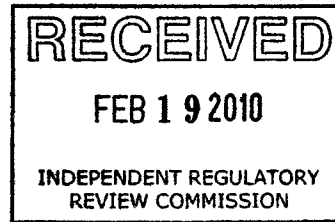


P.O. Box 6066
Newark, DE 19714-6066



2806

Via FEDEX #793253888955

February 8, 2010



A New Generation of Energy

Environmental Quality Board
Rachel Carson State Office Building, 16th Floor
400 Market Street
P.O. Box 8477
Harrisburg, PA 17105

Re: Proposed Amendments to 25 Pa. Code Chapter 95, Chlorides and Sulfates Effluent Standards, 39 Pa. Bulletin 6467 (November 7, 2009)

Members of the Environmental Quality Board:

On behalf of Conectiv Bethlehem, LLC and Conectiv Mid-Merit, LLC (collectively "Conectiv"), Conectiv respectfully submits the following comments concerning the Proposed Amendments to 25 PA Code Chapter 95, Chlorides and Sulfates Effluent Standards, issued by the Pennsylvania Department of Environmental Protection ("Department") and published in *The Pennsylvania Bulletin* on November 7, 2009. Conectiv is greatly concerned about the process employed by the Department to generate the Total Dissolved Solids Strategy ("TDS Strategy") contained in the proposed amendments and the potential impacts on the power generation sector.

Conectiv is a substantial stakeholder with respect to the proper management and use of the waters of Pennsylvania. Conectiv owns and operates the Bethlehem Power Plant in the City of Bethlehem, Pennsylvania, which discharges non-contact cooling water and stormwater to the Lehigh River. Conectiv is also building the Conectiv Delta Power Plant in Peach Bottom Township, Pennsylvania, which will discharge non-contact cooling water and stormwater to the Susquehanna River.

Each of the Conectiv plants in Pennsylvania are state of the art, energy efficient, and environmentally friendly natural gas fired combined cycle electric generating stations designed to produce approximately 1,100 megawatts of electric energy. As part of their operations these power projects utilize recirculating cooling towers that allow for a substantial reduction in the volume of river water that would otherwise be needed in "once through" cooling systems. Recirculating cooling towers, however, increase the concentration of TDS in the discharged water, due to some water evaporation in the recirculating cooling process. Conectiv's cooling towers are designed to recirculate cooling water up to 6 cycles, which can considerably increase the TDS concentration in

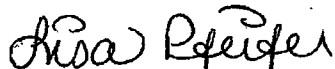
the discharged water, depending on the quality and baseline concentration levels of the river water source. In addition, the future wastewater discharges from the currently under construction Conectiv Delta Power Plant in Peach Bottom Township have already been permitted by the Department following a thorough environmental review. Conectiv requests the Department confirm that existing permitted facilities prior to the date specified in the proposed regulations are considered existing discharges and not subject to additional regulation.

Conectiv is concerned the TDS Strategy contained in the proposed amendments to Chapter 95 could be utilized to limit the concentration of TDS in its cooling water discharges, even though the TDS originates from the river source water itself. Limitations on TDS at these plants in accordance with the TDS Strategy would require substantial treatment, at potentially prohibitive cost, a reduction in water treatment and concurrent increase in water withdrawals, and a constraint on clean, energy efficient power generation. These increased costs would have to be passed on to the consumers. None of these results are warranted and may not have been intended by the Department when it issued the proposed amendments.

Conectiv is a member of the Pennsylvania Chamber of Business and Industry and supports the Chamber's in-depth comments concurrently submitted to the Environmental Quality Board. Conectiv requests that the Department consider the wide sweeping consequences of these proposed regulations, withdraw them as they are written, and develop a more focused approach that addresses TDS issues in impaired streams and watersheds, while providing proper consideration of the potential impacts to industry in Pennsylvania. We also request, if the Department does move forward with the proposed regulations in their current or modified form, that the Department confirm those wastewater discharges that have already been permitted prior to the specified date in the proposed regulations are existing discharges and not subject to additional regulation.

Thank you for consideration of these comments. If you should have any questions regarding the above comments, please feel free to contact me at 302-451-5059 or via email at lisa.pfeifer@conectiv.com.

Sincerely,



Lisa E. Pfeifer
Environmental Consultant
Conectiv Energy

RECEIVED

FEB 19 2010

INDEPENDENT REGULATORY
REVIEW COMMISSION

From: Lisa.Pfeifer@conectiv.com
Sent: Tuesday, February 09, 2010 3:06 PM
To: EP, RegComments
Subject: Conectiv Energy Comments on Proposed Chapter 95 Wastewater Treatment Requirements
Attachments: Conectiv Chapter 95 High TDS Comment ltr.pdf

2806

Members of the Environmental Quality Board:

Conectiv Energy respectfully submits the attached letter of comment on the Proposed Chapter 95 Wastewater Treatment Requirements published in the November 7, 2010 *Pennsylvania Bulletin*. The letter has also been sent via FEDEX to your offices.

If you should have any questions please contact me at 302-451-5059 or via email at Lisa.Pfeifer@Conectiv.com.

Regards,
Lisa Pfeifer

Lisa E. Pfeifer
Conectiv Energy Engineering and Environmental
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302-451-5059
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