

DISERAFINO BROS. INC.

General Contractor

813 LORRAINE DRIVE, MEDIA, PA 19064-1004

(610) 543-8683 • FAX (610) 328-1870

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 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.

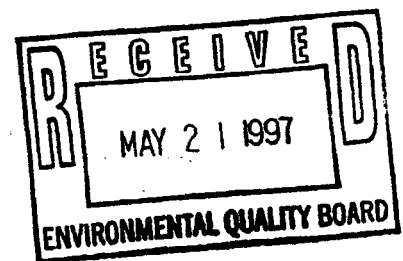
Pennsylvania's exceptional value program should apply only to outstanding resource waters as contained in the federal regulations. Currently, DEP's program is much broader in scope and includes streams that would never qualify under the federal program.

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,



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

LAW OFFICES

DONSKY, SOFFIAN, ALLEN & BOR

A PROFESSIONAL CORPORATION

17TH FLOOR • 230 SOUTH BROAD STREET
N.W. COR. BROAD & LOCUST STREETS
PHILADELPHIA, PENNSYLVANIA 19102

(215) 546-9800

IN ASSOCIATION WITH:
SOFFIAN & ALLEN
211 KINGS HIGHWAY EAST
P.O. BOX 1080
HADDONFIELD, NJ 08033
(609) 354-1990

FAX NUMBER: (215) 546-9915

97 MAY 27 11 05 AM '97

MARVIN H. DONSKY
WARREN L. SOFFIAN*
JEROLD ALLEN**†
STEPHEN BOR*
ROBERT M. SILVERMAN*
DANIEL J. BOYCE*
ELAINE M. ROSS

*ALSO MEMBER OF N.J. BAR
†ALSO MEMBER OF D.C. BAR

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

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

Dear Mr. Seif:

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

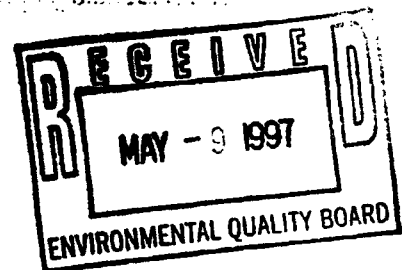
As a member of Trout Unlimited, I am acutely aware of the ecological damage that can be done by any degradation of water quality. Pennsylvania is home to many outstanding trout streams that attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources,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

I understand that 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.

Sincerely,

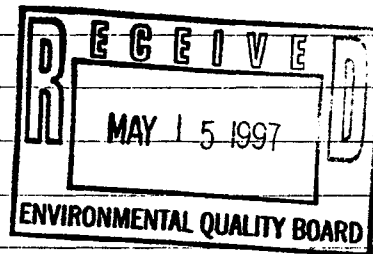
MARVIN H. DONSKY

MHD/kv
cc: Trout UnLimited



Mr. Boski,
We need stronger protection against toxic
chemicals, and that polluters should
pay their fair share of clean-up costs.
~~and that we~~
With 40% of our nation's water still
unsafe for fishing or swimming,
we can't afford to weaken Clean Water
Act!

Clair Lopez




ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

Edward Jusa
33 Vincennes Ave
Oradale, PA 15071

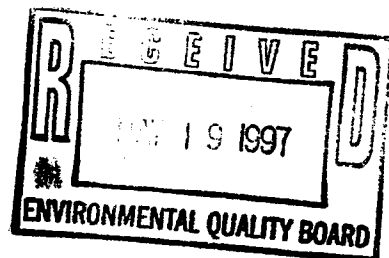
EQB
Box 8465
Harrisburg, Pa 17105

SIRS,

I am writing asking you to reject the
DEP's anti-degradation proposal. I
in no way favor any reduction in standards or
changes that adversely affect water quality.

Thank You

5/12/97

P.S. Response Requested



97 MAY 27 10 02 AM

RECEIVED

To the PA Environmental Quality Board:
I urge you to reject the P.E.P.'s
current anti-degradation proposal. Please
adopt the E.P.A.'s better standards. R.S.V.P.

Edward S. Longtin
1732 Bayford Rd.
Allentown, Pa. 18103

RECEIVED
MAY - 6 1997
ENVIRONMENTAL QUALITY BOARD

E. DONALD WORTHINGTON

515 NORTH TWENTY-FIRST STREET
ALLENTOWN, PENNSYLVANIA 18104
PHONE: AREA CODE 215-435-5580

610

ORIGINAL: #1799
COPIES: NONE
(PER JHU)

5/11/97 11:00

ENVIRONMENTAL QUALITY BOARD
DEPARTMENT OF ENVIRONMENTAL PROTECTION
PO BOX 8465
HARRISBURG, PA 17105

DEAR CONCERNED MEMBERS:

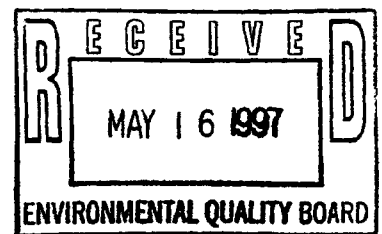
PLEASE PUT A THUMB DOWN TO DEP'S
CURRENT ANTI-DEGRADATION PROPOSAL.

AS A CONCERNED CITIZEN I SEE
OUR NATURAL RESOURCES BEING
PLUNDERED AND POLLUTED BY THOSE
WHOSE ONLY INTEREST IS THEIR
BANK ROLL. I ENVISION A COUNTRY TO BE
INHERITED BY OUR CHILDREN AND OUR
CHILDREN'S CHILDREN AS ONLY A SHADOW
OF WHAT WE INHERITED FROM OUR
FOREFATHERS. PLEASE, FOR THE GOOD OF
OUR COUNTRY, SAY NO!

SINCERELY

E. Donald Worthington

MAY 3, 1997





*Ed Nikles
Custom Builder, Inc.*

STAR ROUTE 1, BOX 490, MILFORD, PA 18337 717-296-9200
OFFICE LOCATION: ROUTE 6/209 AT INDEPENDENCE DRIVE

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

97 MAY 21 1997

RECEIVED

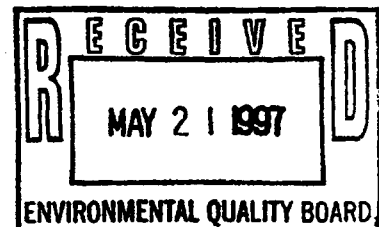
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

Ed Nikles Custom Builder, Inc. appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years our company has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

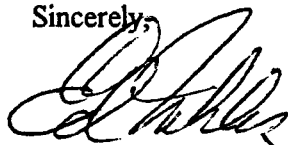
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

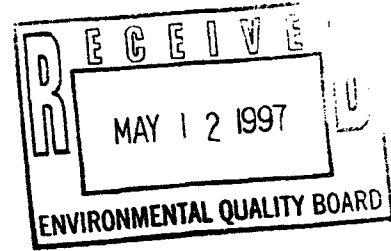
The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. I believe the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Nikles', written in a cursive style.

Edward S. Nikles
President



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

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edgar L. Weam, Jr.".

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

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

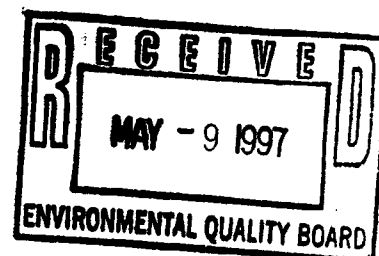
I understand that Pennsylvania Trout is submitting comments on the regulations pointing out their specific shortcomings. The regulations should not be adopted unless all of the problems pointed out in those comments are fixed. The existing regulation is vastly preferable to the new proposal as it is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

Sincerely,

Earl R. Altomare

P.S. I EXPECT TO BE INFORMED OF YOUR BOARD'S RECOMMENDATIONS PROPOSED A.D.R. AND YOU MUST NOT LET THIS PROPOSAL BE INSTITUTED. CURRENT REGS ARE BETTER BUT DO NOT MEET USEPA ALREADY.

*DIRECTOR ALLEGHENY MT. CHAPTER
TROUT UNLIMITED.*

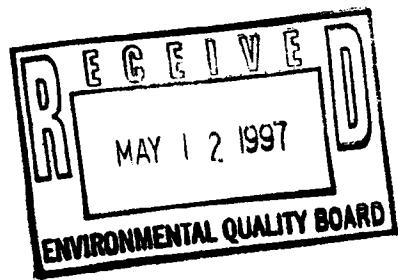


To whom it may concern:

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

Sincerely,

Dorothy Wilson Lee
305 Chestnut Ave
Swarthmore, Pa. 19081



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

EMPIRE ALUMINUM
CRANBERRY, PENNSYLVANIA 16319
(814) 676-5333

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



Dear Chairman Seif:

The Empire Aluminum Company appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Empire Aluminum has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

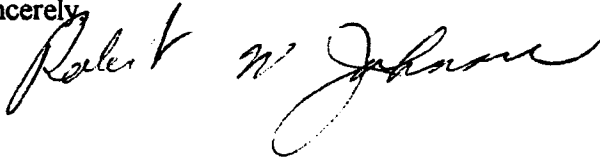
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. The Empire Aluminum Company believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in cursive script that reads "Robert Johnson". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Robert Johnson, Owner
Empire Aluminum

EMA MID-ATLANTIC, INC.

Value Added Reseller

Software - Hardware - Design - Training - Service

Engineering Design Automation

Paul E. Temple
5719 Bedci Court
Bensalem, PA 19020

Environmental Quality Board
DEP
POB 8465 Harrisburg, PA 17105

Gentleman:

STANDARD TIME

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



Please consider this letter to be my protest against the DEP's irresponsible position on the protection of Pennsylvania's waters!

The individuals 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 even worse!!

As an example:

HQ and EV need to stay as protected water uses, so that our **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 wetland protection with antidegradation.**

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

This proposal contains many, many items that are damaging to the environment. It should not be given any consideration in it's present form - these regulations **MUST** be rejected!

I'm asking that you convey my feelings to the members of the board. Thank You.

Sincerely

Paul E. Temple
Paul E. Temple

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

97 MAY 27 10 03 AM '99

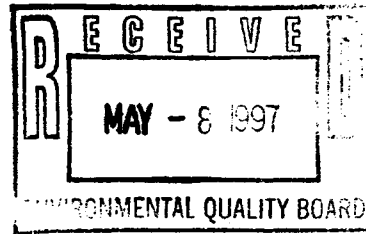
Elizabeth M. Moyer
2899 Edgemont Drive
Allentown, Pennsylvania 18103

To: EQB

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

A reply is appreciated.

Elizabeth M. Moyer



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

Dear Mr. Seif:

I am writing in regard to the proposed rulemaking on antidegradation as published in the March 22, 1997 Pennsylvania Bulletin. There is insufficient antidegradation protection for wetlands in this proposal.

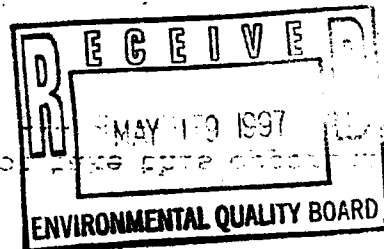
The current regulation, put into place by EPA, gives this protection to wetlands. How can wetlands be given HQ or EV protection if the biological criteria to make a "surface water" HQ or EV are based on streams?

It is disappointing that the DEP did not take this opportunity to write regulations so that our wetlands could begin to receive antidegradation protection.

This regulation falls short in protecting one of our most valuable resources - wetlands. It should be rejected by the Board.

Sincerely,

Elizabeth R. Stephens
9910 Free Rd
Conneaut Lake
Pa 16314



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

Kathleen P. Pickering
MAY 19 1997
ENVIRONMENTAL QUALITY BOARD

Environmental Quality Board
DEP
POB8465
Harrisburg PA 17105

New Proposal Water Quality Rules

Gentlemen

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 antidegradation

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

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

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

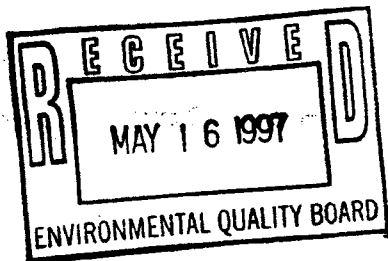
Yours truly

John Fortunato

JOHN FORTUNATO

332 GRANVIEW CIRCLE

HOWEY BROOK PA. 19344

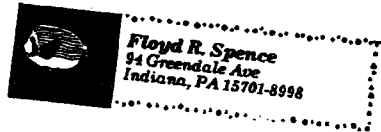


Mr. James Seif
Environment Quality Board
P.O. Box 8477
Harrisburg, Pa, 17105-8477

Dear Mr. Seif,

I live in an area where many of our streams are permately damaged by mine acid, and industrial water use. I believe that the proposal of march 22, 1997 Pa. Bulletin, would further damage what clean water streams we have left. I think that the good of all water users should be ahead of a few who only object is the bottom line.

Sincerely, Floyd Spence



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

Environmental Quality Board
DEP
PCB8465
Harrisburg PA 17105

New Proposal Water Quality Rules

Gentlemen

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.

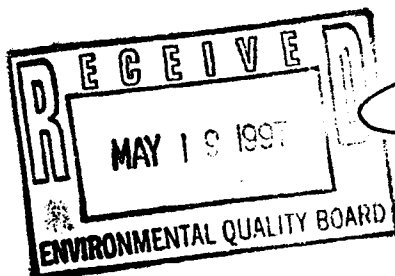
Another loophole allows discharges and degradation in EV waters

There is no integration of wetlands protection with antidegradation

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

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

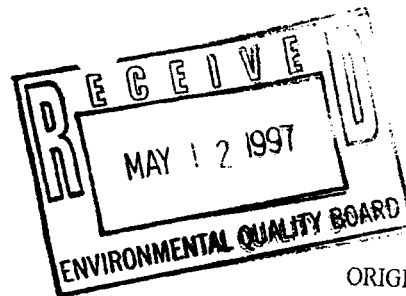
I am asking that my feelings be conveyed to the members of the Board.
Thank you.



Yours truly

Richard Blasetti
RICHARD RIDGE
NEWTOWN SQUARE, PA 19073

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 JHJ)

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

A handwritten signature in cursive script that reads "Eric M. Fof".

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

97 MAY 13 1997

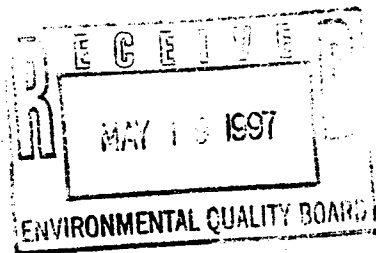
RECEIVED

Gentlemen,

Please reject the DEP's Anti
degradation proposal

Sincerely

Frank Groll



Franklin County



builders association, inc.

166 S. Main St. • Chambersburg, PA 17201 • (717) 267-2208

FRANKLIN COUNTY
RECEIVED

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

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

Dear Chairman Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. The Franklin County Home Builders Association represents builder, remodeler and associate member firms and employees. The housing industry has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As home builders, we have a responsibility to provide safe and affordable homes and to develop land in an environmentally sound manner.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. For many years the Franklin County Builders Association has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



"A Home for Every American Family"

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream based on "generally better than water quality" for designating a high quality stream. This is not appropriate nor consistent with the federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the determined standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an anti-degradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

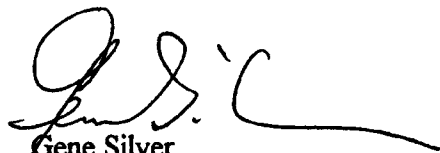
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department should include all potentially affected parties in the preliminary stages of the stream's evaluation. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

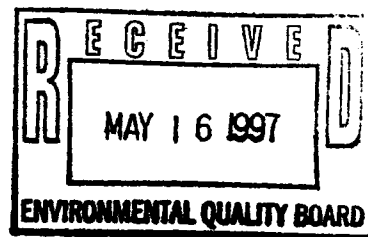
Thank you for the opportunity to provide comments of this very important regulatory proposal. The Franklin County Builders Association believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Silver", with a long horizontal flourish extending to the right.

Gene Silver
Executive Director

1
MAY 16 1997
MAY 16 1997



Environmental Quality Board:

Please protect our waterways
from any more degradation!

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

I thank you
My children + grand-
children will thank
you) For making the
right choice

Francis M. Mather

Please send a reply



**FORTNEY'S CONSTRUCTION
8784 ANTRIM CHURCH ROAD
GREENCASTLE, PENNSYLVANIA 17225
(717) 597-2738**

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

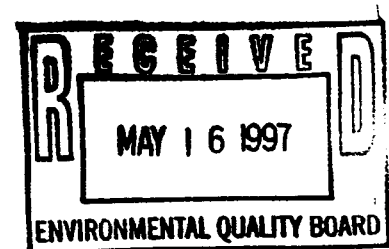
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

Fortney's Construction Company appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Fortney's Construction has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a “generally better than water quality” determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a “de minimis” permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP’s current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania’s program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania’s EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP’s exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream’s uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

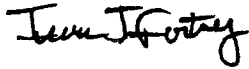
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. The Fortney Construction Company believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in cursive script that reads "Irvin J. Fortney".

Irvin J. Fortney, Owner
Fortney's Construction

To Whom It May Concern:

I am writing this letter to ask you to reject the DEP'S current anti-degradation proposal. I want you to adopt the simpler, better standards of the EPA.

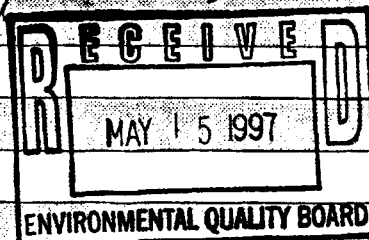
Thank You for your attention to this matter.

Francis Dickerson

P.S. Please respond back to me concerning this matter as soon as possible.

My address is:

124 Anderson Road
King of Prussia, PA 19406



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

Dear Sir:

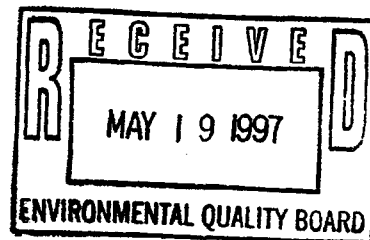

This letter is in reference to the antidegradation regulation proposal in the March 22, 1997, *Pennsylvania Bulletin*.

I am opposed to the allowance of general NPDES permits in our High Quality streams. Oil and gas discharges have already done plenty of damage in the northwest part of the state, and now you want to allow their discharges in HQ streams. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place in any one watershed—until it was too late. The proposed rules will significantly weaken existing protection for both High Quality and Exceptional Value streams.

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

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

Sincerely yours,



Members of the Environmental Quality Board:

Please reject the DEP's current anti-degradation proposal! If adopted, the proposed regulations would lower water quality in Pennsylvania.

We need standards that protect our waterways from degradation. New regulations must provide for no new discharges into EV streams, return to the current standard for selecting HQ streams, and provide interim existing use protection while any proposal to reclassify a stream is reviewed.

Please do your part to protect our waterways.

ORIGINAL: #1799
COPIES: NONE
(PER JHI)

Helen Walters (Name)
5217 DITMAN ST (Address)
Phila, PA 19124 (Town/Zip)

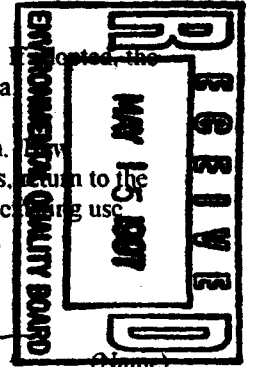
Members of the Environmental Quality Board:

Please reject the DEP's current anti-degradation proposal! If adopted, the proposed regulations would lower water quality in Pennsylvania.

We need standards that protect our waterways from degradation. New regulations must provide for no new discharges into EV streams, return to the current standard for selecting HQ streams, and provide interim existing use protection while any proposal to reclassify a stream is reviewed.

Please do your part to protect our waterways.

Renee Oslager (Name)
4139 Stirling St. (Address)
Phila. Pa. 19135 (Town/Zip)



Members of the Environmental Quality Board:

Please reject the DEP's current anti-degradation proposal! If adopted, the proposed regulations would lower water quality in Pennsylvania.

We need standards that protect our waterways from degradation. New regulations must provide for no new discharges into EV streams, return to the current standard for selecting HQ streams, and provide interim existing use protection while any proposal to reclassify a stream is reviewed.

Please do your part to protect our waterways.

PAUL ASHMAN BRINK (Name)
712 VALLEY RD APT D (Address)
MELROSE PARK PA 19027 (Town/Zip)

Members of the Environmental Quality Board:

Please reject the DEP's current anti-degradation proposal! If adopted, the proposed regulations would lower water quality in Pennsylvania.

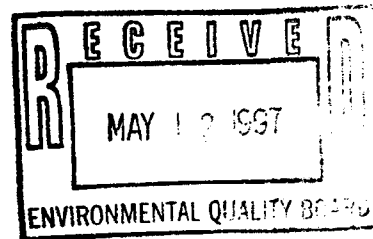
We need standards that protect our waterways from degradation. New regulations must provide for no new discharges into EV streams, return to the current standard for selecting HQ streams, and provide interim existing use protection while any proposal to reclassify a stream is reviewed.

Please do your part to protect our waterways.

Fred Walters (Name)
5217 DITMAN ST (Address)
Phila PA 19124 (Town/Zip)

97 MAY 27 10 09 AM '97

RECEIVED
MAY 1 1997



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

Dear Sir:

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

I am opposed to the allowance of general NPDES permits in our High Quality streams. Oil and gas discharges have already done plenty of damage in the northwest part of the state, and now you want to allow their discharges in HQ streams. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place in any one watershed--until it was too late. The proposed rules will significantly weaken existing protection for both High Quality and Exceptional Value streams.

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

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

Sincerely yours,

Fred W. Wise
Fred W. Wise

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 JHJ)

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

Fredrick M. Muroski

Dear Sir,

STN 727 H. 615

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.

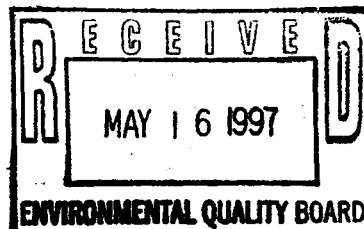
I also oppose the minimal impact discharge provision. A discharge cannot maintain and protect water quality if it uses up to 25% of the assimilative capacity of the water.

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

Francis B. Henderde



Gary Heller
266 Foulkrod Blvd.
King of Prussia PA 19406

MAY 13 1997
MAY 13 1997

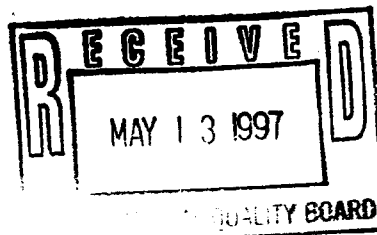
To Whom It May Concern,

I'm very concerned about our state's water quality and would like to ask that you, the EQB, reject the DEP's current anti-degradation proposal. The standards of the EPA are simple and much better for everyone. I thank you for any positive effort in this direction and would like to know what steps are being planned or have already been taken.

Sincerely,



Gary Heller



H. DUANE KINZER

463 EAST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225

27 MAY 97 11 05 AM

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

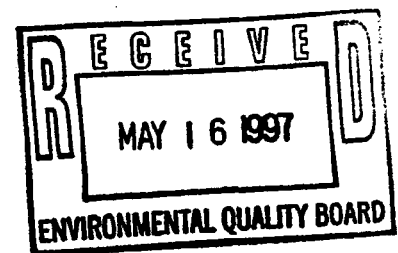
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

I appreciate the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. I have always been a strong proponent of sensible environmental regulations that protect the public health and safety. As the president of a small company, I am affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years I have been, and still am, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of my comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

I support a "de minimis" permit threshold where a social and economic justification is not required. I also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

My second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. I recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, I believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

My final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

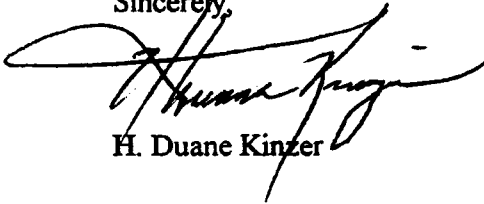
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

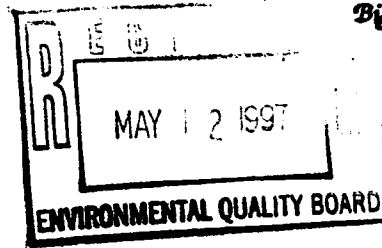
Thank you for your consideration of these comments regarding this very important regulatory proposal. I believe the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Duane Kinzer", written in a cursive style. The signature is positioned to the right of the word "Sincerely," and above the printed name "H. Duane Kinzer".

H. Duane Kinzer

Harvey K. Graham
200 Church St. Box 138
Big Run, PA 15715
814-427-2579



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

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

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

P.S. MR SEIF - AS HEAD OF THE D.E.P. & WITH
A RECORD OF SIDING WITH BUSINESS (BIG)
IN THE PERMITTING PROCESS, IT SEEM
AS THOUGH YOU HAVE A CONFLICT OF
INTEREST WHILE ALSO SITTING AS CHAIR
OF THE E.Q.B. WHEN WILL ALL OF THE
CITIZENS OF THIS GREAT COMMONWEALTH BE
PROTECTED UNDER THE D.E.P. MANDATE
OF ENVIROMENTAL PROTECTION?



Harmony Home Builders, Inc.

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

RR 2 Box 149 • Hawley PA 18428
(717) 253-4849

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

MAY 10 1997

MAY 10, 1997

Dear Secretary Seif:

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

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


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

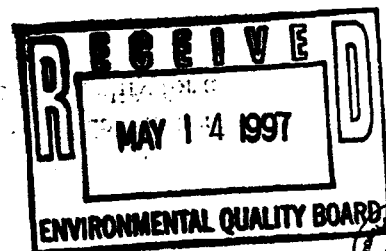
The DEP must expand its public participation in regard to its assessment of high quality and exceptional value waters. Notice by first class mail must be sent to any applicant with a pending permit, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants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

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

Thank you for considering these comments.

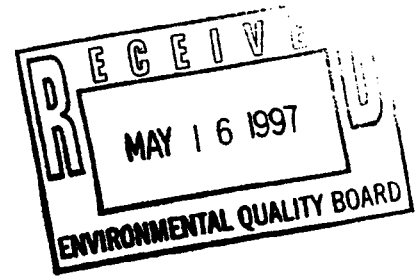
Sincerely,


A. CLYDE KREIDER



GROSZ & SON CONSTRUCTION

PO. BOX 115
MILFORD, PA. 18337
717-296-2717
717-296-2717-FAX
E-MAIL: grosz@pikeonline.net



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 water 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 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,

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

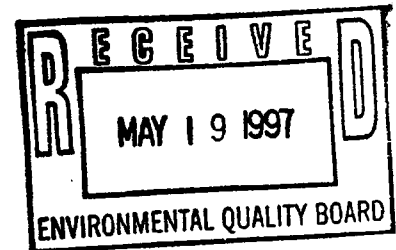
John Grosz

GRANOR PRICE HOMES

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

ST. W. 27 111 111
RECEIVED

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



Dear Chairman Seif:

Granor Price Homes appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company employs 40 persons. We have built homes in the Montgomery, Bucks, Lehigh, and Chester County area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Granor Price Homes has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.

Granor Price Office Center • 721 Dresher Road • Horsham, PA 19044
TEL: (215) 830-1100 • FAX: (215) 830-8599

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. Granor Price Homes believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stuart E. Price', written in a cursive style.

Stuart E. Price
Partner

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)



8585 Sheffield Manor Blvd.
Waynesboro, Pennsylvania 17268

(717) 762-9622
FAX (717) 762-6104

ERECTORS OF QUALITY HOMES



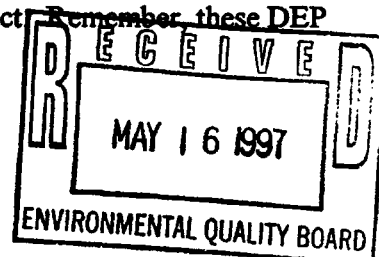
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

I appreciate the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. My company employs several persons in the Waynesboro area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years I have been, and still am, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of my comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

I support a "de minimis" permit threshold where a social and economic justification is not required. I also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

My second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. I recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, I believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

My final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. I believe the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Baumgardner". The signature is written in a cursive style with a large initial "R" and "B".

Richard L. Baumgardner
Owner


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

Dear EQB Administrators,

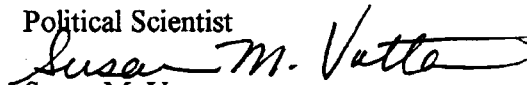
Pennsylvania, as a Republican state, is far too liberal in its policies for the environment. Water is a natural resource which is a key to life. Water has been abused far too long by the world at large. We must begin to hold all accountable for their negligence to the abuse of this vast resource. Gross negligence should no longer be the policies protecting big business and industrialized corporations. Their profits shall eventually lead to our demise. The standards and qualities for water must be met. To allow these standards to be liberal in anyway shape or form can only create more problems in the end. We need to make our water safe for us as well as our children as we near the twenty-first century.

Thank you for your time and consideration in this matter.

Sincerely


Gerald S. Votta

Political Scientist



Susan M. Votta

Marine Biologist



Gayman Construction Company, Inc.
2633 Edenville Road
Chambersburg, Pennsylvania 17201-8070

07 MAY 21 11 30 AM
RECEIVED

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



Dear Chairman Seif:

Gayman Construction Company, Inc. appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs persons in the Chambersburg area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Gayman Construction Company, Inc. has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a “generally better than water quality” determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a “de minimis” permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an anti-degradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP’s current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania’s program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania’s EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP’s exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream’s uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

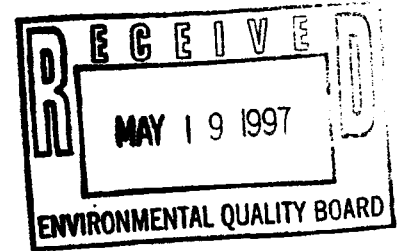
Thank you for your consideration of these comments regarding this very important regulatory proposal. Gayman Construction Company, Inc. believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read "Marlin Gayman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marlin Gayman
President

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



Dear Mr. Seif:

I oppose the antidegradation proposal published in the March 22, 1997 Pennsylvania Bulletin. There are several bad provisions which are addressed in my following comments.

General Provisions:

DEP proposes to get rid of High Quality and Exceptional Value as "protected water uses." This will remove the redesignation of streams from EPA oversight. Once our streams are designated for greater protection, they should stay that way. Under the proposal, polluters could damage them, then claim that they don't meet the standards, and then ask for a roll back. The proposal intends to make receiving the HQ or EV designations much tougher. Dischargers will petition DEP to re-assess these streams with the new standards. With this proposal, DEP will help polluters to roll back protection on our best streams.

Also, DEP only plans on extending antidegradation protection in HQ and EV watersheds when considering "discharges." Proper antidegradation protection would require that DEP consider all activities, not just discharges.

I am also disappointed that DEP did not mention wetlands in their antidegradation proposal. The current regulation, put into place by EPA, gives this protection to wetlands. How can wetlands be given HQ or EV protection if the criteria to designate a "surface water" HQ or EV are based on streams, lakes and rivers? DEP needs to integrate wetland protection and antidegradation. I see where DEP has recently settled a lawsuit, and plans to "assess" the one-half of our streams that are currently

"unassessed." Even with DEP's "best efforts," that is estimated to take 10 years. The proposal does not address the 29,000 miles of unassessed streams. DEP plans on continuing only basic protection for these streams. DEP should instead protect these unassessed streams at a Tier 2 level, unless a permit applicant can demonstrate otherwise. The public's resources should get the benefit of the doubt.

Currently DEP designates "watersheds" as HQ or EV. The proposal makes it easier to ignore, springs, seeps, wetlands and tributaries, because HQ and EV are defined as "surface waters" rather than "watersheds." While seeps, springs, and wetlands are in the definition of surface waters, DEP also has no mechanism for these other surface waters (springs, seeps, and wetlands) to pass the biological test needed for an HQ or EV designation.

Tier 1 (Existing Uses)

The proposal tinkers 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. Unfortunately, the proposal 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.

DEP only plans on protecting endangered species from discharges. Endangered species merit protection from any activity that will eliminate them. Existing use protection applies to activities, not just discharges. Endangered species habitat needs to be protected also.

Tier 2 (High Quality)

The new rules make it more difficult for streams to receive an HQ designation. DEP wants only to give the HQ designation to streams that pass a chemistry and biology test. EPA considers only a water chemistry test. How will wetlands, seeps, and springs be assessed when the methods were designed for streams?

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. One of the points of High Quality is to ensure that the degradation has a good reason, and that the public interest is served. DEP included social or economic justification language that mentions the public interest, but then exempted many dischargers from it.

Also, the language mentioning non-point source pollution is weaker than the current language for HQ streams. Our good streams are under pressure from developments and agriculture, so strong non-point source language is essential.

Tier 3 (Exceptional Value)

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. The old "Special Protection Waters Implementation Handbook" considered all these things and more. It is vastly superior than the present proposal. Currently, we are under Federal regulations that consider many streams on public lands to be "Outstanding National Resource Waters." Why are we giving our best streams less consideration than before?

EPA believes that DEP's EV program does not "protect and maintain" water quality. DEP should close the major loophole that allows water quality degradation, but calls it "no measurable change." It is hocus-pocus.

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. We don't need polluters and profiteers wanting to degrade our streams having a "veto" power over protecting our best streams.

Summary:

This regulation should be rejected or re-written so that it is as good as the old DER's regulations and guidance, but incorporates the minimum Federal features that we have now. The EQB should reject this regulation.

Sincerely,

Genevieve R. Caron

889 Herr St.

Lock Haven, Pa 17745-3011

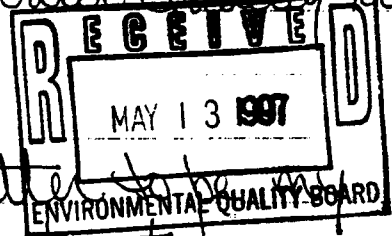
(1 of 2)

HOOVED ANIMAL HUMANE SOCIETY



Grenda Anderson
PO Box 131
Cochranville PA 19330-0131

New Proposal/Water Quality Rules



Gentlemen,
Please Consider this letter to be my
protest against this subject!

I am not at all satisfied with the
continued effort on the part of the DEP
to avoid reasonable protection for
Pennsylvania Waters. The persons
operating as the state's representatives
are still applying the dilatory
tactics which have twice 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:
1) HQ and EV need to stay as protected
water uses, so that our best streams
will not be downgraded;

(282)

- 2.) Contrary to federal regs no weight is given to public lands in the selection process;
- 3.) Another loophole - allows discharges and degradation in EV waters;
- 4.) There is no integration of wetlands protection with anti-degradation
- 5.) 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,
Openda Anderson

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

**HESS HOME BUILDERS
15 MEADOW LANE
LANCASTER, PA 17601
(717) 569-5761**

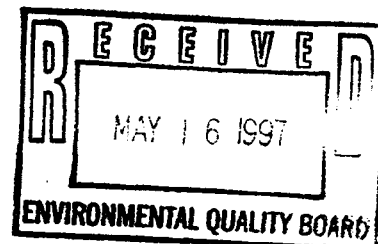
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

The Hess Home Builders appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company employs 35 persons in the Lancaster area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Hess Home Builders has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. Hess Home Builders believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink that reads "Earl K. Hess". The signature is written in a cursive style with a horizontal line through the end of the name.

Earl K. Hess, President
Hess Home Builders

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

07/11/97 10:04:15

NOV 11 1997

Environmental Quality Board

DEP

POB 8465

Horseshoe R 17115

New Proposal Water Quality Rules

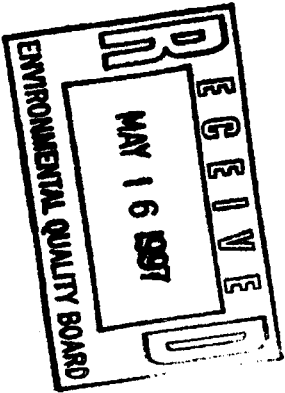
Gentlemen:

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

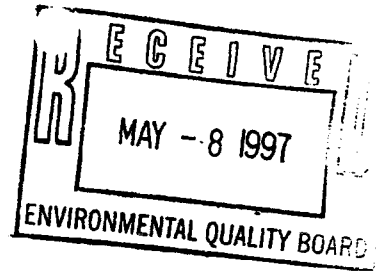
Water in the state of life, you never allow it to down grade for any reason!

Your proposal does just that! Your proposal should be rejected!

Thank you
Yours truly
James V. Mitchell



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 JHJ)

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

A handwritten signature in cursive script that reads "James P. Hough". The signature is written in dark ink and is positioned above the main handwritten message.

*P.S. A vote for those who champion
good water quality*

RECEIVED
MAY 12 1997
ENVIRONMENTAL QUALITY BOARD

97 MAY 27 10 13 AM '97

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

PLEASE REJECT
THE DEP'S CURRENT
ANTI DEGRADATION
PROPOSAL AND
ADOPT THE SIMPLER,
BETTER STANDARDS
OF THE EPA.

THANK YOU,

James M. Higgins

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

Dear Sir:

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

I am opposed to the allowance of general NPDES permits in our High Quality streams. Oil and gas discharges have already done plenty of damage in the northwest part of the state, and now you want to allow their discharges in HQ streams. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place in any one watershed--until it was too late. The proposed rules will significantly weaken existing protection for both High Quality and Exceptional Value streams.

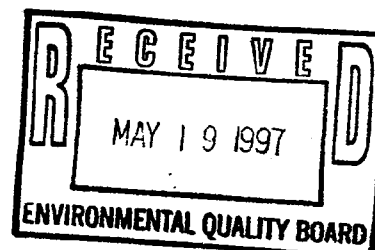
I am also very disappointed that DEP did not mention wetlands in their antidegradation proposal. The current regulation, put into place by EPA, gives this protection to wetlands. How can wetlands be given HQ or EV protection if the criteria to make a "surface water" HQ or EV are based on streams?

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

Sincerely yours,

Jacques A. Campbell-Bearfield
814-226-6108

402 Pine St.
Claron, PA 16214



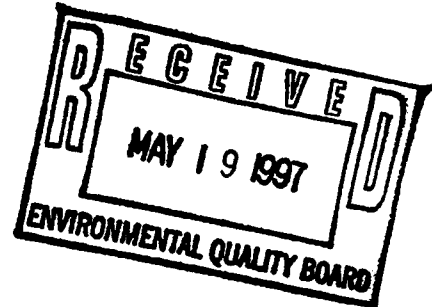
J & S Custom Homes

38 Learn Road, P.O. Box 814

Tannersville, PA 18372

(717) 629-5514

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



Dear Chairman Seif:

J & S Custom Homes appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs 5 persons in the Pocono area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years J & S Custom Homes has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an anti-degradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

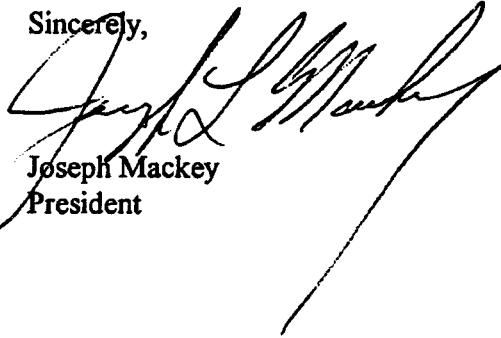
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

proposal. J & S Custom Homes believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

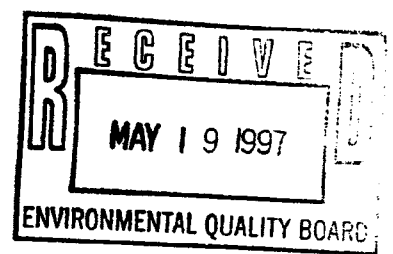
Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Mackey". The signature is written in a cursive style with a long, sweeping underline that extends downwards and to the right.

Joseph Mackey
President

97 MAY 27 10 04 AM
RECEIVED

Howard Construction, Inc.
203 East Emmaus Avenue
Allentown, PA 18103



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

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

Dear Chairman Seif:

Howard Construction Company, Inc. appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs 8 persons in the Allentown area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Howard Construction Company, Inc. has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an anti-degradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

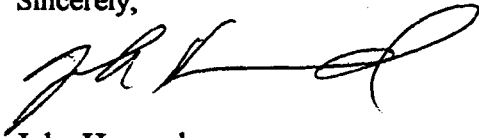
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. Howard Construction Company, Inc. believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Howard', with a large, stylized flourish at the end.

John Howard
President

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attention Environmental Quality Board (EQB)

I request for you to reject the DEP's current anti-degradation proposal. Please respond to my request in writing.

H B Nickell
200 TEECE Ave
Bellefonte Pa 15202

RECEIVED
MAY 2 1997
ENVIRONMENTAL QUALITY BOARD



717-296-7210

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

Fax: 717-296-5682

ORIGINAL: #1799
COPIES: NONE
(PER JHI)

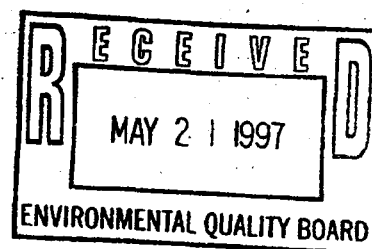
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

Hogan Homes appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs 62 persons in the Northeast Pennsylvania area. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a mid size company, we are affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. For many years Hogan Homes has been, and still is, very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Serving the Tri-State Area Since 1967

Residential • Commercial • Additions • Renovations

Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of our comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

We support a "de minimis" permit threshold where a social and economic justification is not required. We also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an anti-degradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. We recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, we believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

Our final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition, these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of these comments regarding this very important regulatory proposal. Hogan Homes believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

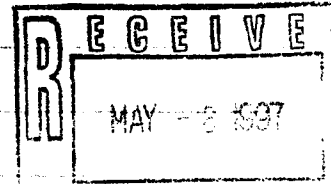
A handwritten signature in black ink, appearing to read "Ben Hogan". The signature is fluid and cursive, with the first name "Ben" and the last name "Hogan" clearly distinguishable.

Ben Hogan
Vice President of Operations

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

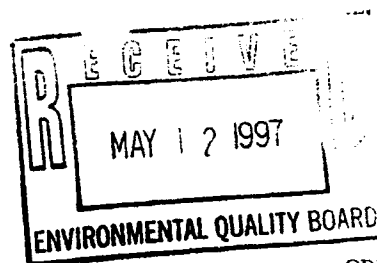
PA Environmental Quality Board
Please reject the DEP's
current anti-degradation
Proposal

Jamie L. Stages



ENVIRONMENTAL QUALITY BOARD

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 JHJ)

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

A handwritten signature in cursive script that reads "James A. Kearney, Jr.".

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

Dear Sir:

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

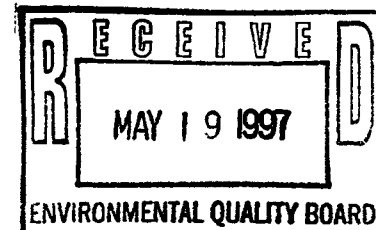
I am opposed to the allowance of general NPDES permits in our High Quality streams. Oil and gas discharges have already done plenty of damage in the northwest part of the state, and now you want to allow their discharges in HQ streams. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place in any one watershed—until it was too late. The proposed rules will significantly weaken existing protection for both High Quality and Exceptional Value streams.

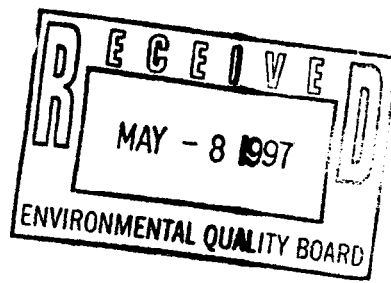
I am also very disappointed that DEP did not mention wetlands in their antidegradation proposal. The current regulation, put into place by EPA, gives this protection to wetlands. How can wetlands be given HQ or EV protection if the criteria to make a "surface water" HQ or EV are based on streams?

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

Sincerely yours,

Jan Stanley





Jeremiah J. Jones
255 Pleasant Valley RD
King of Prussia, PA. 19406
April 24, 1997

97 MAY 27 11 09 AM

Environmental Quality Board
DEP
POB 8465
Harrisburg, PA. 17105

Subject:
New Proposal/Water Quality Rules

Gentlemen:

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 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 interrogation of wetlands protection with antidegradation;

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

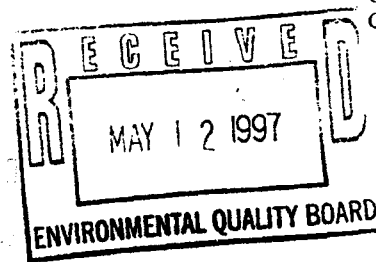
This proposal is loaded with items which are damaging to the environment. It should not be given any credence, in its present form-these regulations should be rejected!

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

Yours truly,

A handwritten signature in cursive script that reads "Jeremiah J. Jones".

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)



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

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

Jerry L. ... *Mike Benhold*

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

J. E. Grieshober Plumbing - Hydronics
857 Ruth Avenue
Erie, PA 16509

STANDARD TIME

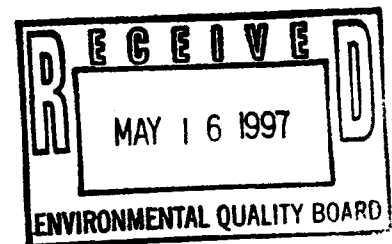
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

I appreciate the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. My company is located in the Erie area. My company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. As a small business, I am affected by many of Pennsylvania's laws and regulations.

Reasonable environmental regulations and water quality protection are essential to enhance our quality of life. There are instances, however, when regulations can be used to unjustly limit or inhibit growth. Increasingly, the time and cost with complying with environmental regulations has been tremendous. I am very concerned about the current process the DEP uses to designate streams for special protection. Whether a high quality or exceptional value stream designation is made, the viability of a project located near that stream may be in jeopardy.

Pennsylvania's current stream designation process is, in ever increasing numbers, used as a tool to halt future economic growth and development in particular areas. Often, it seems stream designation upgrades to exceptional value status have been granted based more on politically driven anti-growth sentiment rather than based on scientific fact. Remember, these DEP regulations concern water quality, not land use.



Several provisions of the existing regulations need revised to provide more reasonable water quality regulations. The three areas of my comments deal with high quality stream designations, exceptional value stream designations and public participation.

First, when DEP assesses a stream, only those streams that have water quality better than standards should be eligible for special protection status. Currently, the Department evaluates a stream for a high quality or exceptional value designation using a "generally better than water quality" determination. This is not appropriate nor consistent with the existing federal language. A stream should never be considered for a high quality or exceptional value status if even one of its water quality parameters is above the existing standard.

I support a "de minimis" permit threshold where a social and economic justification is not required. I also recommend that the Department revise its regulations to allow for the use of general permits on high quality and exceptional value streams. Discharges associated with these permits are minimal and permit applicants should not be burdened with applying for an individual permit for these types of projects.

Also, because of the many implications an antidegradation designation will have on a community, the DEP must base its designations on more than just one grab sample. The DEP must have enough actual, sound scientific background water quality data before an accurate evaluation can occur and a stream designation can be made.

Our second major area of concern is the DEP's current exceptional value streams designation process. The section of the regulations concerning the designation of streams as exceptional value has been abused recently. Too often streams have been redesignated as exceptional value, when in reality they may have only qualified as high quality. In other words, certain streams designated as exceptional value under Pennsylvania's program would never meet the criteria of a federal Tier Three stream designation. In particular, Pennsylvania's EV program is broader than the federal program as it considers outstanding regional and local resource waters. I recommend the DEP's exceptional value program be revised to be no more stringent than the federal program.

Designation of exceptional value streams should be based solely on the stream's uniqueness to the Commonwealth of Pennsylvania or the nation. Some states have not yet designated a single stream in their state as exceptional value due to the adverse economic impact this designation carries with it.

One of the key positions of Governor Ridge's administration is that no state-run program should be more stringent than required by federal law. Also, a greater balance needs to be established between the environmental and economic interests of the state. Pennsylvania should not be placed at an economic disadvantage in comparison to other states' water quality programs.

An associated concern with the federal tier three program is the Environmental Protection Agency's (EPA) interpretation of the federal requirements regarding discharges to exceptional value streams. Despite the EPA's insistence that the DEP prohibit new or expanded discharges to exceptional value streams, I believe that current EPA and DEP rules allow for the consideration of such discharges. With the use of sound technical practices, discharges which result in no adverse measurable change to long term water quality should be allowed.

My final comments focus on the need for improved public participation in the entire special protection stream designation process. Public participation must start during the assessment of the stream.

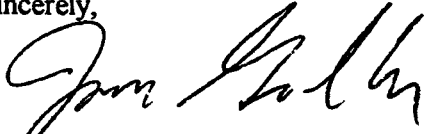
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, however not everyone subscribes to this publication. Many parties, including landowners and homeowners, which may be adversely affected by a stream upgrade are never made aware of the petition until perhaps a proposed regulatory package is already in front of the Environmental Quality Board for consideration. In addition these parties are never fully made aware of the impacts a redesignation can have on their activities in the area.

The Department must notify potentially affected parties in the preliminary stages of the stream's evaluation. This includes notice by first class mail to any applicant with a pending discharge permit application, any existing discharge permittees, the appropriate municipalities, planning commissions and all applicants that have received Act 247 or Act 537 planning or subdivision and land development planning approval within the previous 5 years. This will help the DEP to eliminate potential oversights and to obtain a complete picture of the stream, including present and planned growth and economic development in the area.

The Department should be required to consider the social and economic impacts associated with any of its high quality and exceptional value designations during the assessment process. This information should be made available to the public.

Thank you for your consideration of my comments regarding this very important regulatory proposal. I believe the incorporation of these comments into the final regulations will provide Pennsylvania with a more balanced water quality stream designation program that will continue to protect our valuable resource and also allow for economic growth in Pennsylvania.

Sincerely,

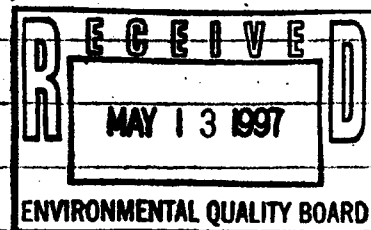
A handwritten signature in black ink, appearing to read "Jim Grieshober". The signature is written in a cursive style with a large, prominent initial "J".

Jim Grieshober
Owner

5/11/97
AHn: Environmental Quality Board

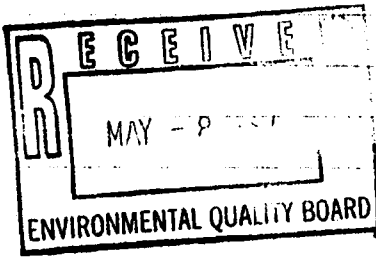
This letter is in regards to the
DEI's current anti-degradation proposal.
I am opposed to any legislation that
would lower water quality standards.
I would support the adoption of
the simpler, better standards of the
EPA. Reply to me on the Board's
stance on this issue at:

Jeffrey Bergman
509 Harrison Street
Pittsburgh, PA 15237
(412) 367-1274



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

REJECT DEP'S CURRENT
ANTI-DEGRADATION
PROPOSAL



Jeffrey S. Campbell

*Environ
P.O. Box
Harris*

Mr. Jeff Campbell
333 E. Broad St.
Quakertown, PA 18951



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

Dear Sir:

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

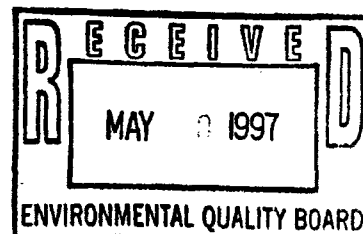
I am opposed to the allowance of general NPDES permits in our High Quality streams. Oil and gas discharges have already done plenty of damage in the northwest part of the state, and now you want to allow their discharges in HQ streams. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place in any one watershed--until it was too late. The proposed rules will significantly weaken existing protection for both High Quality and Exceptional Value streams.

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

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

Sincerely yours,

Jean Schill

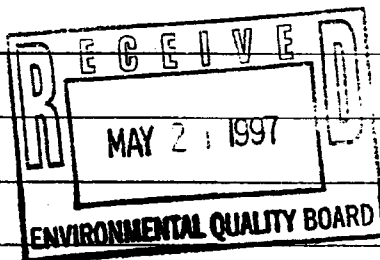


To: PA Environmental Quality Board

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

Please reject the D.C.P.'s current anti-degradation proposal. This is a major stepping stone to clean up and point our relationship with the environment in the right direction. I feel that you will agree we all like clean water.

Sincerely,
Jason Ruff



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

Dear Sir:

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

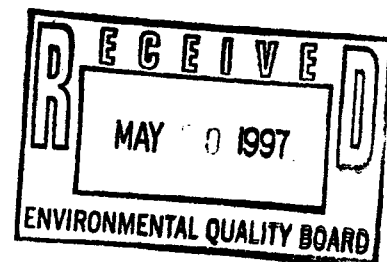
I am opposed to the allowance of general NPDES permits in our High Quality streams. Oil and gas discharges have already done plenty of damage in the northwest part of the state, and now you want to allow their discharges in HQ streams. General permits are not tracked by DEP, so they would have no way of knowing how much degradation is taking place in any one watershed--until it was too late. The proposed rules will significantly weaken existing protection for both High Quality and Exceptional Value streams.

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

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

Sincerely yours,

Jason Magagnotti



ENVIRONMENTAL QUALITY BOARD

PLEASE REJECT THE D.E.P
CURRENT ANTI-DEGRADATION
PROPOSAL

J. Sam Starnett
315 OLD FORT ROAD
RING OF PRUSSIA, PA 19406

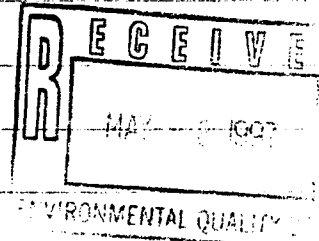
97 MAY 27 To: The Environmental Quality Board (EQB)

Please reject the DEP's current Anti-degradation Policy.

Thanks

JOE HENNESSY
109 REDWOOD DR
POCKETTOWN PA
18951

PLEASE REPLY



310 Dartmouth Ave
Swarthmore, PA 19081-1503

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

610-544-8104

97 JUN 27 11 51 AM '97

Email: judith.afaulk@juno.com

Environmental Quality Board
DEP
PO Box 8465
Harrisburg, PA 17105

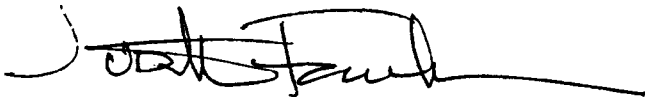
Dear Board Members:

I urge you to reject the DEP's current water anti-degradation proposal. This proposal will only further jeopardize the waters of the state, and this will not benefit human tax paying citizens nor flora and fauna. We will all be better served by the adoption of the simpler and better standards of the United States Environmental Protection Agency.

Please think about the future of the magnificent waterways and underground water resources. Vote to make and keep them clean.

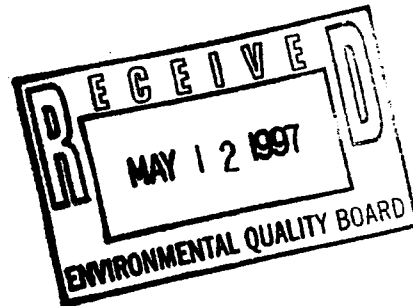
I would appreciate a response to this letter.

Respectfully,



Judith Faulkner

JF



ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

MAY 27 01 0:33

RECEIVED

E Q B -

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

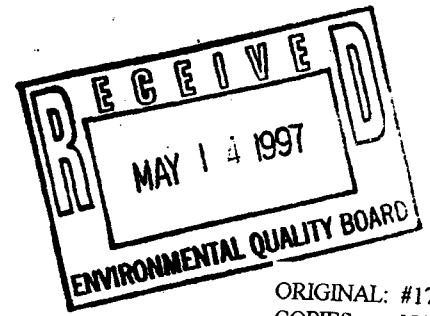
R E C E I V E
MAY - 8 1997
ENVIRONMENTAL QUALITY BOARD

Joyce K. Herbert
963 Green St.
Allentown, Pa.
18102

Environment
Dep. PO
Harris

Joyce Herbert
963 Green St.
Allentown, PA 18102-1462

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 JHJ)

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

Dear Mr. Seif:

I am writing to express my opposition to the proposed new antidegradation regulations for Pennsylvania. The proposal weakens the protections that exist under the current regulations promulgated for 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 attract anglers from all over the world. These waters and their fisheries are threatened from a variety of sources, including coal mining and its after effects, increased development, polluted run-off, and industrial pollution. These sources are so pervasive and diverse that unless we make protecting high water quality a top priority, we will lose it.

I understand that 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.

Sincerely,

A handwritten signature in cursive script that reads "John D. Kennedy".

Southwest Regional
Vice. Pres.

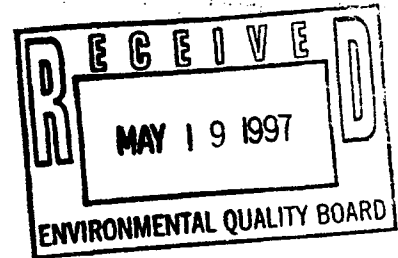
PA Council

Trout Unlimited

JOHN J. SCHNEIDER, ESQUIRE
104 W. HIGH STREET
Milford, Pennsylvania 18337

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 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,

A handwritten signature in black ink, appearing to read "John J. Schneider". The signature is written in a cursive style with a long horizontal stroke at the end.

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

To Environmental Quality Board

Repeal the DEP's current
anti-degradation proposal

John Hollar

