

To: 7177832664@fax.pahouse.net

From: "McIlmoyle, Ryan"

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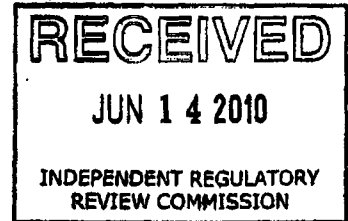
P. MICHAEL STURLA, CHAIRMAN
HOUSE MAJORITY POLICY COMMITTEE
120 MAIN CAPITOL BUILDING
PO BOX 202096
HARRISBURG PA 17120-2096
PHONE: (717) 787-3555
FAX: (717) 705-1923



COMMITTEES
RULES
CAPITOL PRESERVATION
CHESAPEAKE BAY COMMISSION

THE GRIEST BUILDING
8 NORTH QUEEN STREET
SUITE 1100
LANCASTER PA 17603
PHONE: (717) 295-3157
FAX: (717) 295-7816

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG



June 14, 2010

Independent Regulatory Review Commission (IRRC)

RE: Proposed Chapter 102 regulations (Docket #2783)
Proposed Chapter 95 regulations (Docket #2806)

Dear Members:

I am writing respectfully to request that you support the proposed Chapter 102 and Chapter 95 regulations to be considered by IRRC on June 17, 2010. I represent the 96th District, which includes the City of Lancaster. I currently serve as Chairman of the Majority Policy Committee in the House, and am a member of the Chesapeake Bay Commission, a re-appointment I accepted in 2008 after having previously served on the Commission from 1993 to 1994.

The proposed regulations represent important safeguards for the waters of the Commonwealth. Streams and rivers and other surface waters account for at least 60% of municipal drinking water. Clean water resources enhance tourism and recreational opportunities. Effective pollution controls will be required under the new Total Maximum Daily Load plan for the Chesapeake Bay and thousands of miles of impaired streams in Pennsylvania.

Forested vegetation does an excellent job of slowing the velocity of stormwater, preventing erosion and filtering out contaminants. Restoring a buffer in a place where the trees have been removed, one need only take no action and the buffer will return in time. Perhaps most importantly, for people who choose to live near our waterways, buffers protect property values. They do so by diminishing the likelihood of property damaging flood events, enhancing the scenic beauty, ensuring a recreational value in the waterway and maintaining a cool stream temperature.

The proposed regulations are balanced. The Department of Environmental Protection (DEP) has gone through a thorough process with extensive stakeholder discussion on both of these regulatory packages. Multiple rounds of comment and response with those

The proposed changes to Chapter 102:

- contain an array of exemptions and waivers to maintain regulatory flexibility and respond to the concerns of numerous stakeholders;
- address previous ambiguity on requirements for managing erosion from agricultural animal heavy use areas;
- clarify long term operation and maintenance requirements for post-construction stormwater management practices, and
- regarding the mandatory buffer provisions, will impact a very small geography, likely to represent less than 1.2% of the Commonwealth.

The proposed changes to Chapter 95:

- appropriately manage Total Dissolved Solids discharges;
- provide an equitable approach to existing TDS sources, expansion of current facilities and new generators of TDS loads;
- provide entrepreneurial and employment opportunities for businesses and individuals in the development and marketing of technologies which provide the most efficient treatment, and
- provide protection for sewage treatment facilities which were not designed to treat this type of wastewater. The high salinity and other components of hydraulic fracturing wastewater are damaging to the biological systems employed at most wastewater treatment facilities. These biological systems are critical to numerous treatment processes, particularly where plants must meet nitrogen and phosphorous limits pursuant to Chesapeake Bay Water Quality Standards.

I believe that DEP has implemented a thorough and equitable process for stakeholder participation in the revision of these regulatory packages. The proposed language represents a compromise which is protective of the environment and addresses the concerns raised by all stakeholders.

Respectfully Submitted,



P. Michael Sturla, Member
Pennsylvania House of Representatives