

# 2806

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FORM LETTER Q

Chambers, Laura M.

From: jmitchem@alphanr.com  
Sent: Thursday, February 04, 2010 1:49 PM  
To: EP, RegComments  
Subject: RE: 25 PA. CODE CH. 95 Wastewater Treatment Requirements

2010 FEB 19 PM 2:23

INDEPENDENT REGULATORY  
COMMISSION

1-47

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

RE: 25 PA. CODE CH. 95 Wastewater Treatment Requirements

Dear Board Member –

I am writing concerning the Department of Environmental Protection (DEP) proposed rulemaking to the Environmental Quality Board for changes in Chapter 95 primarily concerning effluent limits for total dissolved solids (TDS), sulfates, and chlorides. As written, the proposal will amend Chapter 95 of the PA Code to establish a statewide limit of 500 mg/l for Total Dissolved Solids (TDS) and a 250 mg/l limit for sulfates and chlorides.

As an employee of a company that will be severely impacted by your proposal, I felt it was necessary for me to weigh-in during the written comment period. During the last few months supporters of the regulation have made one claim “we deserve clean water and this regulation is justified to fill that claim.” While there will be no argument from me that all Pennsylvanians deserve clean water, this proposed rulemaking has offered no scientific data or justification for imposing such severe limits nor has DEP shown, by monitoring or sampling data, that our water resources are at any sustainable risk from TDS concentrations.

I believe it is clear that the proposed rulemaking is, by DEP’s own admission, predicated on very limited sampling in the Monongahela River between October and December 2008 when river levels were at historical lows and there were high dissolved solids concentrations entering the Commonwealth from West Virginia. I know the regulated industries have requested additional data that will support the need for this proposal, but those requests have gone unanswered. How can the Department continue to pursue these limits without fully supporting its need?

Furthermore, I do not feel that DEP fully understands the economic impact this regulation has on industries in Pennsylvania. To my point, sewage treatment plants, meat packers, food processors, pharmaceuticals, paper production plus many other companies will be impacted. Does the Department know the financial impact to these industries? I suspect the statewide impact will be in the billions of dollars to comply and will put companies of the Commonwealth at a disadvantage with its competitors. In this economic environment I do not support handcuffing companies that are providing healthcare, wages, and employment for families in our State. Additionally, most of the impacted companies support local charities, education for children, and the local supermarket.

Finally, I understand the only possible proven treatment would be reverse osmosis. At what cost are we going to require companies to experiment with a new treatment when the data DEP provided does not scientifically support these regulations? What are the costs associated with this type of treatment and how do we ensure TDS does not reenter the waterways from another point source?

In closing, it is in the best interest of the citizens of the Commonwealth and the integrity of future proposals from DEP to fully grasp all aspects of the impacts. With that said and the lack of data and understanding the Department has demonstrated related to this issue, I request the proposal be withdrawn. I look forward to hearing from you on the concerns I presented.

Sincerely,

Mr. Jeff Mitchem  
jeffco88@yahoo.com  
148 Canration Ln.  
Princeton, West Virginia 24740

**Re: Proposed Rulemaking: Wastewater Treatment Requirements**

**(25 Pa. Code, Chapters 95) (7-446)**

**Enclosure to Letter of February 19, 2010**

1. Mr. Jeff Mitchem, Princeton WV
2. Mr. Rick Smith, Punxsutawney PA
3. Mr. Chuck Martz, Ringgold PA
4. Mr. Jeffrey Kukura, Waynesburg PA
5. Mr. John Jacobs, Waynesburg PA
6. Ms. Patricia Headlee, Waynesburg PA
7. Mr. Chris Marra, Graceton PA
8. Mr. Steve Staycer, Uniontown PA
9. Mr. Shawn Iman, Creekside PA
10. Mr. Russ Lambert, Bluefield WV
11. Ms. Gayle Sarver, Jeannette PA
12. Ms. Michael Peteritis, Mather PA
13. Mr. David Peters, Coeburn VA
14. Mr. Douglas Conklin, Sycamore PA
15. Mr. David Williams, Waynesburg PA
16. Mr. Andrew Jamison, Venetia PA
17. Mr. Noah Bezell, Rogersville PA
18. Mr. Brian McKnight, Pittsburgh PA
19. Ms. Katherine Richards, Waynesburg PA
20. Mr. Larry Emerson, Morgantown WV
21. Mr. Dennis Nakutis, Graysville PA
22. Mr. Ryan Crouse, Waynesburg PA
23. Mr. Kevin Moore, Mount Morris PA
24. Mr. Rod Lawrence, Waynesburg PA
25. Mr. Terry Dayton, Waynesburg PA
26. Mr. Bo Rife, Roscoe PA
27. Ms. Monica Jackson, Pineville WV
28. Mr. Todd Bowman, Bradshaw WV
29. Mr. Jeffrey Gray, McDonald PA
30. Mr. Dave Rife, California PA
31. Mr. Brent Cyr, Carmichaels PA
32. Mrs. Jennifer Lippencott, Waynesburg PA
33. Mrs. Lillian Marling, New Freeport PA
34. Mr. James Marling, New Freeport PA
35. Mrs. Sandra Marling, New Freeport PA
36. Mr. Marshall Hoyle, Waynesburg PA
37. Mr. Gary Klinefelter, Waynesburg PA
38. Mr. Harry Drew, Greensboro PA
39. Mr. John Layfield, Fairmont WV
40. Mr. John Hunchuck, Uniontown PA
41. Mr. Randy Conklin, Waynesburg PA
42. Mr. Kenneth Yingling, Johnstown PA
43. Mr. Randy McMillion, Pinch WV
44. Mr. Daniel Hinkle, Morgantown WV
45. Mr. Brian Turk, Sewickley PA
46. Mr. Daniel Lockhart, Abingdon VA
47. Ms. Lola McClellan, Bristol TN