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**FEB - 5 2010**

**ENVIRONMENTAL QUALITY BOARD**

125 Beech Lane

Indiana, PA, 15701

January 29, 2010

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

Environmental Quality Board

P.O. Box 8477

Harrisburg, PA 17105-8477

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

Dear Environmental Quality Board:

As a professional engineer who has worked in an industrial setting in Western Pennsylvania for over 30 years, I am writing to voice my strong opposition to the Chapter 95 Total Dissolved Solids regulations currently before the Environmental Quality Board for review.

I have reviewed the data that the Department of Environmental Protection has made public to support the regulation and found it to be woefully inadequate to support the level of restriction proposed. The cost to municipalities and industry to comply with the regulation would greatly exceed any resulting benefit.

Production of total dissolved solids is a normal part of many municipal and industrial processes. Technology to reduce the total dissolved solids is expensive to purchase and operate. The primary result of the regulation will be an increased cost to live and do business in Pennsylvania or more practically, will result in less economic activity, jobs and population.

I hope that the Environmental Quality Board will evaluate the quality of the data used to justify the regulation and understand that the data provided is based on "bad science" and does not justify the negative impact to our communities that will result. I would recommend that the Chapter 95 Total Dissolved Solids regulation as presented be withdrawn by the Department of Environmental Protection. I would further recommend that the Department of Environmental Protection work with local municipalities, industry, and other relevant parties to develop a plan that uses "good science" to evaluate the effect and control of total dissolved solids in the waterways of Pennsylvania.

Such a plan needs to use acceptable standards ("good science") for the location, frequency, and time period of sampling; mythology of sampling and laboratory analysis; and mythology of data evaluation. The plan needs to include an economic analysis to determine the most cost effective means to meet the plan goal.

It is for the reasons discussed above that I oppose the Chapter 95 Total Dissolved Solids regulations currently before the Environmental Quality Board. Please consider my comments in administering your duties.

Respectfully,

A handwritten signature in black ink that reads "David A. Cobaugh". The signature is written in a cursive style with a large, looping initial "D" and a long, sweeping underline that extends under the rest of the name.

David A. Cobaugh, P.E.