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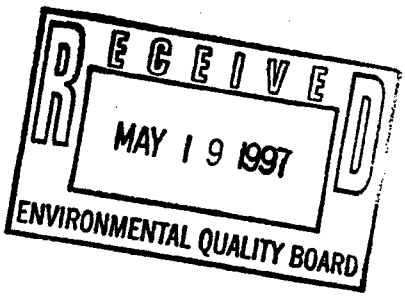
JOHN D. KELLY, INC.
Building Contractor
R.D. 2, Box 2107
Saylorsburg, PA 18353
(717) 629-3058



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 many people our area. My 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 our comments deal with high quality stream designations, exceptional value stream designations and public participation.

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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.

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.

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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,

John D. Kelly
John D. Kelly, Inc.
Building Contractor

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

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MAY 12 1997
ENVIRONMENTAL QUALITY BOARD

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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,

John Antonelli

218 Blackstone Road
Leechburg, PA 15656

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

Dear Sir:

This letter is in reference to the **antidegradation regulation proposal** in the March 22, 1997 Penna. Bulletin. **I am against the allowance of general NPDES permits in our High Quality Streams.** Oil and gas discharges have already done much damage in the northwest part of the state, and now you want to allow their discharges into 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 much too late.

I am also disappointed that the 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(Exceptional Value) protection if the criteria to make a 'surface water' HQ or EV are based on streams alone?

This regulation has a little good, but much bad. **It should be rejected by the Board.**

Sincerely,

John & Kathy Pokrifka
Ann Pokrifka

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MAY 14 1997
ENVIRONMENTAL QUALITY BOARD

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John W. Schaefer Builders, Inc.
4720 Wattsburg Road
Erie, Pennsylvania 16504

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

Dear Chairman Seif:

The John W. Schaefer Builders, Inc. appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. 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 John W. Schaefer Builders, 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.

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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 John W. Schaefer Builders, 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,

John W. Schaefer
President

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97 MAY 21 PM 2:39

EQB -

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

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MAY - 8 1997
ENVIRONMENTAL QUALITY BOARD

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

Environmental
Dep, Po
Harrie

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

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ENVIRONMENTAL QUALITY BOARD

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

J. Tim Stannard
310 OLD FORT ROAD
KING OF PRUSSIA, PA 19406

2863 EDGEMONT DRIVE
ALLENTOWN, PA. 18103
PH./FAX 610-776-8107
FAX:

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April 9, 1997

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

Dear Sirs:

I feel very strongly that you should **reject the DEP's current anti-degradation proposal.**

Sincerely,

Joshua J. Guttman

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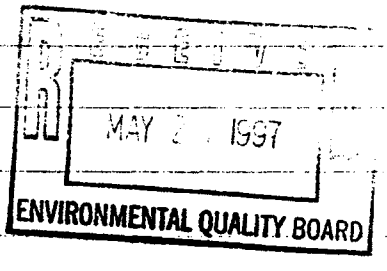
(PER JHJ)

DEAR ENVIRONMENTAL QUALITY BOARD,
PLEASE REJECT THE DEP'S CURRENT
ANTI-DEGRADATION PROPOSAL
MY JOB DEPENDS ON THE OHIO RIVER
AND I ENJOY ALL TYPES OF WATER
RECREATION AS WELL, SO I WOULD LIKE
TO KEEP IT CLEAN

THANK YOU,

CHRIS CAHN
RD#1 BOX 202
PENN RUN PA. 15765



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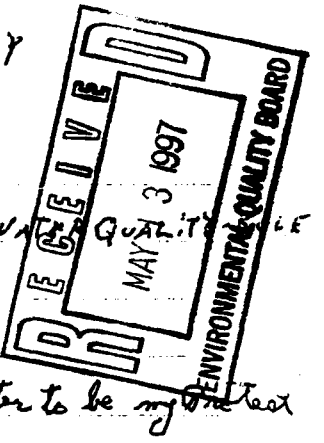
ENVIRONMENTAL QUALITY
DEP - Box 8465 -
HARRISBURG, PA 17105



NEW PROPOSAL! WATER QUALITY

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 representatives are still applying 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 we might as well say to PUBLIC LANDS in the selection PROCESS:

3/ another loophole - allows discharges an degradation in EV waters

There is no integration of wetlands protection with ante-degradation Waters not yet assessed are protected at the lowest level. How long are they expected to last under these Condition This proposal is loaded with items which are damaging to the environment, It should not be given any Credance 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 R Johnson
12-B WASHINGTON AVE
DOWNINGTOWN PA
19335

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

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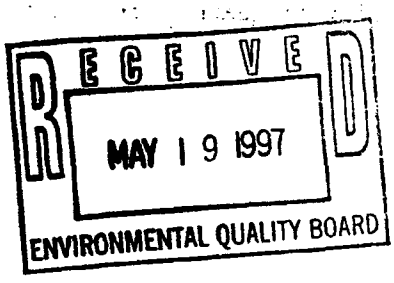
Mr. James Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477



Dear Secretary Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. This is 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,

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Chairman
Environmental Quality Board
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Sincerely,

John D Kennedy

Southwest Regional
Vice. Pres.
PA Council
Trout Unlimited

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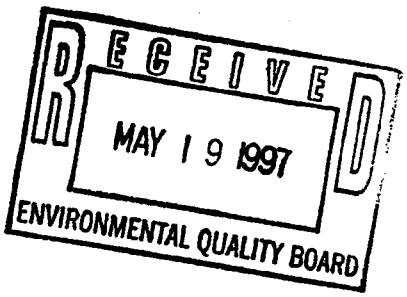

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Sincerely,

John D. Kelly
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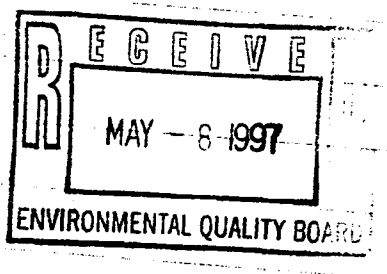
Building Contractor

To Environmental Quality Board

Reject the DEP's current
anti degradation proposal

John Holley



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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,

John Antonelli

218 Blackstone Road
Leechburg, PA 15656

ORIGINAL: #1799
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(PER JHJ)

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

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

Thanks

Joe Hennessy
109 Redwood Dr
Quakertown Pa
18951

Please Reply

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John W. Schaefer Builders, Inc.
4720 Wattsburg Road
Erie, Pennsylvania 16504

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

Dear Chairman Seif:

The John W. Schaefer Builders, Inc. appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. 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 John W. Schaefer Builders, 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.

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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.

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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 John W. Schaefer Builders, 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,

John W. Schaefer
President

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Kara Flynn Wilson
646 Hidden Valley Road
King Of Prussia, PA 19406

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MAY 15 1997
ENVIRONMENTAL QUALITY BOARD

Dear EQB,

Please reject the Dep's current anti-degradation proposal. Keep our water clean for our Children —

Kara Wilson

LCBA

LEBANON COUNTY BUILDERS ASSOCIATION

39 Klein Avenue
(717) 272-6252

Lebanon, PA 17042
FAX (717) 272-1681

Member

PBA Pennsylvania Builders Association

NAHB National Association of Home Builders

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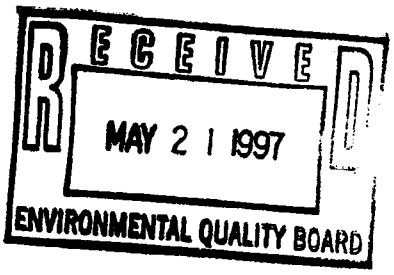

Mr. James M. Seif, Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif,

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. The Lebanon County Builders Association represents 474 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 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 LCBA 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 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 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.

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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.

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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.

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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 opportunity to provide comments of this very important regulatory proposal. The Lebanon 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,

Lorraine K. Patton

Lorraine K. Patton, Executive Officer

Patrick Brewer

Patrick Brewer, President
LCBA

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ENVIRONMENTAL QUALITY BOARD

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,

Kenneth S. King

KENNETH S. KING

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Kitchen Concepts By Rick Constantino
2402 State Street
Erie, PA 16503

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

Dear Chairman Seif:

Thank you for the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company employs 4 persons in the Erie 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 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.

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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,

Richard Constantino

Richard Constantino
President

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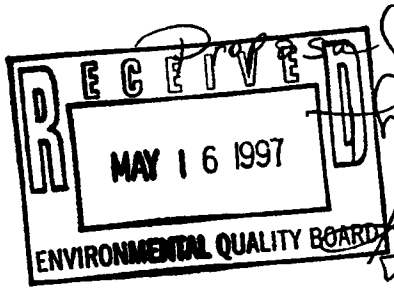
Environmental Quality
Board
Please Reject DEP's
Current Anti degradation
Proposal
Thank You
Ken Collins



Environmental
DEP. P.O. Box
Harrisburg

Mr. Kenneth Collins
307 Old Fort Rd.
King Of Prussia, PA 19406

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Environmental Quality Board

Please Reject Current Anti degradation Proposal

Thank You

Miriam Collins

Mr. Kenneth Collins
307 Old Fort Rd.
King Of Prussia, PA 19406

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Environmental Quality Board
Dep P.O.T.
Harrisburg

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EQB dep
Po Box 8465
Harrisburg, Pa. 17105

To whom it may concern,
I am writing my support for Clean Water Action in hopes that you will reject the DEP's current anti-degradation proposal.
Please adopt the simpler better standards of the EPA.

Thank you,
Kate Rapine
247 Foulkrod Blvd.
King of Prussia, Pa. 19406

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Please reject the DEP anti-degradation proposal.

Thank-you
Kathleen A. Ellen
273 Route 711 North
Ligonier PA 15658

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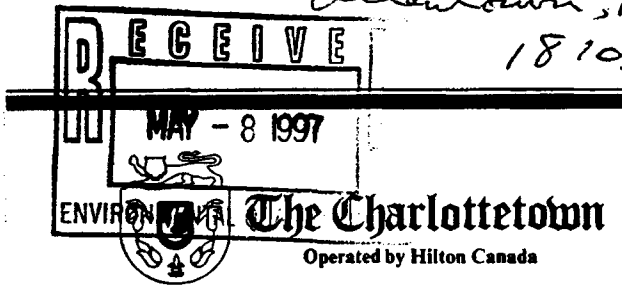
Prince Edward
Hilton International

18 Queen Street
Charlottetown, P.E.I. C1A 4A1
(OPENING DECEMBER 1983)

902-894-7371
Telex: 014-44122

Please reject the DEP's current anti-degradation proposal

Karl Schmidt
921 Miller St.
Allentown, PA
18103



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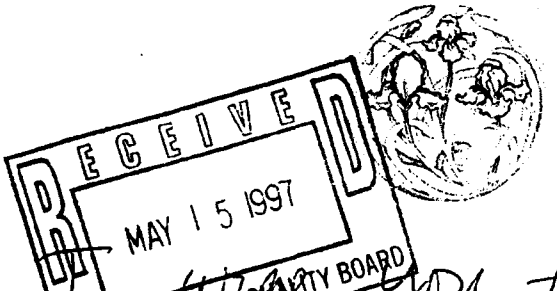

May 12, 1997

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

Please respond to my request:

Karen DeLone
553 Crossfield Rd.
King of Prussia,
PA 19406

310 Dartmouth Ave
Swarthmore, PA 19081-1503

ORIGINAL: #1799
COPIES: NONE
(PER JHJ)

610-544-8104

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

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EQB
DEP, PO Box 8465, Harrisburg, PA 17105

Please reject the DEP's current anti-degradation proposal because it's against the Clean Water Act. Please reply.

Lesley Gradone
8611 E Barkhurst Dr.
Pgh PA 15237

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EQB -

Help us! Reject the DEP's current anti-degradation proposal. Adopt simpler, better standard! Please respond.

Thank you.

Lisa Boutsano
414 N. 8th St.
Perkasie, Pa. 18944

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ENVIRONMENTAL QUALITY BOARD

Planners
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Builders

RICHLAND
ESTABLISHED IN 1978

*Chosen **BUILDER OF THE YEAR IN 1994** by the Lehigh Valley Builders Association*

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

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ENVIRONMENTAL QUALITY BOARD

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TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

Dear Chairman Seif:

The Richland Construction Company appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs 4 persons in the Lehigh Valley 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 Richland 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.

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Sincerely,

Rich Pagotto
President

ORIGINAL: #1799
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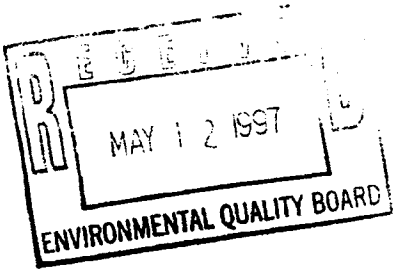
(PER JHJ)



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

Dear Sir:

This letter is in reference to the **antidegradation regulation proposal** in the March 22, 1997 Penna. Bulletin. **I am against the allowance of general NPDES permits in our High Quality Streams.** Oil and gas discharges have already done much damage in the northwest part of the state, and now you want to allow their discharges into 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 much too late.

I am also disappointed that the 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(Exceptional Value) protection if the criteria to make a 'surface water' HQ or EV are based on streams alone?

This regulation has a little good, but much bad. **It should be rejected by the Board.**

Sincerely,

Jessica & Henry Beers
Strattanville Pa

MARKEY
BUILDERS INC.

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TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

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

Dear Secretary Seif:

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

This proposal should be subject to the Governor's Executive Order 1996-1, which requires the department to revise all of its regulations to bring balance to Pennsylvania's environmental regulations. In several instances, Pennsylvania's program exceeds federal standards. The DEP should adopt the federal language that states water quality must "exceed" standards rather than what 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.

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

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(717) 843-6607 • FAX (717) 843-9699 • 1732-34 W. King St. York, PA 17404

Thank you for considering these comments.

Sincerely,

MARKEY BUILDERS, INC.

Keith S. Hamberger
President

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(PER JHJ)

Margie McCormick
9328 Harmony Dr.
Pgh. Pa. 15237
(412) 635-8460

Environmental Quality Board
Dep, P.O. Box 8465
Harrisburgh Pa. 17105

Dear EQB,

We need standards that protect our waterways from any more degradation. Its important to our health and well being that we have quality water to drink and cook with.

Sincerly
Margie McCormick

Please reply.

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TRIPLE CROWN CORPORATION

5351 Jaycee Avenue
Harrisburg, Pennsylvania 17112
Telephone: (717) 657-5729 Fax: (717) 657-8125

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(PER JHJ)

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

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Thank you for considering these comments.

Sincerely,

Mark DiSante

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Member of
International Council
of Shopping Centers

National
Association of
Industrial and
Office Parks

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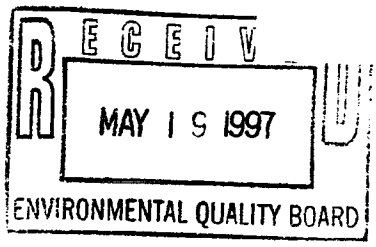

Mr. James Seif
Chairman
Environmental Quality Board
16th Floor, Rachel Carson Building
P.O. Box 8477
Harrisburg, PA 17105-8477

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,

Marcia W. Wolman
P.O Box 62
Spruce Creek, PA 16683

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(PER JHJ)

USA 32

I Margaret M. Andrews am against any changes in the anti degradation proposal. Please send me any information or responses you have.

Thank you

Margaret M. Andrews
2874 Sanborn St.
Pgh. PA. 15204

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MAY 15 1997
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97 MAY 13 PM 1:01
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DIV OF W Q ASSESS & STDS

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

Dear Sir:

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I am also disappointed that the 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(Exceptional Value) protection if the criteria to make a 'surface water' HQ or EV are based on streams alone?

This regulation has a little good, but much bad. **It should be rejected by the Board.**

Sincerely,

Lois M. Miller
Route 1 Box 107
Stattanville, Pa. 16258

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MAY 21 1997
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Maleno Builders, Inc.
2236 West 38th Street
Erie, Pennsylvania 16506
Phone (814) 833-6516

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JEWETT
SANDUSKY
WYATTE
BERESCHAK

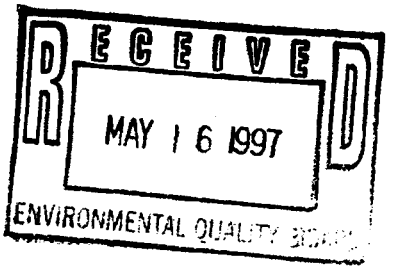
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

Maleno Builders, Inc. 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 Erie 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 Maleno Builders, 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.

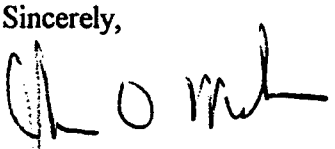
The Department must ensure increased public participation at the early stages of the stream redesignation process, whether the assessment is initiated by the Department or by a petition. Under the present DEP policy, The Department publishes a notice of acceptance of a petition in the *Pennsylvania Bulletin*, 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. Maleno Builders, 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,



John D. Maleno
President

ORIGINAL: #1799
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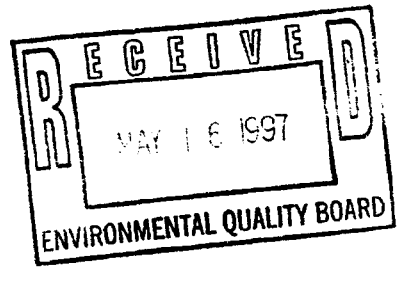
(PER JHJ)

Mark Matika
HERBALIFE Independent Distributor

1136 Belfield Avenue ~ Drexel Hill, PA 19026
Phone 610-853-9853 ~ Fax 610-853-9692

I URGE YOU TO REJECT THE D.E.P. ANTI-DEGRADATION PROPOSAL PLEASE RESPOND.

Mark Matika



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(PER JHJ)

Mark Mosko
3105 Millers Run Road
Cecil, PA 15321

EQB
DEP, PO Box 8465
Harrisburg, PA 17105

Dear State EQB representative

I am proud of my state because of the high water quality. I am saddened to learn that our elected officials are planning to reverse the progress we've made.

Please leave well enough alone and reject the DEP's Antidegredation proposal!

Sincerely,

Mark Mosko

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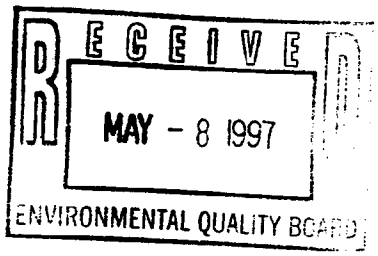
[illegible] our waterways from more degradation
Reject the current anti-degradation
proposal.

M. Lumer



no return
address
(3 same letters
from same
person)

The need standards that protect
our waterways from more
degradation.
Reject the current anti-degradation
proposal.

M. Lumer

our waterways from [illegible]
Reject the current anti-degradation
proposal.

M. Lumer

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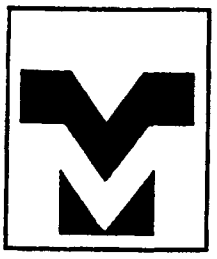
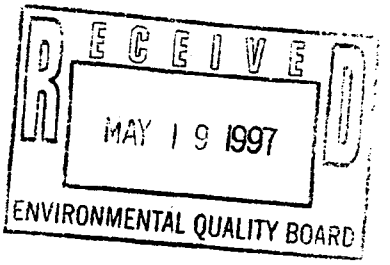
(PER JHJ)

Minnock Construction Cor ny
7202 Old McKnight Road
Pittsburgh, Pennsylvania 15237





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

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Thank you for considering these comments.

Sincerely,

MINNOCK CONSTRUCTION COMPANY

Patrick J. Minnock
President

Telephone (412) 366-4770 FAX (412) 369-9520

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COPIES: NONE
(PER JHJ)

JULY 27 AM 8:03

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

I WOULD LIKE A REPLY ON YOUR DECISION.

MIKE WENDLING—
1305 TAFT AVE.
ALLENTOWN, PA 18103

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MAY - 8 1997
ENVIRONMENTAL QUALITY BOARD

1 2

MR. MICHAEL WENDLING
1305 TAFT AVENUE
ALLENTOWN, PA 18103

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WYATTE
BERESCHAK

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

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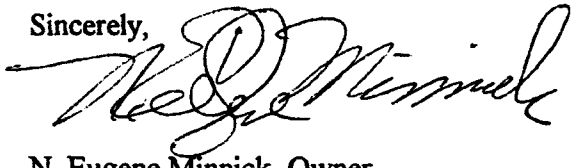
Sincerely,



N. Eugene Minnick, Owner
Minnick's Electric and Vacuflo

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Environmental Quality Board,

HEY REJECT THE DEP's CURRENT ANTI-degradation proposal.

ADOPT THE SIMPLER, BETTER STANDARDS OF THE EPA.

Sincerely,

Michael P. Kreml III

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MAY - 8 1997
ENVIRONMENTAL QUALITY BOARD

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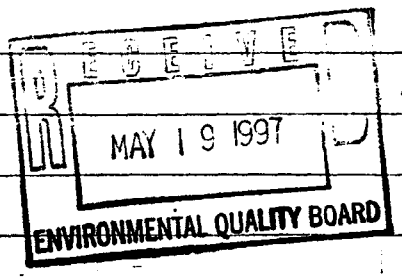
(PER JHJ)

To whom it concerns;

It has been brought to my attention that your department is accepting public opinion at this time regarding proposed changes with regard to waterways and the environment.

I believe in the cleanest possible environment we can provide and the purest water we can have made available to us. Keeping standards high with regard to any environmental issues should be a priority. Our environment is our future.

Please reject the antidegregation proposal. Thank you for your consideration and affording me the opportunity to comment.



Sincerely,
Michael D. Long
1448 Swanton St.
Pgh Pa 15204
(412) 921-7613

Please reject the DEP's ant.-degra
proposal.

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Signed
Mary St. Peebe

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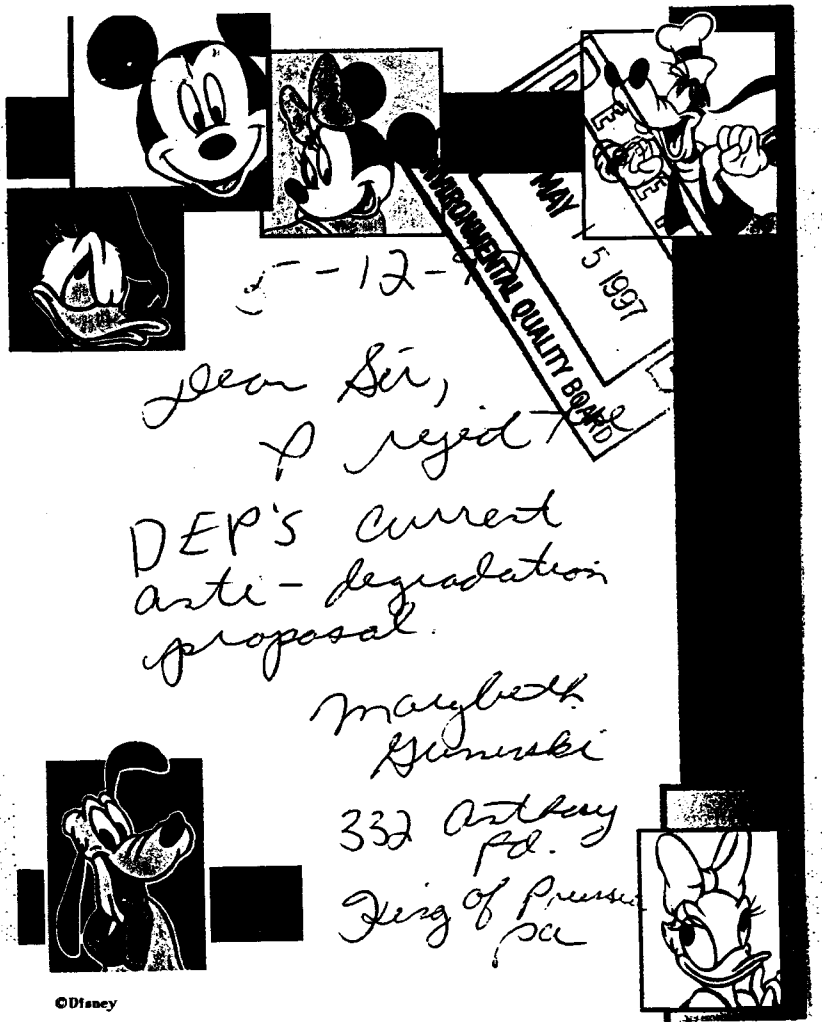

5-12-97

Dear Sir,
I request
DEP's current
anti-degradation
proposal.

Marybeth
Gumuski
332 Anthony
Rd.
King of Prussia
PA

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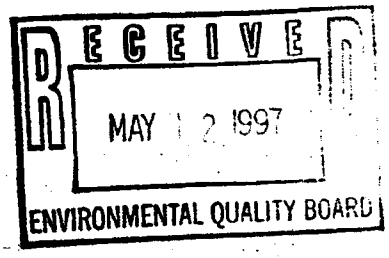

Environmental Quality Board
Mr. James Seif, Chairman
P.O. Box 8477
Harrisburg, PA 17105-8477

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,

Mary Alice Knop
"Bird Watcher"

315 Dean St.
West Chester, Pa 19382

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M.R. MURRAY GENERAL CONTRACTOR
111 SANN STREET
JOHNSTOWN, PENNSYLVANIA 15904

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 Johnstown area. My 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.

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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.

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,

Michael Murray, Owner
M.R. Murray General Contractor

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Please reject the DEP's
current anti-degradation
We want better simpler Proposal standards
of the EPA.

Please uphold

Mrs. Karen Wacker
209 Republic St.
Pittsburgh, PA 15211-1031

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Sincerely,
Mrs Wacker

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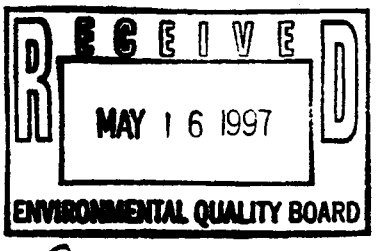

To Whom it May Concern,

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

Sincerely,
Monica LoSchiavo

Please Reply

Monica A. LoSchiavo
532 Charles Dr.
King Of Prussia, PA 19406

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

Dear Sir:

This letter is in reference to the **antidegradation regulation proposal** in the March 22, 1997 Penna. Bulletin. **I am against the allowance of general NPDES permits in our High Quality Streams.** Oil and gas discharges have already done much damage in the northwest part of the state, and now you want to allow their discharges into 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 much too late.

I am also disappointed that the 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(Exceptional Value) protection if the criteria to make a 'surface water' HQ or EV are based on streams alone?

This regulation has a little good, but much bad. **It should be rejected by the Board.**

Sincerely,

Mr. & Mrs. James Krotee
RD2 Box 432
Summerville, PA
15864

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Olin L. Miller Corporation
1486 Jill Drive
Hummelstown, Pennsylvania 17036

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

Dear Chairman Seif:

The Olin L. Miller Corporation appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs 7 persons in the Harrisburg 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 the Olin L. Miller Corporation 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.

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Thank you for your consideration of these comments regarding this very important regulatory proposal. The Olin L. Miller Corporation 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,

Olin L. Miller
President

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Ofiesh Construction and Development
5718 Ohio Avenue
Altoona, Pennsylvania 16602
Telephone (814) 944-1512

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

Dear Chairman Seif:

Ofiesh Construction and Development appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company employs 4 persons in the Altoona 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 Ofiesh Construction and Development 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.

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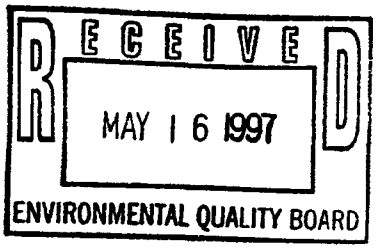

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Thank you for your consideration of these comments regarding this very important regulatory proposal. Ofiesh Construction and Development believes the incorporation of these comments into the final regulations will provide Pennsylvania with a more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

Sincerely,

Charles G Ofiesh

Charles G. Ofiesh
Owner

Nikles Realty Inc.
Star Route 1, Box 490, Milford, Pa 18337 717-296-9200 or 296-9206 Fax: 296-9207
Office Location: Route 6/209 at Independence Drive

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

Dear Chairman Seif:

Nikles Realty 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 Nikles Realty, 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.

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Sincerely,

Edward S. Nikles
President

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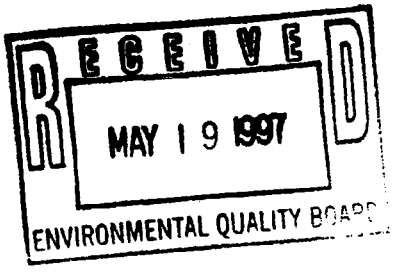
O'DONOGHUE CONSTRUCTION COMPANY, INC.
16 ANGLE WAY
PITTSBURGH, PA 15223
(412) 782-3060



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

Dear Chairman Seif:

The O'Donoghue Construction Company appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company employs 11 persons in the Pittsburgh 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.

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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 O'Donoghue 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,

Thomas B. O'Donoghue, President
O'Donoghue Construction Company

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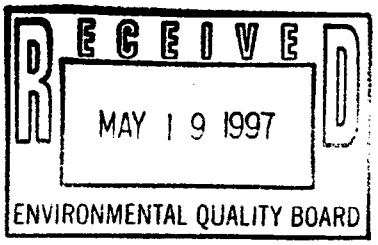
(PER JHJ)

NEBCO
PO Box 215
Dixonville, PA 15734
(412) 254-2783



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

Dear Chairman Seif:

NECBO appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality antidegradation regulations. Our company employs many persons in the Dixonville 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 NEBCO 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.

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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 NEBCO 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,

Nancy S. Bierwerth

Nancy S. Bierwerth
President

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(PER JHJ)

Environmental Quality Board,

Please, for the people of Delaware County, Pa, reject the Dep's current anti-degradation proposal. We need safe water!!

Thank You,

Nick Pulcinella
Swarthmore, Pa

PENNSYLVANIA INDEPENDENT PETROLEUM PRODUCERS ASSOCIATION

P.O. Box 103 Bradford, PA 16701-0103

814 368-6824
Fax 814 368-2283
Office of the President:
814 676-0765

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JEWETT
SANDUSKY
WYATTE
BERESCHAK

PO Box 43
Cranberry, PA 16319-0043
May 19, 1997

Environmental Quality Board
PO Box 8477
Harrisburg, PA 17105-8477

WATER QUALITY AMENDMENTS—ANTIDEGRADATION
[25 PA. CODE CHS.92, 93 AND 95]

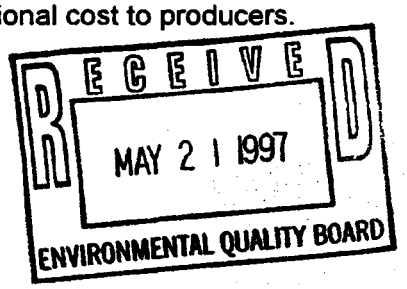
I am writing to comment on the proposed amendments to the above referenced Antidegradation Water Quality Amendments.

Pennsylvania Independent Petroleum Producers recognizes the value of protecting Pennsylvania's fine waters from unnecessary environmental degradation. And we recognize the value of constructive cooperation. However, we ask that the Environmental Quality Board also note that many factors, including those evidenced through history, indicate that stripper well production water, responsibly discharged to streams, is basically compatible with extremely high quality environmental conditions.

The additional financial burden on currently producing stripper wells must be given equal consideration with the degree of improvement to the environment which would be realized by adopting any new regulations. The cost of additional regulations, applied to water produced during the normal operations of stripper wells, must be justified and be proven beneficial enough to the environment to justify the additional cost to producers.

Jack W. Master

JACK W. MASTER
PRESIDENT



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

The DEP is proposing new regulations that would lower water quality standards.

★ Tell them to reject the DEP's current anti-degradation proposal. ★

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JAN 1997
ENVIRONMENTAL QUALITY BOARD

Thank you

Pamala King

PAMALA KING
311 South Main Street • Perkasie, PA 18944

Please Reply!

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Pro Realty, Inc.
4720 Wattsburg Road
Erie, Pennsylvania 16504

97 MAY 27 AM 8:56

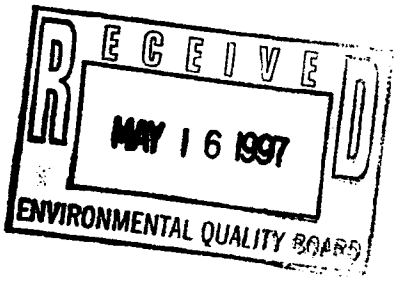
Mr. James M. Seif
Chairman
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105

Dear Chairman Seif:

Pro Realty, Inc. appreciates the opportunity to provide comments on the Department of Environmental Protection's (DEP) proposed water quality anti-degradation regulations. Our company has always been a strong proponent of sensible environmental regulations that protect the public health and safety. 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 Pro Realty, 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.



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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.

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Sincerely,

James R. Hertner
Realtor

Pike County Builders Association

Star Route One, Box 492
Milford, Pa. 18337

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COPIES: COCCODRILLI
TYRRELL
JEWETT
SANDUSKY
WYATTE
BERESCHAK

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

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 Pike County Builders Association represents 115 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 Pike 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.

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Sincerely,

Ben Hogan
Past President

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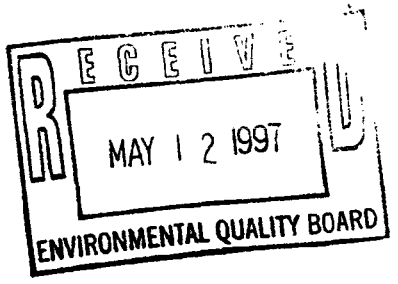

Chairman
Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477

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,

Philip M Wallace*

* It would seem that nothing would be lost and much gained by at least some further review of this regulation.