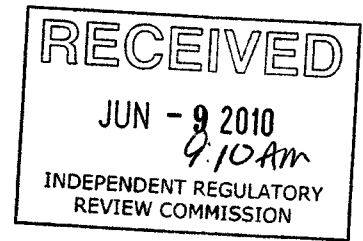


2806

**From:** Michael Pasquarelli [pasquam@dow.com]  
**Sent:** Wednesday, June 09, 2010 9:00 AM  
**To:** IRRC  
**Subject:** Stop DEP's Ch. 95 Total Dissolved Solids Regulation



Dear IRRC Commissioners,

Please vote to disapprove DEP's proposed amendments to the Total Dissolved Solids regulations that are part of Ch. 95 Wastewater Treatment.

DEP has failed to provide the detailed fiscal impact study as requested by IRRC. Likewise, DEP's shift to a watershed based approach does not address the requirement in Section 5 of the Clean Streams Law that requires a study of the economic impact on the Commonwealth.

The continued lack of clarity in the Final Form Rule is a great concern to those entities that will be required to comply with the rule. This is a point of concern that has been commented on throughout the regulatory process and DEP continues to fail to adequately address the issue.

It is clear from the continued questions and legal concerns that the Final Rule has not been developed based on sound data, continues to be confusing, lacks crucial definitions, creates legal questions, and relies on yet to be developed guidance documents that do not carry the force of law to make fundamental legal and policy decisions. For these reasons, I urge IRRC to disapprove the Final Rule so that the Environmental Quality Board (the EQB) will re-examine the issues presented more carefully and clarify the language and concepts laid out in the Final Rule.

Sincerely,  
Michael Pasquarelli  
Dow