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HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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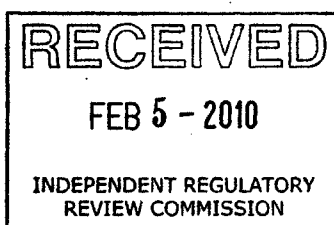
February 5, 2010

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FEB - 5 2010

ENVIRONMENTAL QUALITY BOARD

The Environmental Quality Board
Rachel Carson State Office Bldg.
16th Floor
400 Market Street
Harrisburg, PA 17105-2301



Dear Board Members

I am writing to express my strong opposition to the proposed rulemaking imposing very strict and unrealistic treatment requirements for Total Dissolved Solids (TDS).

While there will be no argument that all Pennsylvanians deserve clean water DEP, in proposing this rulemaking, has failed to provide any scientific justification for imposing such draconian limits nor has it shown, by monitoring or sampling data, that our water resources are at any sustainable risk from TDS concentrations.

Without a proven and compelling environmental or health based need for this regulation, it would be unconscionable for it to be approved given the debilitating effects it would have on our local and state economies and on the financial situation of the good men and women from my legislative district who have families who are either employed directly or indirectly by the coal industry.

As a five year member of the House Environmental Resources and Energy Committee, I have stayed current with the development of the TDS proposals and also the development of Pennsylvania's alternative energy program. Clean energy portends great promise in electrical generation but, to my understanding, is still years and possibly decades away from being able to satisfy the Commonwealth's electrical demands. With demand projected to grow steadily, our ability to provide reliable, affordable electricity for our industries and homeowners depends on using our indigenous supply of coal to produce this electricity until our fledgling alternative energy systems are fully online to replace our fleet of coal fired base load generation plants. Until that time comes, we must continue to mine and burn coal to provide electricity for our citizens. It is undeniable from any responsible perspective.

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289 ROUTE 85 HWY.
HOME, PA 15747
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This stated, I humbly ask your perspective to include assessment and impact of the proposed rulemaking upon the mining industry and its peripheral commerce and employment. Pennsylvania's mining industry employs an estimated 49,000 workers and provides 54% of our electricity. Economists have stated that "Mining and power generation are pillars of the Pennsylvanian economy, especially so in the western half of the state." The TDS rulemaking would have the practical effect of governmentally mandated layoffs in an industry whose workers are often very satisfied with the wages and benefits a coal mining job provides.

Should the EQB decide to delay decision on the proposed TDS rulemaking, it would be well substantiated in doing so. As I am made aware, the prior sampling upon which much of this proposal originates was done during a two month "low flow" period on the Monongahela River. This sampling yielded a much higher concentration that would have been drawn in a typical normal flow period. Data can be made to reflect anything the gatherer wants it to reflect. A valid empirical study would entail sampling drawn from the same river during a normal, mean average flow period.

As I have not yet personally seen one, I am uncertain if the honorable EQB members possess the economic impact study required of the TDS proposed rulemaking to satisfy Section 5(a)(5) of the Clean Streams Act. For your review, here are some economic impact figures calculated by the coal industry.

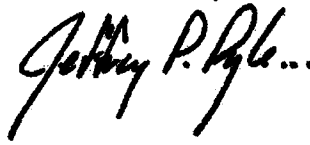
- a. Approximate Capital Implementation Cost.....\$1.325 Billion
- b. Annual Operation costs on Coal industry.....\$133 Million
- c. Bonding Cost for 1 Treatment System.....\$134 Million
- d. Required electricity to operate treatment facilities.....\$42.9 Million
- e. Disposal costs have not yet been calculated but project to catastrophically overburden our landfill capacity by producing over 237,000 tons annually of evaporated dissolved solid waste

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To close, DEP's proposed TDS rulemaking is not possible without adverse and potentially devastating economic impact over a vast region. Given the condition of the current and projected state and national economies, the job losses will not be recoverable within the foreseeable future. As much as I would like to applaud the intent of this rulemaking, the exacted "price" would be mortal to much of my region and felt in every Pennsylvanian home and business via significantly higher energy prices. The human and socio-economic toll upon my region the TDS rulemaking proposal will enact are harmfully far greater than the benefit the TDS rulemaking, as admirable in its aspiration as it is, envisions. It is, to borrow from a movie title, "A Bridge Too Far."

Yours Truly,

A handwritten signature in black ink that reads "Jeffrey P. Pyle...". The signature is written in a cursive, flowing style.

Jeffrey P Pyle, Member
PA House of Representatives
60th Legislative District
Armstrong & Indiana Counties

JPP:tm

Cc: House Republican Coal Caucus Members