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INDEPENDENT REGULATORY
REVIEW COMMISSION

Manager, Engineering Services

The Pennsylvania State University
101P Office of Physical Plant
University Park, PA 16802-1118

February 2, 2010

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FEB - 4 2010

Environmental Quality Board
Pennsylvania Department of Environmental Protection
P.O. Box 8477
Harrisburg, PA 17105-8477

ENVIRONMENTAL QUALITY BOARD

RE: Pennsylvania Department of Environmental Protection's Environmental Quality Board (EQB) proposed amendment to the regulations on Wastewater Treatment Requirements.

Dear Members of the Environmental Quality Board:

We disagree with the Proposed Rulemaking (25 Pa. Code Ch. 95) Wastewater Treatment Requirements [39 Pa.B. 6467] Saturday, November 7, 2009, by the EQB to further protect Pennsylvania's drinking water and waterways by establishing new discharge standards for new sources of wastewaters that are high in total dissolved solids (TDS).

§95.10.(a) The first paragraph indicates "...a new discharge of High-TDS wastewater is a discharge that did not exist on April 1, 2009 and includes a TDS that exceeds 2,000 mg/l or a TDS loading that exceeds 100,000 pounds per day. The term "new discharge" includes an additional discharge, an expanded discharge or an increased discharge from a facility in existence prior to April 1, 2009."

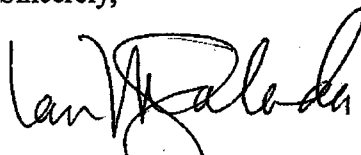
This would impose a TDS effluent standard on all plants. We think that the last sentence should stipulate a threshold value (2,000 mg/l) above which additional, expanded, or increased discharge would apply. Not doing so could classify any plant that increases TDS discharge, resulting in significant financial impact of a facility treatment costs.

In the Proposed Rulemaking, those plants classified as "new discharges" would be expected to meet a proposed limit of 500 mg/l of TDS, the same as the maximum contaminant level for public drinking water. Typical levels of influent domestic waste (Wastewater Engineering, Metcalf Eddy Inc.) varies from a weak concentration of 250 mg/l, medium concentration of 500 mg/l, and a strong concentration of 850 mg/l. A research program monitored the University Park campus secondary treatment plant effluent quality that included TDS data from January 2007 through January 2009. The data indicated the TDS levels in that effluent could not meet the proposed limit. Monthly average variability of TDS low to high was 245mg/l. We expect that the effluent quality from the other campuses would be similar with cyclic population.

Penn State operates treatment plants that service our New Kensington, Wilkes Barre, and University Park campuses. The classification "new discharge" would result in significant economic impact to the University. Using compliance costs from the proposed rule of \$0.25/gallon would result in additional costs of \$575,000/yr at Wilkes Barre, \$602,250/yr at New Kensington, and \$211,700,000/yr at the University Park campus. However, we think that the compliance cost stated in the Rule is low; we believe that TDS removal would require advanced treatment techniques that would require significant higher costs.

We suggest the Department revise this Rule to stipulate a threshold value (2,000 mg/l) above which additional, expanded, or increased discharge would apply as described above so as to reduce the economic impact on existing wastewater treatment plants.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian M. Salada". The signature is fluid and cursive, with a large initial "I" and "S".

Ian M. Salada, P.E.
Manager, Engineering Services

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