 140 S. MEADE ST. W-B PA 18702
- ALFRED J. SPEICHER 1876 PITTSBURGH BLVD BEAR CREEK TWP <sup>WILKES BARRE</sup> PA 18702
- JOSEPH M. KALAFUTE 12 CLARK LANE, PLYMOUTH 18651
- RODNEY J. DRISCOLL RR#1 BOX 48 SHICKSHINN PA. 18655
- CHARLIE HARRIS 199 W. CEMETERY ST ASHLEY PA 18706
- JOHN LEVITSKY RR#1 BOX 289-2 DALLAS PA 18612
- ROBERT MARCH 218 COPPER ST COVINGTON PA 18704
- WOODY HAYES 16 YORKTOWN RD. MTH. TOP PA 18707
- JEFF PIATT 51 COOMBS ST NANTICOLE PA 18634

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

*May 14, 1997*

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

Dear Sir,

As a concerned citizen and member of Trout Unlimited, I would like to comment on PA's proposed antidegradation and water quality standards which have been proposed. My primary concern is that PA's proposed regulations will allow more degradation of PA's waters than those of the EPA. The current regulations are much more desirable than the proposed regulations.

I believe that under definitions, the words "surface water" should be replaced with "watersheds". I also do not support deleting HQ and EV from the list of protected water uses. This would remove EPA oversight.

I also believe that requiring a stream to pass both a chemistry and a biology test to qualify as high quality is less restrictive and does not meet federal requirements. Under level of protection, I believe the word "discharges" should be replaced with the word activities.

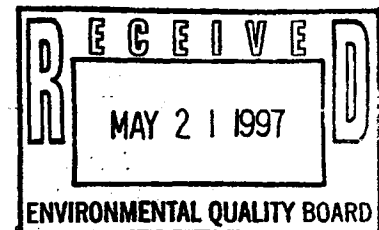
I also oppose the minimal impact discharge provision. A discharge cannot maintain and protect water quality if it uses up to 25% of the assimilative capacity of the water.

Also there should be no mechanism for local residents or local governments to have a veto power over EV decisions. The water in question is always the water of the Commonwealth and not the sole domain of local residents and governing bodies.

I believe that there are many weaknesses in the current DEP proposal. We need consider only what is best for the Commonwealth's residents and its resources. I believe these proposed regulations need a complete overhaul. I will be watching.

Thank you,

*Robert Wardrop*





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COPIES: NONE  
(PER JHJ)

MAY 10 1997

May 14, 1997

DEPT. OF ENVIRONMENTAL PROTECTION  
HARRISBURG, PA 17105

Environmental Quality Board (EQB)  
DEP, PO Box 8465  
Harrisburg, PA 17105

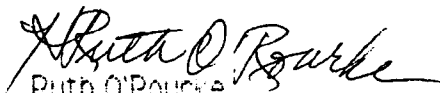
RE: The Clean Water Act

To whom it may concern,

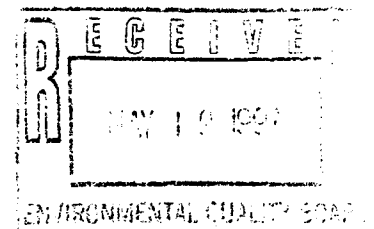
I am writing to request that you reject the DEP's current anti-degradation proposal. We need standards that protect our waterways from any more degradation!

Please send a reply!

Sincerely,



Ruth O'Rourke  
317 Prince Frederick Street  
King of Prussia, PA 19406



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COPIES: NONE  
(PER JHJ)

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May 14, 1997

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MAY 13 1997

Environmental Quality Board (EQB)  
DEP, PO Box 8465  
Harrisburg, PA 17105

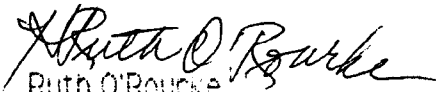
RE: The Clean Water Act

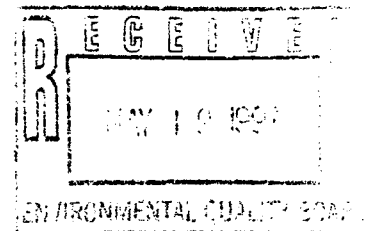
To whom it may concern,

I am writing to request that you reject the DEP's current anti-degradation proposal. We need standards that protect our waterways from any more degradation!

Please send a reply!

Sincerely,

  
Ruth O'Rourke  
317 Prince Frederick Street  
King of Prussia, PA 19406



# THE BASILE CORPORATION

202 Black Matt Road  
Douglassville, PA 19518-9723  
Telephone (610) 326-9090  
Fax (610) 323-2327

97 MAY 27 11 08 AM

May 14, 1997

REC'D  
MAY 15 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 the 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.

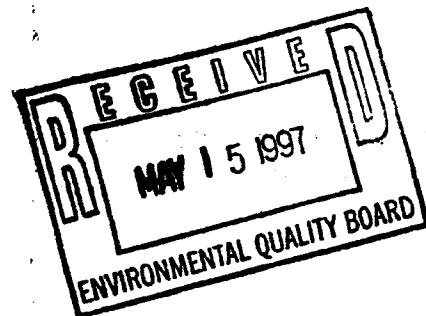
Very truly yours,

THE BASILE CORPORATION



Robert Basile  
President

RB:pak



**THE PINE CREEK VALLEY  
WATERSHED ASSOCIATION, INC.**

P.O. Box 239  
Oley, PA 19547



May 14, 1997

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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

Re: Proposed Rulemaking on Antidegradation  
as per March 22, 1997, Pa. Bulletin

Dear Mr. Seif:

The Pine Creek Valley Watershed Association hereby submits its written comments regarding the above.

PCVWA is an organization dedicated to the protection of the waters and ecosystem of the Pine Creek basin in eastern Berks County. Its members include the majority of landowners in the watershed.

As protectors of a watershed classified as "Exceptional Value", PCVWA keenly believes that a strong antidegradation policy is essential for the continued maintenance of the unique water quality of the Pine Creek. The proposed regulations, however, will do just the opposite. They will in effect allow the degradation of waters to occur with greater ease and frequency than the present federally (EPA) promulgated regulations. In sum, PCVWA demands that the EPA regulations remain in place.

PCVWA also submits the following comments regarding specific items:

GENERAL NPDES PERMITS, as per Chapt. 92.81

The present prohibition of general NPDES permits in Special Protection Watersheds should remain.

DEFINITIONS, AS PER Chapt. 93.1

In both the High Quality and Exceptional Value definitions, "watersheds" should replace "surface waters."

PROTECTED WATER USES, as per Chapt. 93.3

Both EV and HQ should remain as protected water uses. Their removal as such, by the proposed regulations, will allow DEP to alter the designation threshold, which will in turn lead to the reassessing and downgrading of present EV and HQ streams. EPA scrutiny is required to assure that politically motivated actions by DEP do not lead to decreased protection for our best waters.

EXISTING USES, as per Chapt. 93.4a

The fed. language "Existing in-stream uses and the level of water quality necessary to protect the existing uses shall be maintained and protected" should be adopted.

Endangered species should also receive protection here with specific language that will prohibit any activity in the known habitat of any Federal or Pennsylvania endangered or threatened species.

GENERAL REQUIREMENTS FOR HQ AND EV WATERS, as per Chapt. 93.4d

(a) Discharge alternatives/use of best technologies.

PCVWA is opposed to any new or additional discharge in EV waters. Pennsylvania's EV designation is regarded as the equivalent of the Federal Tier 3. As such, EV waters should be given the level of protection prescribed for ONRW's.

(b) Nonpoint sources.

Ditto the above comments for (a).

PUBLIC PARTICIPATION IN HQ AND EV WATERS, as per Chapt. 93.4e.

Local governments and residents should never have a veto regarding the designation of EV waters. It must be remembered that waters are jointly held by all the citizens of our state .

SUMMARY

In summation, certain provisions of the proposed regulations are less protective than the Federal regulations and the current EPA promulgated regulations for Pennsylvania. In the event that these provisions are not changed, we will request the EPA to retain the Fed. regulations for Pennsylvania. Thank you for your anticipated cooperation.

Very truly yours,



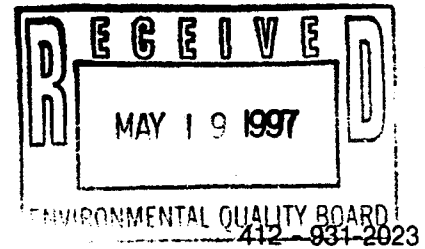
Ingrid E. Morning, Pres. & Gen. Counsel

cc: Michael McCabe  
EPA Regional Administrator  
841 Chestnut Building  
Philadelphia, Pa. 19107

Carol Browner  
U.S. EPA  
Waterside Mall  
401 M Street, S.W.  
Washington, D.C. 20460

**THOMSON PROPERTIES, INC.**

Suite 207 9400 McKnight Road  
Pittsburgh, PA 15237-6067



412 - 364-1146

FAX: 412 - 364-4231

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 14, 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 indicated 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 with 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,

A handwritten signature in dark ink, appearing to read "Alfred E. Thomson IV".

Alfred E. Thomson IV

May 15, 1997

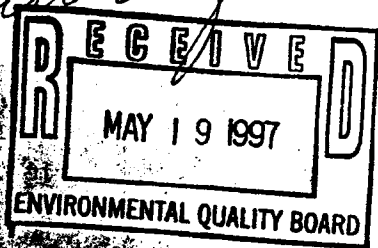
ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

To Whom It May Concern -

I have been made aware of a move in the legislature to weaken Pennsylvania's water quality through the DEP's anti-degradation proposal.

Please reject this proposal and do all you can to maintain and improve our state's water quality.

I would appreciate a response to my letter of concern.

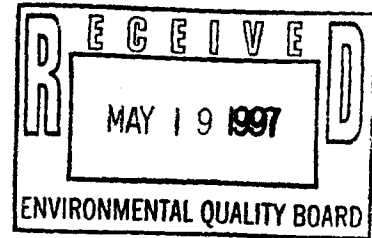


Sincerely,  
B. Jean Allison  
9 Arianna Lane  
Eugton, PA 19341

# VAUGHAN AND SONS

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COPIES: NONE  
(PER JHJ)

May 14, 1997



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

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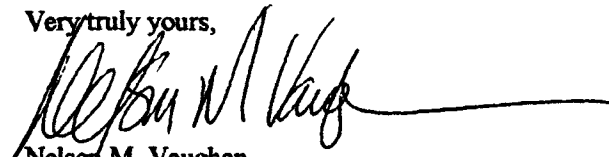
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Thank you for considering these comments.

Very truly yours,

  
Nelson M. Vaughan  
President

  
BUILDING ON INTEGRITY

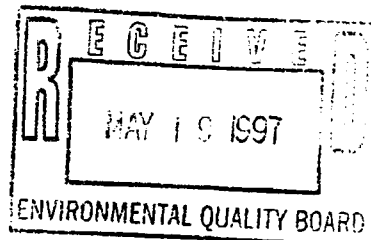
347 EAST CONESTOGA ROAD • WAYNE, PA 19087  
PHONE: 610 / 964-1813 • FAX: 610 / 964-1816



**Toll Brothers, Inc.**  
Quality Homes by Design®

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(PER JHJ)

May 14, 1997



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

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-Continued-

Mr. James Seif

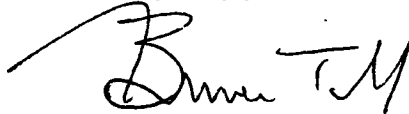
-2-

May 14, 1997

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.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce E. Toll". The signature is written in a cursive style with a large initial "B" and a stylized "T" at the end.

Bruce E. Toll  
President & Chief  
Operating Officer

BET/gat

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 15, 1997

E. Q. B.  
D. E. P.  
P. O. Box 8465  
Harrisburg, PA 17105

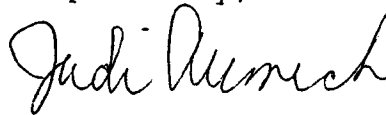
Dear Sir/Madam:

Please reject the DEP's antidegradation proposal.

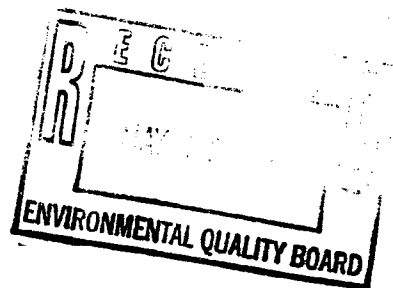
We need stronger standards for protection of our water.

Please respond.

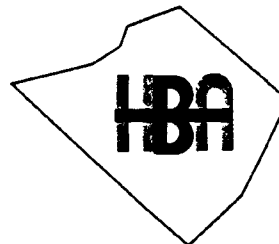
Respectfully,



Judi Aumick  
226 Wallula Avenue  
Butler, Pa 16001



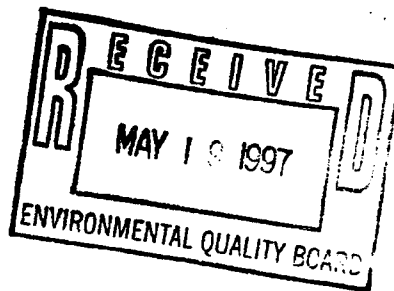
ORIGINAL: #1799  
COPIES: COCCOL, LI  
TYRRELL  
JEWETT  
SANDUSKY  
WYATTE  
BERESCHAK



## HOME BUILDERS ASSOCIATION OF BERKS COUNTY

1300 NEW HOLLAND ROAD • KENHORST, PA 19607 • 777-8889

May 15, 1997



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

Dear Secretary Seif:

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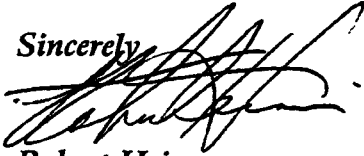


AFFILIATED WITH NATIONAL ASSOCIATION OF HOME BUILDERS

*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,*

A handwritten signature in black ink, appearing to read "Robert Heise", written over the word "Sincerely".

*Robert Heise  
Executive Director*

*tlc*

*cc: Dave Himmelberger  
Bob Ludgate, Jr.*

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

97 MAY 27 10 51 AM

MAIL ROOM  
RECEIVED

I N T E R O F F I C E M E M O R A N D U M

Date: 15-May-1997 07:12pm EST  
From: hcovon  
hcovon@juno.com@PMDf@DER003  
Dept:  
Tel No:

TO: regcomments ( regcomments@a1.dep.state.pa.us@PMDf@  
CC: mccabe.michael ( mccabe.michael@epamail.epa.gov@PMDf@  
CC: hcovon ( hcovon@juno.com@PMDf@DER003 )

Subject: PA ANTIDEGREDATION

The Committee For The Preservation Of Franklin Cove  
P>O> Box 263  
Langhorne, PA 19047

Harris Covon, Chairman

May 15, 1997

Mr. James Seif, Secretary PADEP  
Environmental Quality Board  
Harrisburg, PA

Re: As Plain As I Can Say It, PROTECT OUR WATERS.

Dear Mr. Secretary,

Pennsylvania has turned it's back on protecting the waterways of PA far to long. I have not been satisfied with this administration looking for ways NOT to protect our resources.

I ask you to, at the very least, meet and support the minimum federal standards.

I anticipated great thing from this administration under your command of PADEP. Do date I can only say that I am disappointed with your performance.

You want the citizens to believe what you tell us, as we watch you doing the opposite.

Mr. Secretary, how about it, the word is PROTECTION of the Pennsylvania environment. I would like to see some.

May 15, 1997  
317 S. Mill St.  
St. Clair, Pa. 17970

Ladies and Gentlemen of  
Environmental Quality Board:

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

This letter asks the Board to help Pennsylvania citizens protect their waterways comparative to the rest of the United States - we deserve no less. Please advise the Department of Environmental Protection that the Pennsylvania Water Quality regulations they are now proposing will weaken not strengthen EPA's weak water quality regulations.

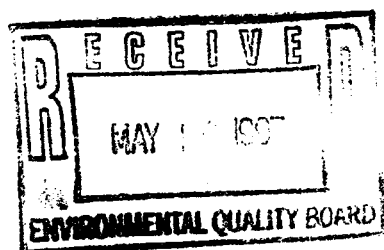
It is difficult to understand DEP's reasoning. Last year Environmental groups sued EPA for failing to step in and bring Pennsylvania into compliance with the Clean Water Act. In April, 1997. a settlement of the lawsuit resulted in the implementation of wide ranging programs to identify and restore the state's polluted streams rivers which should have been done decades ago. Under the settlement, a long term plan must also be developed to insure water quality standards in Pennsylvania.

Now, under the guise of bringing the state into compliance with federal law, DEP is proposing new regulations that not only fail to meet the standards of the Clean Water Act, but in some cases the proposed regulations are weaker than existing ones.

On second thought, don't advise DEP - in behalf of Pennsylvania's residents - tell DEP to strengthen standards for "Exceptional Value" streams. Tell them they must at least meet current standards for selecting "High Quality" streams. Tell DEP they must provide existing use protection while reviewing data. Tell DEP to protect and improve our waterways now and skip their expensive, ineffectual skirting of the real issue - protecting and improving Pennsylvania's environment.

Thank you for your consideration.

Sincerely,  
*Margaret Mansell*  
Frank and Margaret Mansell  
*Frank Mansell*



P.O. Box 407  
Lewis Run, PA 16738  
May 15, 1997

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

ORIGINAL: #1799  
COPIES: NONE  
(PER JHL)

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

Dear Mr. Seif::

My words alone are not enough to express my vehement opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens (according to the U. S. Environmental Protection Agency) the protections that exist under the current regulations promulgated for Pennsylvania and does not ensure that this state's highest quality waters will not be degraded.

Pennsylvania is home to many quality trout streams that draw anglers from throughout the world. Many activities including coal mining, excessive construction, polluted run-off, and industrial pollution threaten the pristine nature of these waters.

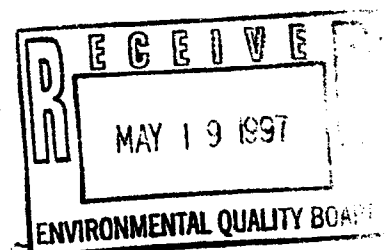
As a member of Trout Unlimited, I am aware of the ecological havoc that can be wreaked from degradation of water quality. Unless maintaining water quality is prioritized, the pervasive and diverse sources of the threats to water quality will surely prevail, and this valuable resource will be lost.

I understand that Pennsylvania 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.

I ask that you please consider my comments. I am certain that Rachel Carson would concur with my opinions if only she could be asked.

Sincerely,

  
Gregory E. Garthwaite





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COPIES: NONE  
(PER JHJ)

**SAMPLE LETTER**

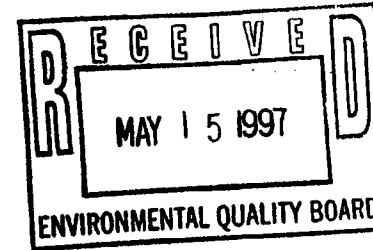
**Must be in Harrisburg by May 21, 1997**

(You must show Your Address)

999 Fishing Lane  
Valley Brook, Pa. 99999  
May 15, 1997

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

← **SEND TO THIS ADDRESS**



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 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 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 anti-degradation;
- 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,

*Your Name*

Your Name

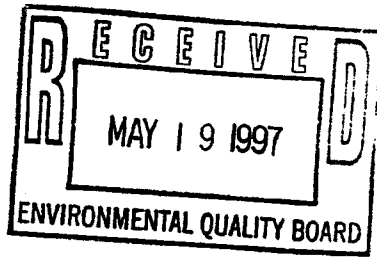
DAVID L. PIECI  
32 PENN AVE.  
COATESVILLE PA.  
19320

(make sure you sign)

*David L. Pieci*

MAY 27 1997

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)



5-15-97

Please  
Reject DEP  
Anti-degradation proposal  
on clean water

Sincerely,  
Eugen T. Martella  
218 Margaret Ave  
Jannette Pa  
15044

412-523-5164

97MAY 27 11:18:48

INTEROFFICE MEMORANDUM

Date: 15-May-1997 10:12pm EST  
From: ddm107  
ddm107@psu.edu@PMDF@DER003  
Dept:  
Tel No:

TO: RegComments ( RegComments@A1.dep.state.pa.us@PMDF@  
CC: mccabe.michael ( mccabe.michael@epamail.epa.gov@PMDF@  
Subject: Comments on Antidegradation Proposal

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

Dear Mr. Seif:

DEP has proposed antidegradation regulations to replace the regulations promulgated by EPA. Unfortunately, you have not learned anything since the time EPA disapproved your program nearly three years ago. I have the following specific comments.

General Provisions

By removing High Quality and Exceptional Value as "protected water uses," DEP makes protection of our best streams subject to roll backs. I oppose this.

DEP should extend antidegradation to all permitted activities, not just discharges.

DEP ignores wetlands in their antidegradation proposal.

Our unassessed streams should be protected at least at the Tier 2 level, unless a permit applicant can demonstrate otherwise.

The proposal makes it easier to ignore springs, seeps, wetlands and tributaries, because HQ and EV are defined as "surface waters" rather than "watersheds." DEP ignores their own statements about "watershed" protection with this provision.

Tier 1

The proposal says that existing uses will be protected only after DEP evaluates the technical data. This puts a condition on existing use protection that is not in

the Federal regulation.

#### Tier 2

DEP wants only to give the HQ designation to streams that pass a chemistry and biology test. EPA considers only a water chemistry test.

DEP now proposes to allow "general NPDES permits" in HQ streams. These are not tracked by DEP, and will allow degradation of these waters without any type of social or economic justification. This is not permitted by the current regulation. DEP also plans on allowing the first 25% of the stream to be degraded without any social or economic justification. This has no basis in Federal regulation. The language mentioning non-point source pollution is weaker than the current language for HQ streams.

#### Tier 3

The definition of "Exceptional Value" streams still mentions State Parks, Forests, Game Lands and other public lands, but the "selection criteria" in the proposed Chapter 15 does not consider public lands in any way. Why are we giving our best streams less consideration than before?

DEP should close the major loophole that allows water quality degradation, but calls it "no measurable change."

As far as "public participation" in EV waters is concerned, the guidance should be set up and the streams given the designation if they merit it. These are waters of the Commonwealth.

#### Summary:

This regulation should have incorporated the few good features from DEP's old regulations and guidance, as well as the minimum Federal features that we have now. Unfortunately, it instead deleted all that was good about the old DEP program and added loopholes to negate the minimum Federal requirements.

The EQB should reject this regulation.

Sincerely yours,

Daphne D. Minner  
P.O. Box 202  
Lemont, PA 16851

cc: USEPA Region 3, Philadelphia



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(PER JHJ)

9976 Newark Blvd.  
Hefford, PA 15090  
May 15, 1997

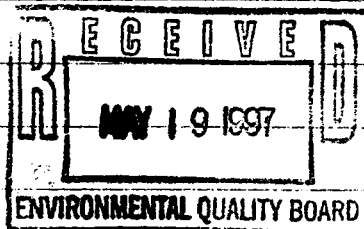
Environmental Quality Board  
DEP, P.O. Box 8465  
Harrisburg, PA 17105

To whom it may concern:

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

Thank you,  
(Mrs. John P.) Catherine S. Halladay

P.S. Please send a reply.  
Phone: (412) 935-2488



May 15, 1997

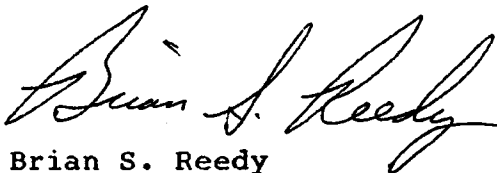
Dear Mr. Seif,

This letter is to protest the proposal to meddle with the current regulation protecting the "existing uses" of our waters. Right now, we have language protecting existing uses because DEP failed to include such language, and EPA was ordered to write a regulation by a Federal judge. At last we have protection that the Clean Water Act intended.

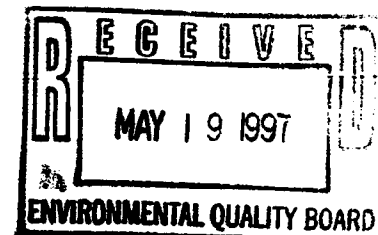
The proposal in the March 22, 1997 PA Bulletin gives DEP an important "out." It says that the existing use will be protected only after DEP evaluates the technical data. Until then, DEP is under no obligation to protect the existing uses. With DEP's misguided "money back guarantee," DEP will not have time to evaluate "existing uses" and will simply not do so. Under the regulation, the protection is qualified, so the regulation will not be violated.

Here in southwestern PA, we are losing streams to coal mining, both from waste disposal sites and from subsidence. We need strong existing use protection and an agency that is willing to use it. I am against any proposal for existing use protection that qualifies the Federal language as this proposal does. Change the language to the Federal language. Thank you for your attention in this matter.

Sincerely your,



Brian S. Reedy  
Member of Chestnut Ridge Chapter, Trout Unlimited





ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

BREENA E. COATES  
75 Locksley Drive  
Pittsburgh, PA 15235  
(412) 824-3803

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

May 15, 1997

Ladies and Gentlemen:

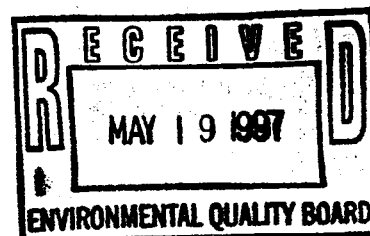
I am writing to ask you to please reject the DEP's anti-degradation proposal. We need strong standards to protect our water in Pennsylvania.

Please acknowledge receipt of this in writing.

Sincerely,

*Breena E. Coates*

Breena E. Coates

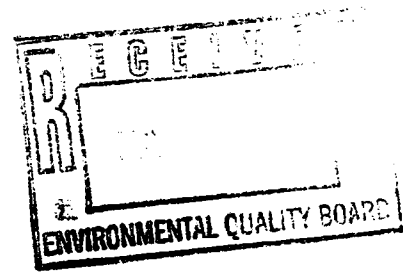


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(PER JHJ)



May 15, 1997

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



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Mr. James Seif  
Page 2  
May 15, 1997

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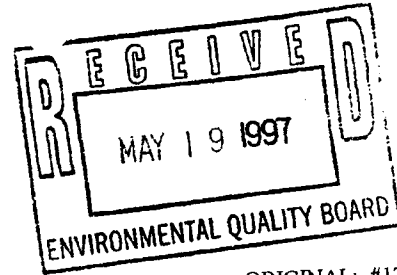
Thank you for considering these comments.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard L. Snyder', written in a cursive style.

Richard L. Snyder

RLS:pc



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

1033 Harmony Hill Rd.  
Downtown, Pa. 19335  
May 15, 1997

Environmental Quality Board  
DEP  
POB 8465  
Harrisburg, Pa. 17105

Gentlemen:

This letter is to express my opposition to the new clean streams proposal (Antidegradation Regulations - PA Code Chapters 92, 93 and 95 published 1/21/97). The changes resulting from the new proposal will substantially weaken protection of our waterways and open loopholes to degrade our State's most valuable streams. HQ and EV need to continue as protected water uses. Weight must be given to public lands in the selection process. No discharge regulations must be maintained on EV streams. Wetlands protection must be included. For waterways not yet designated, the selection process must be speeded up.

From an economic point of view, it is obvious from past experience that once a waterway is degraded the cleanup is far more expensive and difficult than initial protection. Lower water quality standards today will mean a high expense in the future. It could also negatively impact the world class trout fishing that now brings economic benefit to many areas of Pennsylvania.

No new discharge should be allowed on EV streams, HQ protection should be afforded waterways that met either of the two standards, and existing use should be protected at current levels. The existing regulation is far better than the new proposal as now written.

Sincerely,  
  
Kenneth Van Gilder

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

SHARAD K. SINGH . 75 Locksley Drive . Pittsburgh, PA 15235 . (412) 824-3803

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

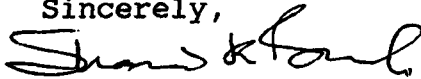
May 15, 1997

Ladies and Gentlemen:

I am writing to ask you to please reject the DEP's anti-degradation proposal. We need strong standards to protect our water in Pennsylvania.

Please acknowledge receipt of this in writing.

Sincerely,



Sharad K. Singh



57 JUN-8 PM 9:46

INTEROFFICE MEMORANDUM

Date: 15-May-1997 08:20pm EST  
From: Ron Lutz  
rclutz@bedford.net@PMDF@DER003  
Dept:  
Tel No:

TO: RegComments ( RegComments@A1.dep.state.pa.us@PMDF@

Subject: Proposed Antidegradation Regualtions

I am writing to express my opposition to thje proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under current regulations promulgated for Pennsylvania 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. Pennsylvania is home to many outstanding trout streams that attracts 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 that unless we make protecting high water quality a top priority, we will lose it.

I understand that Pennsylvania Trout Unlimited 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 set of regulations is vastly preferable to the proposals as now written.

Sincerely,

Ronald C. Lutz

**SAMALL PROPERTIES, INC.**

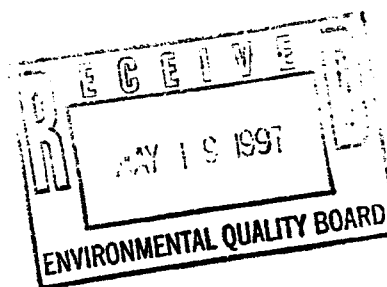
P.O. Box 927  
Milford, PA 18337

Tel: (717) 296-6249

Fax (717) 296-8006

May 15, 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 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.

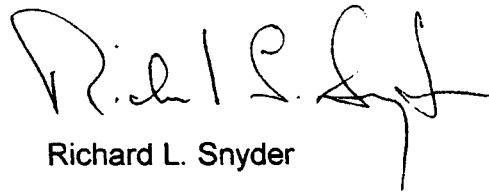
We support the department's efforts to reduce the permitting burden for applicants included in this proposal. The provisions regarding dischargers with minimal impact are

Mr. James Seif  
Page 2  
May 15, 1997

welcomed. We 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.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Richard L. Snyder". The signature is written in black ink and is positioned above the printed name.

Richard L. Snyder

RLS:pc



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

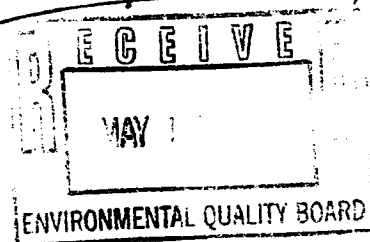
Mrs. Herbert B. Serecter  
200 ~~No~~ Church Street, Mount Pleasant, Pennsylvania 15666-1205

To whom it may concern,  
I am requesting that the  
Board reject the DEP proposal,  
the anti-degradation proposal.  
The public is entitled to exist  
in clean air.

Sincerely,

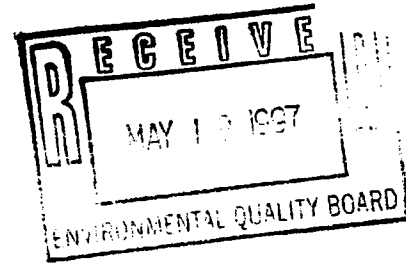
Mrs. Herbert B. Serecter

May 15/1997





A COUNCIL OF TROUT UNLIMITED



Date: May 15, 1997

From: Pennsylvania Trout (Jack Beck-President; Terry Morrow and Jack Williams-Environmental Committee)

To: Environmental Quality Board

Re: Summary of Pennsylvania Trout comments to the proposed rulemaking on antidegradation published in the March, 1997 PA Bulletin

Chapter 92.81. PA Trout advocates the total prohibition of general NPDES permits in Special Protection Watersheds.

Chapter 93.1. In both Exceptional Value and High Quality definitions "surface waters" should be replaced with "watersheds."

Chapter 93.3. PA Trout opposes deleting HQ and EV from the list of protected water uses. Removing HQ and EV from the list of protected water uses removes designation changes from necessary EPA scrutiny.

Chapter 93.4a. PA Trout opposes the language that conditions protection of existing uses on the "Department's evaluation of technical data." The regulation should unequivocally state that existing uses and water quality must be protected.

Chapter 93.4b. (a) We advocate assessing each stream using chemistry and biology, but allowing a stream to qualify on the basis of biology or chemistry. (b). PA Trout supports linking degradation of water quality, a public resource, to benefits accrued by the public. We oppose limiting the protection of High Quality Waters to "discharges." The word "discharges" should be replaced with the word "activities." (f) PA Trout opposes 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. 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. (a) "Watersheds" should be the relevant unit designated rather than "surface waters" 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 largely disregarded. (b) The federal prohibition against any discharges into EV waters must be maintained.

Chapter 93.4d. (a) 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) The State must ensure that all required nonpoint source controls be in place before permitting any degradation.

Chapter 93.4e. (a) (b) 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. (e) Public hearings should be held on any proposed discharge to HQ waters.

Chapter 93.7. PA Trout supports the retention of higher dissolved oxygen criteria for HQ streams and "existing quality" for EV streams.

General Comment. The proposal is silent on how DEP plans to integrate this program with the wetlands protection program.



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 15, 1997

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

Dear Jim,

I appreciate the opportunity to comment on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. This is an important proposal. My comments are as follows:

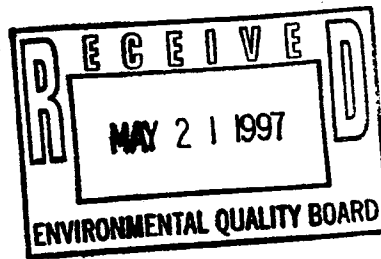
This proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. I would hope that the DEP adopt 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 of 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.



May 15, 1997

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



As a concerned citizen, I am writing to urge you to reject the D&D's current anti-degradation proposal. Efforts should be made to adopt the simpler, better standards of the EPA to make our waterway safe.

Please reply as to your decision to me at the address below.

Sincerely,  
Monique Rowen

MONIQUE ROWEN  
9 PANSY COURT  
NEWTOWN, PA 18940

May 15, 1997

E. Q. B.  
D. E. P.  
P. O. Box 8465  
Harrisburg, PA 17105

Dear Sir/Madam:

Please reject the DEP's antidegradation proposal.

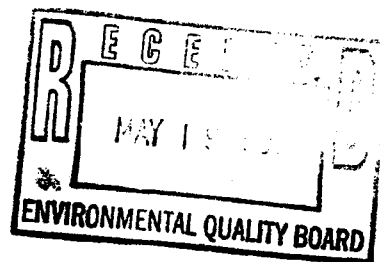
We need stronger standards for protection of our water.

Please respond.

Respectfully,

*Mary Lou Wilbert*

Mary Lou Wilbert  
1015½ Center Avenue  
Butler, PA 16001



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COPIES: NONE  
(PER JHI)

May 15, 1997

Environmental Quality Board  
PO Box 8465  
Harrisburg, PA 17105

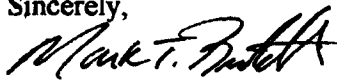
Subject: Anti Degradation Proposal

Dear Board,

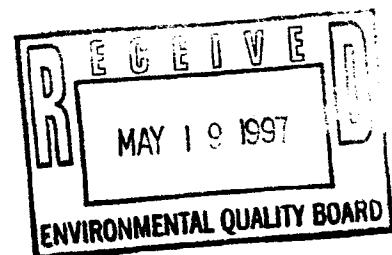
I write this letter in opposition of the D.E.P.'s Anti Degradation Proposal.

Please respond to this letter to: Mark Restelli  
453 Monmouth Drive  
Cranberry Twp. PA 16066

Sincerely,



Mark T. Restelli



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

Margaret W. McLaughlin  
308 East Front Street  
Media, PA 19063

May 15, 1997

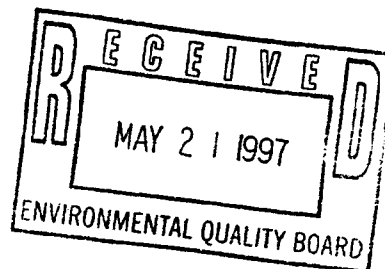
Environmental Quality Board  
DEP  
P. O. Box 8465  
Harrisburg, PA 17105

Dear Ms/Sir:

I am concerned about the proposed new regulations regarding water quality that are being proposed by the DEP. My understanding is that the regulations would result in lower water quality standards. I am requesting that the DEP's current anti-degradation proposal be rejected.

Thank you,

  
Margaret W. McLaughlin



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 15, 1997

Trish Sneddon  
433 Kingwood Rd.  
King of Prussia, PA 19406

Environmental Quality Board  
DEP  
PO Box 8465  
Harrisburg, PA 17105

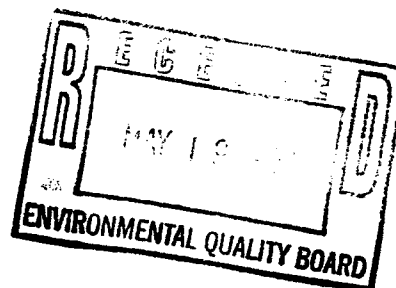
I am urging you to reject the proposed new water quality regulations. They do not do enough to protect our state's waterways. I do not want to see additional discharges into our best streams, and I do not want to make it harder for other streams to qualify for stronger protections. We need **STRONGER** protection for our lakes, rivers and streams. There are **NO REASONS** good enough to justify lowering our standards.

Please let me know what you intend to do about this issue.

On behalf of myself and future generations,



Trish Sneddon

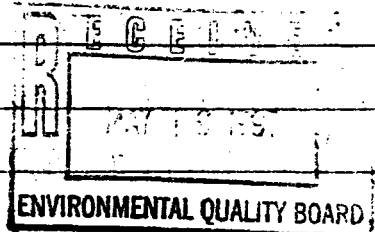




709 Birdman Road  
Hooversville, PA 15936  
May 15, 1997

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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



Dear Mr. Seif:

We oppose the antidegradation proposal published in the March 22, 1997 Pennsylvania Bulletin. There are many poor provisions in the proposal. We have the following specific comments:

### General Provisions

- ① Any stream currently designated High Quality and Exceptional Value should continue to be so designated. There should be no effort to roll back protections on these streams.
- ② All activities, not just "discharges" should be considered in extending protection for HQ + EV watersheds.
- ③ Wetlands should be included in any antidegradation proposal, as the current EPA regulation specifies.
- ④ All unassessed streams (29,000 miles in PA) should be designated as TIER 2, unless a permit applicant can prove otherwise.
- ⑤ DEP needs to keep the current regulation designating "watersheds" as HQ or EV. The proposal to change the criteria to "surface waters" ignores springs, seeps, and wetlands.

### TIER 1 Streams

- ① Existing uses of these streams should be protected

as specified by the EPA regulation under the Clean Water Act. DEP's proposal to do this only after evaluating all technical data is unacceptable.

② Endangered species must be protected from any and all activities that harm them, not just discharges.

### TIER 2

① The proposal makes it harder to designate a stream as high quality by adding a biology test while the EPA considers only a <sup>chemical</sup> water quality test. The EPA standard should be used in high quality designations.

② No "general NPDES permits" should be allowed in high quality streams.

③ Nonpoint source pollution language needs to be stronger; DEP's proposal makes them weaker. Stronger non-point source language is essential.

④ The first 25% of a stream's assimilative capacity should not be exempted from regulation, as DEP proposes. This has no basis in federal regulations.

### TIER 3

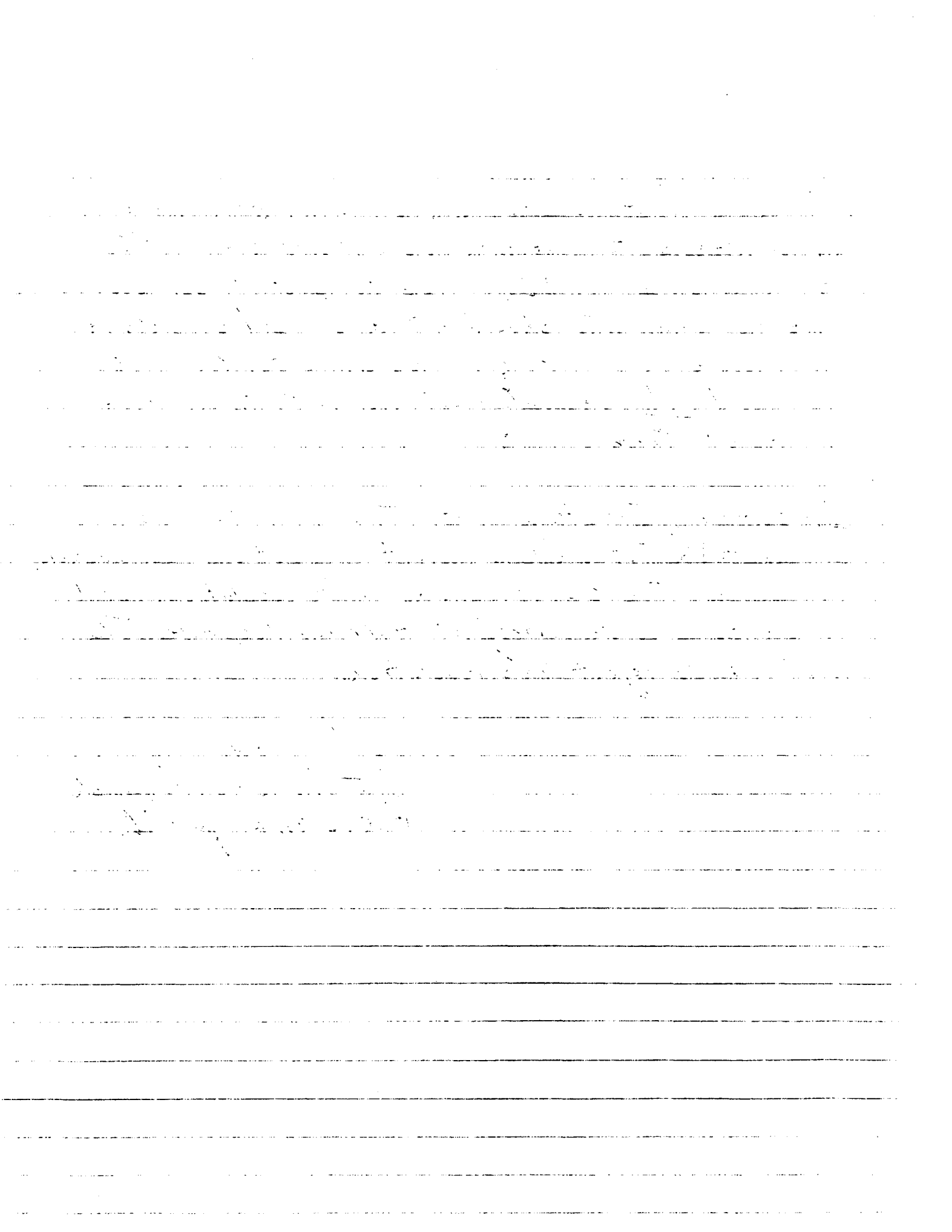
① The definition of "Exceptional Value" streams should not be weakened, as DEP proposes. The old "Special Protection Waters Implementation Handbook" is vastly superior to the proposed regulations and should be used.

② The loophole allowing water quality degradation as long as there is "no measurable change" should be closed. A series of such degradations could add up to major long term problems.

③ There should be no provisions for local developers or businesses to exercise veto power over TIER 3 streams. It is DEP's job to protect our best streams and DEP should not be swayed by pressure from developers or local governments. Our streams belong to all Pennsylvanians, not just those who want to exploit them.

In summary, Secretary Seif, this proposal is unacceptable. It weakens current regulations considerably, it ignores the law, it ignores EPA regulations, and it creates a wide variety of technical loopholes. The EQB should reject this regulation.

Sincerely,  
Steven James Raybick  
Helen M. Raybick



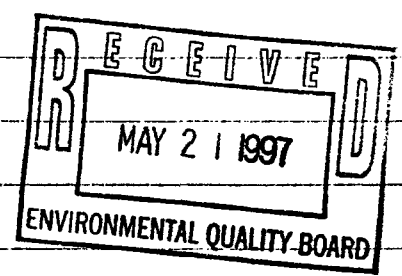
May 16, 1997

Dear Sir/Madam,

Please reject the DEP's anti-degradation proposal.

Thank you.

Jim Kulman  
8 Albis Lane Pl  
Newtown, PA 18940



May 16, 1997  
Everett, PA 15537

Mr. James Seif  
E.Q.B.

PO Box 8477  
Harrisburg PA 17105-8477

RE: Proposed Antidegradation Regulations changes by DEP

Dear Mr. Seif:

I am definitely opposed to the changes proposed by DEP to change the federal Clean Water Act. We have far too many polluters now and the changes will only weaken our protection. Better to leave it alone or make it stronger if anything. Right now we're #4 in the fish consumption advisories in the USA (reference article OutdoorLife May 97 "Name your Poison") Would we wish to go upon the list?

My husband & I have built our home on the banks of the Raptown Branch of the Susquehanna river, our representative in Congress is the Honorable Bud Shuster. Need I say more? We feel the people deserve more and the earth certainly deserves more respect & attention than it's been getting.

Hoping you consider our opinion sincerely,  
Janet L. Loran



May 16, 1997

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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 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.

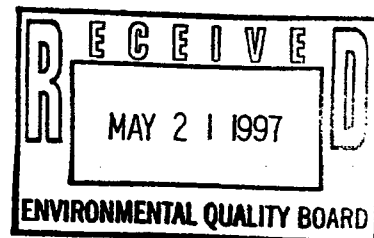
The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees,, the appropriate municipalities, planning commissions and all applicants 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 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 black ink, appearing to read "James Seif", written over a horizontal line.



uncompromising quality ■ simplicity ■ custom builders of finer homes

414 SOUTH YORK STREET REAR PO BOX 7 MECHANICSBURG, PA 17055 717.697.6607 FAX 717.697.8704

**John H. Kerr, M.D.**

Internal Medicine

418 E. Lancaster Ave.  
St. David's, PA 19087

610-688-8788  
FAX: 610-688-0424

May 16, 1997

Environmental Quality Board  
DEP  
POB 8465  
Harrisburg, PA 17105

**RE: New Proposal / Water Quality Rules**

Gentlemen:

I am objecting to the proposed new rules.

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 tactics which have twice recently resulted in litigation which found the DEP at fault and the EPA forced to step in.

The new proposal is, for all intents and purposes, worse! Such as:

"High Quality and Exceptional Values" 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;

Should not allow discharges in and degradation of "EV" waters;

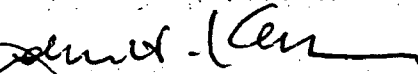
There is no integration of wetlands protection with antidegradation;

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

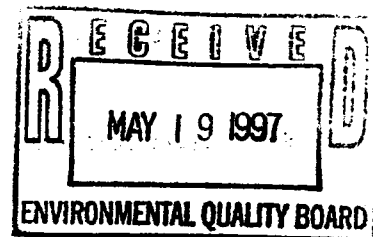
The proposal is filled with items which are damaging to the environment. It should not be given any credence in its present form - these regulations should be rejected!

Please convey my feelings to the members of the board.

Sincerely,



John H. Kerr, M.D.



System Members:

- Bryn Mawr Hospital
- Bryn Mawr Rehab
- Community Health Affiliates

- Great Valley Health
- Lankenau Hospital
- Paoli Memorial Hospital

- Thomas Jefferson University Hospital



Glen Gutgold  
747 Carlson Rd.  
Hummelstown, PA. 17036

May 16, 1997

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

RE: proposed Antidegradation Regulations  
(Revisions to PA Code Chapters 92,93, and 95  
published on 1-21-97

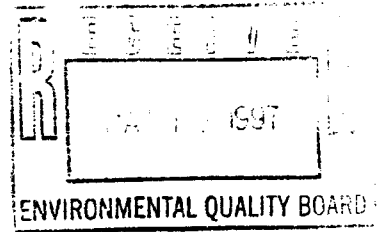
Dear Mr. Seif,

I am writing to vehemently express my opposition to the new proposed antidegradation regulations. I fully understand that this proposal will further weaken existing regulations. Even current regulations are not enough to protect the state's highest quality waters. This was proven just last year when a mining permit was granted to allow the mining of limestone in a particularly sensitive area in the Penns Creek watershed. This was done after the state granted Exceptional Value status to two (2) tributaries, Pine and Elk Creeks. To allow additional degradation is ludicrous and should not be permitted to take place. Furthermore, the state does not even currently meet the criteria set in place by the E.P.A.

As a member of Trout Unlimited, I am painfully aware of such ecological damage that could be done by degradation of water quality. This state, whether its realized by the appropriate people or not, is a potential windfall for tourism dollars due to the fantastic fishing opportunities that are found within our state's borders. These waters need protection from many different threats if they are to provide future generations with a source of revenue and recreation. Please do not let a tragedy take place. Once a stream is harmed it takes several generations to heal, even with help from groups like Trout Unlimited. Meanwhile the resource is lost, and peoples livelihoods vanish. Most times this done with no long term gains, just a one time gain for a minority interest.

I am aware that Trout Unlimited is submitting comments on the proposed regulations and their shortcomings. These regulations in question should not be adopted until ALL the problems pointed out in the comments by T.U. are addressed in a manner that is satisfactory to the environmental groups involved. The existing regulation is overwhelmingly preferable to the proposed regulations. I urge you to fully consider this proposal, and what long reaching affects it could potentially have for the residents of Pennsylvania. It is true that it could benefit some, but at what price? Do we forsake long term protection and success of many for the immediate gain of a few individuals? I expect you to make the right and ethical decision. Thank you for your consideration.

Sincerely,



ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

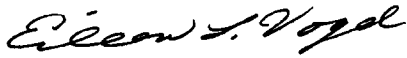
ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 16, 1997

EQB  
Post Office Box 8465  
Harrisburg, PA 17105

Please reject the DEP anti-degradation proposal.

Sincerely,



Eileen L. Vogel  
138 Carriage Hill Road  
Glenshaw, PA 15116



ORIGINAL: #1799  
COPIES: NONE  
(PER JH)



Doris Fauser

5/16/97.

EQB

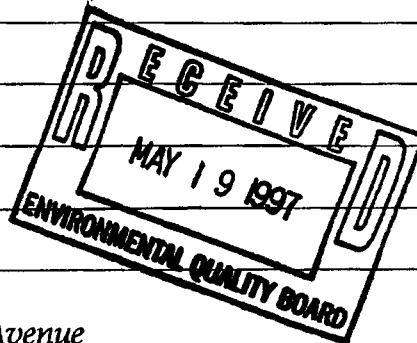
P.O. Box 8465

Harrisburg, PA 17105

Reject the D.E.P.  
Antidegradation Proposal

Please reply.

Yours truly,  
Doris E. Fauser



2326 Borbeck Avenue  
Philadelphia, PA 19152

## D and C Development

573 West Valley Road  
Wayne, PA 19087  
FAX 610 . 341 . 9355  
Phone 610 . 341 . 0259

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COPIES: NONE  
(PER JHJ)

May 16, 1997

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 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 1996-1, 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,

D.J. DeLess

cc: John Dewey, Chester/Delaware HBA

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 16, 1997

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

Reference: WATER QUALITY STANDARDS

Ladies and Gentlemen:

I respectfully request that you reject any Department of Environmental Protection proposal that would lower the existing quality standards for Pennsylvania waterways.

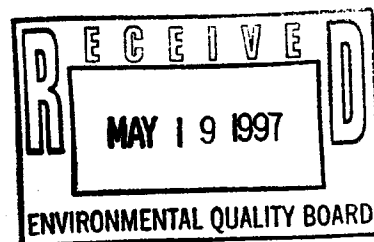
It is vital we continue progress — and not take any backward steps — in the fight for clean waters. So much depends on sustaining and improving clean waterways.

Please respond to this plea for sensible action. I appreciate your consideration and attention.

Sincerely yours,



Arlene Collamer  
617 Walnut Street  
Latrobe PA 15650-2031



3/16/95

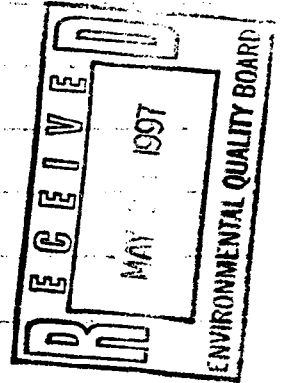
JEFFREY LIPTON  
4 HIBISCUS PLACE  
NEWTOWN, AL 36940

TO: ENVIRONMENTAL QUALITY BOARD  
DEP  
P.O. BOX 8465  
HARRISBURG, AL 37105

Dear Sirs:

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

Jeffrey Lipton





# United States Department of the Interior

DELAWARE WATER GAP NATIONAL RECREATION AREA  
CITIZENS ADVISORY COMMISSION

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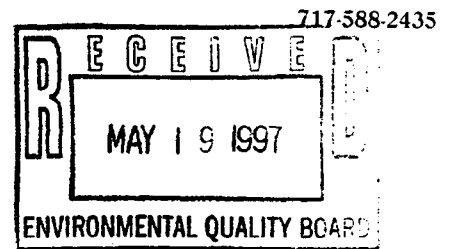
P.O. Box 284  
Bushkill, Pennsylvania 18324

IN REPLY REFER TO:

A18 (CAC)

May 15, 1997

James Self, Secretary  
Department of Environmental Protection  
PO Box 8477  
Harrisburg PA 17105-8477



Dear Mr. Self:

As Chairman of the Natural Resources Committee of the Department of Interior, National Park Service Delaware Water Gap National Recreation Area Citizens Advisory Commission, I would like to express our sincere concern regarding the proposed Water Quality Amendments - Antidegradation - as identified in PA Code 25, Chapters 92, 92, and 95.

Essentially, I feel these proposed amendments and revisions to PA Code 25 will seriously erode the existing regulations and eventually allow for a considerable degradation of many of our waters.

This Commission took an extremely strong stand in supporting, through the Delaware River Basin Commission, an upgrade of water quality regulations for the Delaware River Watershed upstream of the Delaware Water Gap. As you know, we have, in this section of the watershed, two Federally mandated National Park Service units with mandated Outstanding Basin Waters.

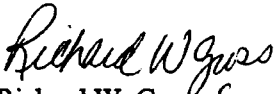
I have several questions:

How will the proposed PA regulations effect, if they do, the special regulations now in effect in the Watershed of the Upper Delaware? We are adamantly opposed to any changes in exceptional value (EV) waters presently protected within the outstanding basin waters and watershed, including those within Delaware Water Gap National Recreation Area.

How will these proposed regulations affect these waters (Toms Creek, Adams Creek, Saw Kill Creek)?

I appreciate the opportunity to comment on these proposed regulations and am willing, if necessary, to make a formal presentation before your board.

Sincerely,

  
Richard W. Gross  
Chairman, Natural Resources Committee

05/16/97

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

Dear Mr. Seif:

The saying goes "If it isn't broken don't fix it". This applies to the proposed anitidegradation regulations for PA. The current regulations are fine; the new ones will weaken them. The US EPA has fine regulations that prtect PA waters, and should be left in place.

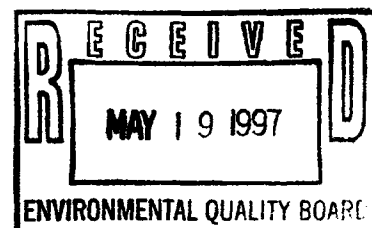
Protection of our fragile ecosystems is a priority issue. PA has some of the worlds best trout streams and they must be protected with stringent regulations. Many sources threaten our streams, and unless they are kept under control, our streams will disappear. Hurting our streams also hurts the economic viability of many communities that depend on fishermen for a goodly portion of their income.

The comments that PA trout Unlimited has submitted clearly demonstrate the shortcomings of the proposed regulations. Unless these shortcomings are overcome, the existing regulations are far more preferrable than the proposed ones.

Sincerely,



Joseph Pugach  
1035 Eagles Nest Lane  
Monroeville, PA 15146





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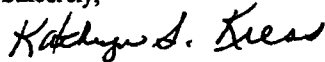
Kathryn S. Kress  
536 Orchard Ave.  
Bellevue, PA 15202-3136  
May 16, 1997

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

Dear Sirs and Madames:

I urge you to reject the DEP's current anti-degradation proposal. It would result in lower water quality standards, increased costs to municipal water authorities, and a greater threat to public health and safety. Instead of these proposals, we need proposals that result in improved water quality. I appreciate the cleanliness of the waters in the Clarion River basin while on vacation, for example. Lower water quality would affect recreational activities as well as the quality of everyday life. Please act in the public's interest on this matter.

Sincerely,



Kathryn S. Kress





REAL ESTATE • DEVELOPMENT

2236 WEST 38TH STREET • ERIE, PA 16506 • 814/833-6516 • FAX 814/838-3883

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(PER JHJ)

May 16, 1997

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

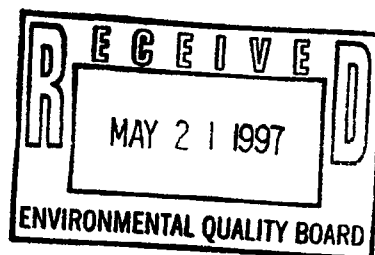
Dear Secretary Seif:

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.





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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,

John D. Maleno

JDM/amc



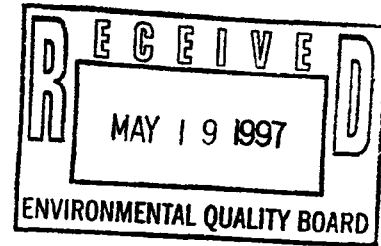


## MONTGOMERY COUNTY PLANNING COMMISSION

box 311 ♦ norristown, pennsylvania 19404-0311 ♦ (610)278-3722 ♦ FAX (610)278-3941  
office location: suite 201 ♦ one montgomery plaza ♦ swede and airy streets ♦ norristown, pa

May 16, 1997

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



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

Dear Board Members:

Following review of the proposed water quality amendments, published in the Pennsylvania Bulletin March 22, 1997, we offer the following comments:

### **Determination of Social or Economic Justification**

Maintaining and protecting existing water quality in a watershed is the foundation of the special protection waters designated High Quality. However, High Quality waters may be degraded when there is an important social or economic justification (SEJ) that outweighs the expected water quality degradation. Currently, the review of the SEJ analysis is coordinated by the Assistant Director of the appropriate Regional DEP Office based upon review of staff evaluations. The review of a SEJ analysis is a complex process, involving familiarity with a number of distinct non-environmental disciplines. To improve the review process the Board should consider the creation of an independent review board, or utilizing an existing board if possible, that is comprised of individuals with background in social and economic analysis, as well as DEP and independent environmental specialists. In addition, an independent statewide board would be able to provide a systematic review of all projects, ensuring the uniform protection of High Quality waters, regardless of their location within the state.

### **Mitigation of High Quality Waters Degradation**

Once the SEJ requirement has been met to allow degradation of High Quality Waters, including consideration of alternatives to stream discharge that are environmentally sound and cost effective, some final mitigation should be required to offset the degradation. This mitigation could involve on- or off-site watershed improvements of non-point source pollution through the implementation of best management practices. It may also involve the elimination or improvement of existing point discharges. For example, a new sewage treatment plant may be able to be designed to accept flows from an existing plant (especially non-municipal) that may be in need of an upgrade. The development of a regional stormwater basin that provides water quality benefits (i.e., extended retention) may also be able to reduce the total pollutant loading on the High Quality Waters. In short, the Board should consider adopting a mitigation strategy that requires minimization of any degradation, beyond permit limitations of the approved system. The Board could also consider adopting a "no net-degradation policy" as part of the alternatives analysis that considers all methods (i.e., on- and offsite improvements) of minimizing the degradation.

**Designation Process**

The current system of designation as a special protection watershed is often a convoluted and drawn-out process. While we understand that many of the "steps" are required by law, and involve many political considerations, there seems to be a lack of process disclosure. Our experience with the designation process often involves much second-hand and anecdotal information. The long time-frame of the process also contributes to a reduction in interest by the general public, resulting in much confusion. The Board should consider appointing a staff contact for each watershed as they move through the designation process. The Board may also consider publishing a biannual fact sheet, or update, for each watershed in the process. A well informed public will be much more responsive, increasing the value of the public participation process.

We hope the Board considers these comments as they finalize amendments to the Commonwealth's Water Quality Regulations. If you have any questions regarding our comments, please give me a call at 610-278-3745.

Sincerely,

A handwritten signature in black ink that reads "R. Eric Jarrell". The signature is written in a cursive, flowing style.

R. Eric Jarrell  
Environmental Planner



NESHAMINY WATERSHED ASSOCIATION  
BOX 633 RUSHLAND, PA 18956 (215) 598-7791

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

5-16-97

Mr. Edward R. Brezina  
Commonwealth of Pennsylvania  
Department of Environmental Protection  
Bureau of Watershed Conservation  
P O Box 8555  
Harrisburg, PA 17105-8555

RECEIVED PA DEP  
DIV OF WQ ASSESS & STDS  
97 MAY 20 AM 10:40

Dear Mr. Brezina,

We wish to express our concerns about the Proposed Antidegradation Regulations. We believe that the proposed regulations contain serious deficiencies which are not acceptable.

Among our concerns are the following:

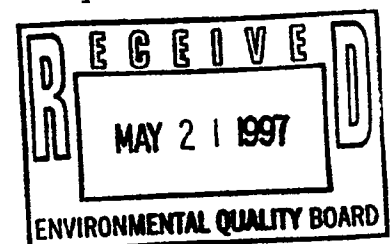
1. Establishing a dual test (chemical & biological) for High Quality and Exceptional Value streams.
2. Removing High Quality & Exceptional Value as protected uses.
3. Protection of a stream depends upon when and if DEP determines the "existing uses".
4. General permits allowed in high quality waters.
5. No justification for uses that degrade up to 25% of a streams assimilative capacity.

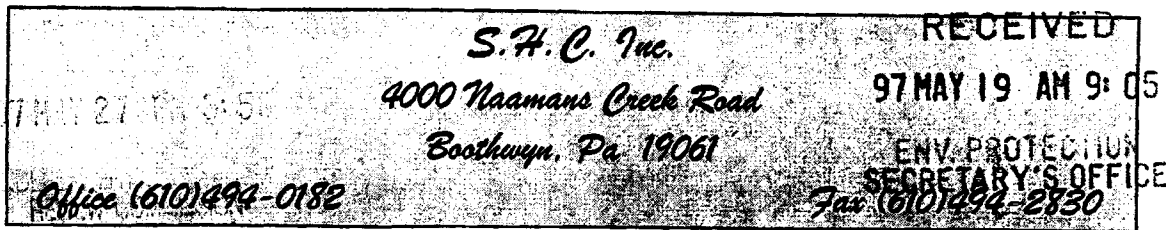
These concerns are among many that we have with the proposed regulations. We believe that the proposed regulations must be rewritten. We support the continuation of the current federal regulations until such time as PA DEP writes regulations that clearly and concisely protect the water resources of the commonwealth. Unless further degradation of our streams and waterways is made the policy of the State of Pennsylvania, we wish to remain under federal regulation.

Sincerely,

  
Richard G. Myers, President

cc. Secretary James Seif, Chair, Environmental Quality Board  
Michael McCabe, Regional Administrator, EPA





May 16, 1997

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

Dear Secretary Seif,

I am writing to you concerning the DEP proposed stream designation regulations.

My first concern is why the Commonwealth of Pennsylvania has a program which is different from that of the corresponding federal program. It was my understanding that the governor's executive order 1996-1 requires the department to revise all of its regulations and to bring them in to a balance with these federal programs.

Pennsylvania is second only to Alaska in its number of streams. If we continue to move forward using the current regulations and anti-growth mentality we will deprive the citizens of Pennsylvania with reasonable and affordable homes.

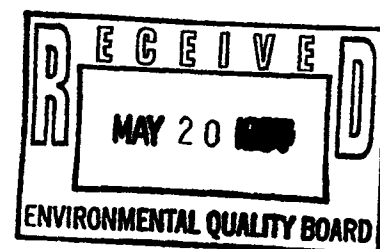
As you know some streams which have been classified as exceptional value would not meet the federal standards.

I hope that this will not continue and that a true and honest balance is struck between our environment and our rights as citizens of Pennsylvania.

Best Regards,

Scott H. Cannon  
S. H. C. Inc.- President  
Also A Member Of The  
Citizens Advisory Council

SHC/rmc



W. L. Williams  
646 Clovelly Lane  
Devon, Pa. 19333

May 16, 1997

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

Re: New Proposal for Quality Water Rules

Gentlemen:

I am writing to protest against the new proposals for water quality rules.

The continued effort of the DEP to avoid reasonable protection for Pennsylvania waters is really disgraceful. The State's Representatives have been totally ineffective in their actions. These actions have at least twice in recent memory resulted in litigation finding the DEP at fault.

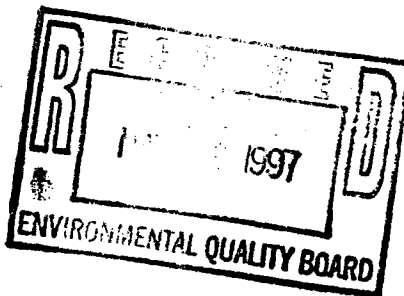
These new proposals are a further indication that those in charge have no regard for the quality of waters in Pa. We need to protect our best streams and not have them downgraded by these proposals. These proposals, contrary to federal regulations, give no weight to public lands in their selection process.

This proposal is full of damaging items to the environment and they should be totally rejected as inadequate to protect our wetlands and quality streams. I am requesting that these opinions and strong feelings in this matter be conveyed to the Board

Thank you,

Sincerely yours,

*W. L. Williams*  
W. L. Williams





ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

May 17, 1997

Dear EQB,

I am writing to ask you to reject  
the DEP Antidegradation Proposal.

We have the right to clean water  
and want that right.

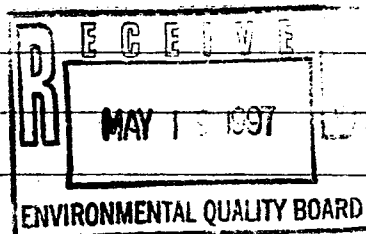
Sincerely

Darlene Boyle

241 Grandview Blvd

Butler, PA 16001

P.S. Please send me the results of  
the vote



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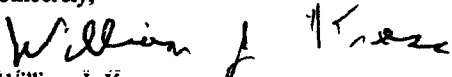
William J. Kress  
536 Orchard Ave.  
Bellevue, PA 15202-3136  
May 16, 1997

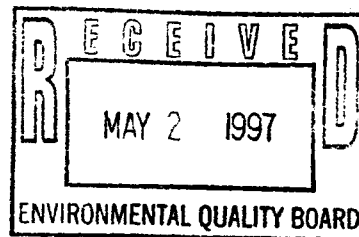
Environmental Quality Board (EQB)  
DEP  
P.O. Box 8465  
Harrisburg, PA 17105

Dear Sirs and Madames:

I urge you to reject the DEP's current anti-degradation proposal. It would result in lower water quality standards, increased costs to municipal water authorities, and a greater threat to public health and safety. Instead of these proposals, we need proposals that result in improved water quality. I appreciate the cleanliness of the waters in the Clarion River basin while on vacation, for example. Lower water quality would affect recreational activities as well as the quality of everyday life. Please act in the public's interest on this matter.

Sincerely,

  
William J. Kress



**WAYNE S. LEEPER**  
Petroleum Geologist

W.S. Leeper & Associates  
412-826-9038  
FAX: 412-826-1758

307 Butternut Court  
Pittsburgh, PA 15238

May 16, 1997

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 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.

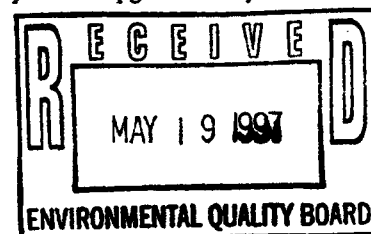
The EV designation should be reserved for streams that are truly unique or exhibit statewide or national significance. Many of the Pennsylvania streams currently classified as EV cannot meet that standard, and the proposed regulation lets DEP continue to designate EV streams that could never meet such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

If the final regulation allows the EV designation to be placed on private watershed lands, you should provide for more public participation in the decision to designate EV waters. The proposed rulemaking asks for more public input on technical issues, but it brushes aside any public discussion of the serious economic and social impacts that the EV designation can have for the people who live and work in the affected watershed.

The regulation should be changed to require DEP to get the people affected by an EV upgrade to buy into it. Specifically:



- 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.
- The regulations should allow the affected property owners to decide whether they want the EV designation.
- DEP should be required to get a formal commitment from the owners of the affected watershed lands to preserve the resource at the strict EV standard before recommending the designation to the EQB.

**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.**

DEP's proposal allows streams to qualify for HQ status if they have water quality that is "generally better" than water quality standards. The EPA regulation, on the other hand, requires a stream to "exceed" water quality standards before it can be elevated to HQ status. A stream should never qualify for Special Protection if even one of its water quality parameters violates the required standard.

**Use sound science to evaluate streams for Special Protection.**

DEP should also be required to conduct a valid scientific investigation of water quality to determine if a stream qualifies for Special Protection. It is bad science to rely on one grab sample to assess a stream. While it may be a bureaucratic convenience, this limited sampling does not generate enough information to accurately determine whether a stream's background condition exceeds water quality standards.

**Change the Social and Economic Justification requirements for High Quality Waters to match federal regulations.**

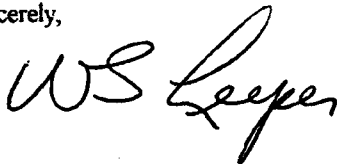
The Department's proposal imposes the basic federal SEJ standard and adds a second "balancing test" that has no federal counterpart. The balancing test should be removed from the final rule.

**Eliminate the requirement for two public comment periods for permits on Special Protection streams.**

The proposed regulation requires NPDES permit applicants to solicit public comment on proposed discharges to HQ and EV streams before applying for the permit. This is an unnecessary burden on the permit applicant that is not required by the federal regulations. It also serves no purpose because the department will also ask for public comments after the application is submitted. The requirement that permit applicants must ask for public comments is costly, time-consuming and redundant, and it should be eliminated.

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,



**Tiffany Gamez**

1106 B Easton Rd.  
Roslyn, PA. 19001

Home Phone 572-9378

STANDARD MAIL PERMIT NO. 1000  
HARRISBURG, PA 17105

May 16, 1997

ORIGINAL: #1799  
COPIES: NONE  
(PER JHJ)

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

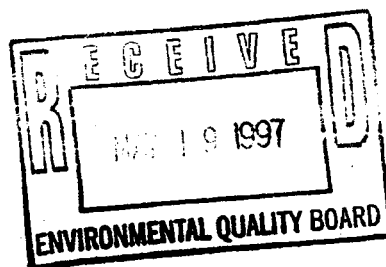
Dear EQB,

I am writing to you in regards to the DEP's current anti-degradation proposal. I reject this proposal. You need to adopt simpler and better standards of the EPA. For our health, the environment and all living things.

My name is Tiffany Gamez. My address is 1106 B Easton Rd., Roslyn, PA 19001. Please reply to my request. Thank you for your time.

Sincerely,

Tiffany Gamez



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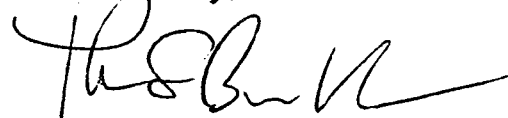
May 16, 1997

The PA Environmental Quality Board

Dear Sir or Madam:

Please know that we support the standards of the EPA. Therefore, please reject the DEP's Anti-degradation proposal.

Sincerely,



Thomas Barbush

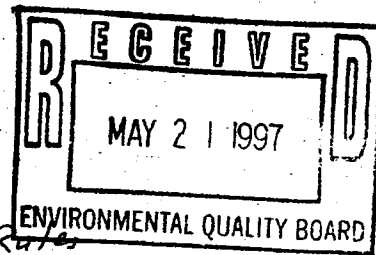
828 Beech Ave  
PGH, PA 15233



HOWARD M. MCGARVEY JR  
527 Whitford Hills Rd  
Exton, PA 19341

5/17/97

Environmental Quality Board  
DEP  
PO Box 8465  
Harrisburg PA 17105



Re: New Proposal/Water Quality Rules

Gentlemen

I am writing this as protest against your proposals for water Quality Rules. Among other things it seems that you have failed to look at some obvious and simple facts.

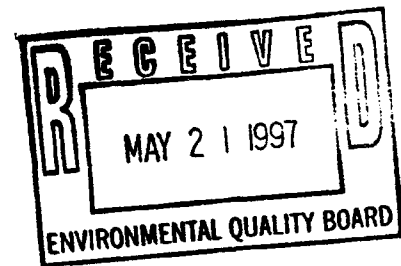
One: A stream begins as a spring, as water seeping from a crack, wetlands, then tributaries then the stream, in otherwords a watershed. How can there be a quality water stream unless all of its upstream parts are healthy, good and very well protected. Why can't streams be protected from too much chlorine, too much sewage and too much stormwater silt? Isn't clean water more necessary to our life than even food. When will these three waste items finally ruin good ole H<sub>2</sub>O!

Two: Twice now federal EPA has been forced by the courts to step in and force DEP and/or DEP to stop dragging feet. Federal law which I believe is greater even than Pennsylvania Law in matters of the Environment has told us to STOP. Why do we insist in continuing not to act justly but to continue procrastination?

Three: The new proposals refuse to take notice of Federal and antidegradation standards, to maintain and protect water quality as Federal regulations require, to ignore the fact that healthy streams are watersheds not surface waters and that the waters flowing within Pennsylvania belong to each and everyone of us here and contrary to what the Penna Bulletin calling for this meeting says ONE SIZE DOES FIT ALL of us in matters of this importance - WATER. Laws are explicitly meant to apply to all of us and equally. When is the last time you had a good clean drink of pure water. When will be the final next time.

Yours Truly  
Howard M. McGarvey Jr

May 17, 1997



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

Dear Mr. Seif

This letter is to protest the proposal to meddle with the current regulation protecting the "existing uses" of our waters. Right now, we have language protecting existing uses because DEP failed to include such language, and EPA was ordered to write a regulation by a Federal judge. At last we have protection that the Clean Water Act intended.

The proposal in the March 22, 1997 PA Bulletin gives DEP an important "out" It ways that the existing use will be protected only after DEP evaluates the technical data. Until then, DEP is under no obligation to protect the existing uses. With DEP's misguided "money back guarantee," DEP will not have time to evaluate "existing uses" and will simply not do so. Under the regulation, the protection is qualified, so the regulation will not be violated.

Here in southwestern PA, we are losing streams to coal mining, both from waste disposal sites and from subsidence. We need strong existing use protection and an agency that is willing to use it. I am against any proposal for existing use protection that qualifies the Federal language as this proposal does. Change the language to the Federal Language

Sincerely Yours

A handwritten signature in cursive script that reads "Gertrude Wiliuszis".

Gertrude Wiliuszis

Mrs. G. Wiliuszis  
620 7 Ave.  
New Eagle, PA 15067



5/17/97

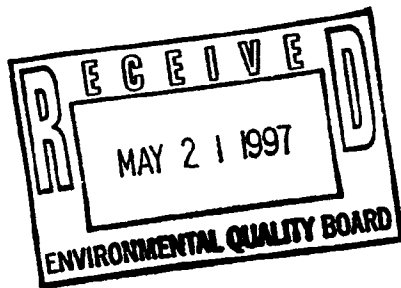
ORIGINAL: #1799  
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5/17/97  
Dear Sir,

I'm am requesting the DEP  
to reject the Anti-degradation Pro-  
posal. We need strong standards  
to protect our rivers & streams.

Please consider my request.

Thank you very much.



Sincerely,

Marge Vitoles

223 Linda Vista Rd  
Sewickley Pa. 15743

413 Yeoman St.  
Jonhstoen, Pa. 15906  
May 17, 1997

James Seif  
Environmental Quality Board  
P.O. Box 8477  
Harrisburg, Pa. 17105-8477

ORIGINAL: #1799  
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Dear Mr. Seif,

I oppose the antidegradation proposal published in the March 22 issue of the Pennsylvania Bulletin. This proposal is a result of an order from the Environmental Protection Agency (EPA) to bring Pennsylvania water resources antidegradation program up to Federal standards. This proposal is still far inferior to the Federal law it replaces. Following are a few of my complaints.

We must retain special protection for High Quality (HQ) and Exceptional Value (EV) streams. Without oversight and special protection, abuses could lower the quality of a stream, only then have them redesignated as a lower quality stream. Once a stream qualifies for HQ or EV every effort must be made to keep it at that level.

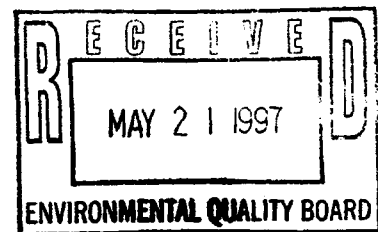
Wetlands are not included in this proposal while the EPA regulation that it replaces did provide for wetland protection. We must include seeps, springs and wetlands to give us overall "watershed" protection not just "surface water" protection.

Department of Environmental Protection (DEP) plans a major assessment of our streams. This is a proper endeavor however DEP plans to provide only basic level protection for streams until the assessment qualifies it for higher level protection. DEP should protect the unassessed streams at the highest level until a permit applicant can demonstrate otherwise. The public resources should get the benefit of the doubt.

Finally, for the reasons stated and many other flaws this regulation should be rejected or completely re-written. We must have at a minimum, the protection that the Federal law now provides. The Environmental Quality Board should reject this proposal.

Sincerely,

*Louis Leo Will*  
Louis Leo Will



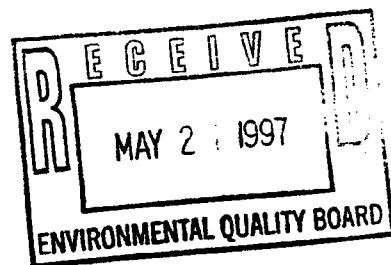
5/17/97

EQB,

I request that you REJECT the  
DEP's current anti-degradation proposal  
for myself and the rest of the <sup>still</sup> same people  
who enjoy a clean and healthy environment the  
way God and nature's forces intended it  
for us all.

James T. Tife

JAMES TIFE  
312 FILDING DR.  
PGLI., PA 15235



May 17, 1997

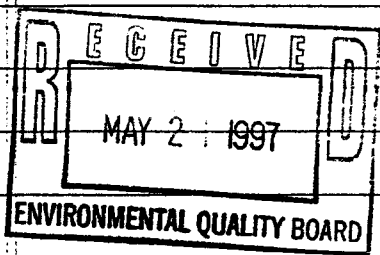
Environmental Quality Board  
Dept. of Environmental Protection  
PO Box 8465  
Harrisburg, PA 17105

Dear Sir / Madam:

I am writing today to urge you to reject the DEP's current anti degradation proposal. Not only is Pittsburgh's appeal to new residents and businesses partly dependant on the health and beauty of our rivers, but clean water is essential to all of us on a most basic level.

Very truly yours,  
Jennifer Bourbon

Jennifer Bourbon  
Pittsburgh, Pennsylvania



925 Beech Ave #1  
PGH, PA 15233

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STRENGTH OF

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R.D.#1 Box 222A  
Emlenton, Pa. 16373  
May 17, 1997

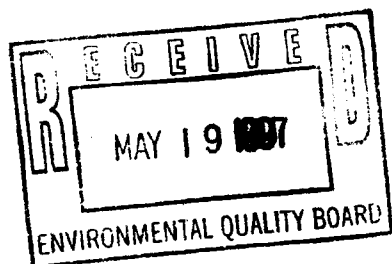
Chairman of  
Environmental Quality Board  
P.O.Box 8477  
Harrisburg, Pa. 17105

I am writing in regard to the antidegradation regulations proposal in the March 1997 Pennsylvania Bulletin.

I am opposed to the allowing general NPDES permits in our High Quality streams. Oil and gas discharges have done a lot of damage in the northwest part of the state. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place until it was too late.

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

Sincerely,



*Richard L. Rhodes*



# SIERRA CLUB

Pennsylvania Chapter

Reply to:

Martin E. Visnosky  
402 Harvey Street  
Erie, PA 16511-1230

P.O. Box 606

Harrisburg, PA 17108

May 17, 1997

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

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

Re: Antidegradation Proposal

Dear Mr. Seif:

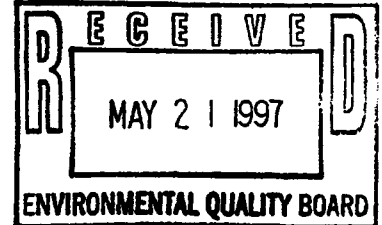
The Water Resources Committee of the Pennsylvania Chapter of the Sierra Club has reviewed the subject proposal. The Pennsylvania Chapter represents over 20,000 Sierrans who, like all Pennsylvanians, rely on our public waters for recreation, livelihood, and drinking. We have closely followed the antidegradation issue in Pennsylvania for a number of years.

This proposal, when compared to the old "Special Protection" program, and the current policy (without implementation methods) that came into effect early this year, falls well short of the needs of Pennsylvania. Our specific comments follow.

EPA, under Federal Court order, published proposed rulemaking for Pennsylvania last summer. DEP, in response, undertook an aggressive propaganda campaign against the proposal, representing the Federal policy as "one size fits all," and stating that EPA's action would jeopardize protection of Pennsylvania's waters. DEP specifically mentioned that Exceptional Value streams would be lost under EPA rules.

Now DEP has answered. Given DEP's words of last summer, an inclusive, protective program should be the result. Because we have followed the issue for some time, it comes as no surprise, however, to find the proposal a transparent attempt to finesse around the Federal (current) policy, and a major retreat from the old Special Protection program. The program is not inclusive, and the protection is less than we had under the Special Protection program. Specifically:

- High Quality and Exceptional Value designations can be rolled back without any scrutiny by EPA.
- Existing use protection is compromised by language that allows DEP to choose when and where it provides protection.



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- Surface waters will be assessed rather than watersheds, contrary to common sense, and making DEP's new "watershed" emphasis nothing more than empty words.
- DEP wants to assess both chemistry and biology to receive HQ protection. The result is that there are fewer ways for streams and rivers to receive HQ protection than under the Special Protection program. There is no way for lakes, ponds, reservoirs, seeps, springs or wetlands to receive the protection.
- Protection for HQ streams is less than the Special Protection program provided. There is no basis for allowing the 25% "free ride" and general permits in HQ waters.
- The selection criteria for EV waters does not reflect the definition, as no weight is given to public lands. This is less protective than the Special Protection program.
- DEP insists on their current "no degradation" standard which in reality allows degradation at all but the highest instream flows.

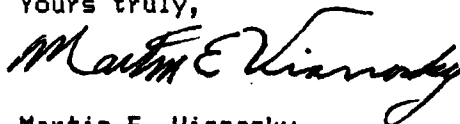
The Sierra Club opposes these proposals.

One glimmer of good news: the proposal includes a "social or economic justification" provision that clearly states that the public interest must be served by any degradation of the public's waters. Whether or not DEP will implement this with any teeth remains to be seen.

We are dismayed that in almost every important area, DEP has again sided with business interests that see an decrease in protection as an opportunity for an increase in profits. This proposal ignores public input, and is to the long-term detriment of Pennsylvania's environment and economy. Only polluting businesses would wish to locate or expand in a state that desires less protection for its waters. Do we want that kind of "growth?"

This proposal has little good about it, and, overall, we are better off with the current (Federal) regulation now in place. But as you well know, states are permitted to have water quality regulations more stringent than the Federal minimum. Since you are so worried about EV, as you claimed to be last summer, then your response is obvious: propose nothing more than an EV (Tier 2 1/2) category, and let the current regulation alone. Write implementation methods that reflect the current regulation and stop trying to craft weasel language to allow polluters off the hook.

Yours truly,



Martin E. Visnosky  
Co-Chair  
Water Resources Committee



# SIERRA CLUB

Pennsylvania Chapter

Reply to:

Martin E. Visnosky  
402 Harvey Street  
Erie, PA 16511-1230

P.O. Box 606  
Harrisburg, PA 17108

May 17, 1997

## One Page Summary of Comments for the Environmental Quality Board Water Resources Committee, Pennsylvania Chapter, Sierra Club

The Sierra Club supports the following provision of the proposal:

- The passage in the "social or economic justification" section that clearly states that the public interest must be served by any degradation of the public's waters.

The Sierra Club opposes the following features of the proposal:

- High Quality and Exceptional Value designations can be rolled back without any scrutiny by EPA.
- Existing use protection is compromised by language that allows DEP to choose when and where it provides protection.
- Surface waters will be assessed rather than watersheds, contrary to common sense, and making DEP's new "watershed" emphasis nothing more than empty words.
- DEP wants to assess both chemistry and biology to receive HQ protection. The result is that there are fewer ways for streams and rivers to receive HQ protection than under the Special Protection program. There is no way for lakes, ponds, reservoirs, seeps, springs or wetlands to receive the protection.
- Protection for HQ streams is less than the Special Protection program provided. There is no basis for allowing the 25% "free ride" and general permits in HQ waters.
- The selection criteria for EV waters does not reflect the definition, as no weight is given to public lands. This is less protective than the Special Protection program.
- DEP insists on their current "no degradation" standard which in reality allows degradation at all but the highest instream flows.

The Sierra Club recommends rejection of this proposed rulemaking.



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1104 Galveston Avenue  
Pittsburgh PA 15233

May 17, 1997

Environmental Quality Board DEP  
PO Box 8465  
Harrisburg, PA 17105

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

The people of the state of Pennsylvania do not need any further lowering of the quality of their water.

Thank you.

Yours truly,

*Richard F Reynolds*  
Richard F. Reynolds



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COPIES: NONE  
(PER JHJ)

97122111 1 1211

11 Poplar Court  
Newtown, PA 18940  
May 17, 1997

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

To Whom It May Concern:

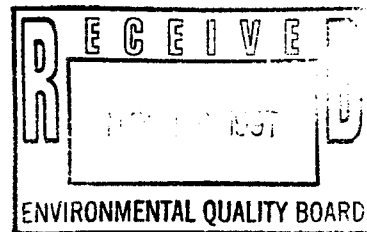
I am of the opinion that the DEP's current anti-degradation proposal should be REJECTED!

Sincerely,



NANCY L. SCHULMAN

NLS



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STANDARD TIME

MAIL ROOM

R.D.#1 Box 222A  
Emlenton, Pa. 16373  
May 17, 1997

Chairman of  
Environmental Quality Board  
P.O.Box 8477  
Harrisburg, Pa. 17105

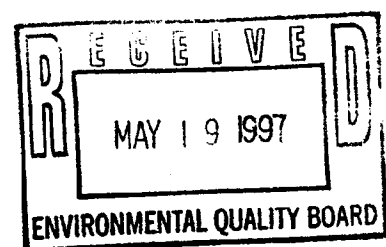
I am writing in regard to the antidegradation regulations proposal in the March 1997 Pennsylvania Bulletin.

I am opposed to the allowing general NPDES permits in our High Quality streams. Oil and gas discharges have done a lot of damage in the northwest part of the state. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place until it was too late.

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

Sincerely,

*Martha R. Hoader*



May 17, 1997

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

TO WHOM IT MAY CONCERN:

We need to tell the EQB and EPA that we need standards that protect our waterways from any more degradation.

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

We would appreciate a reply to this letter.

Very truly yours,

*Mr. & Mrs. J. W. Jarman*

Mr. & Mrs. J.W. Jarman  
422 Fountain Farm Lane  
Newtown, PA 19040

