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FEB - 9 2010

February 3, 2010

Environmental Quality Board  
 P.O. Box 8447  
 Harrisburg, PA 17105-8447

ENVIRONMENTAL QUALITY BOARD

RE: Comments to 25 PA Code Ch. 95  
 Wastewater Treatment Requirements

To Whom It May Concern:

These are our comments for consideration with regards to the proposed rule making for the above referenced requirements (39Pa.B.6547) regarding total dissolved solids (TDS) as reviewed and approved by the Cambria County Conservation District board of directors at their regular monthly meeting held February 3, 2010.

The CCCD understands and agrees with the need for strict potable water standards to insure the health, safety and welfare of our population. However, we also understand that a lesser standard can be of environmental benefit, particularly in areas where abandoned mine drainage has degraded streams to an impaired level for a long time. The removal of existing rock dumps that have scared the local landscape for years, and the associated land reclamation and water quality improvement of this remediation activity is very important to our county and region. This can only be accomplished in a timely manner, though sustaining the waste coal fired electric generation facilities of the region.

We believe that to focus on regulating water pollution at the source is better than water treatment by dilution after pollution occurs. Pollution abatement by dilution is not acceptable when there are defined alternatives and available funding to achieve a required water quality standard. The new deep gas drilling industry has spent millions of dollars for leases and permits. There are surely enough funds associated with this activity to also treat the associated polluted water to at least a standard that will not effect aquatic life and sustain a viable fishery. TDS levels appear to have been satisfactory before the new gas well boom. It is not fair to the existing established industries that are having a positive environmental impact, to have to reduce their loadings in order to make room for the oil & gas industry's potential pollution contribution to Commonwealth waters.

We support the water quality standard as presented in the draft DEP-Bureau of Abandoned Mine Reclamation's (BAMR) Set-Aside Implementation Guidelines of water quality being a "benefit of restoration of aquatic resources, and, in particular, fisheries...returning streams to a sustainable fishery is an overarching goal of the AMD Set-Aside Program." We support this concept to include a TDS limit consistent with this level of water quality for land reclamation activities related to the environmental improvements made as a result of the waste coal fired electric generation facilities fuel recovery efforts.

Finally, the proposed implementation date of January 1, 2011 is unrealistic. We also think the cost estimates are very low to implement this new proposed standard.

Sincerely,

*Clair J. Dumm*  
 Clair J. Dumm  
 Chairman

INDEPENDENT REGULATORY  
 COMMISSION  
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