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INDEPENDENT REGULATORY
REVIEW COMMISSION

From: gary.j.condon@kennametal.com
Sent: Thursday, February 11, 2010 2:14 PM
To: EP, RegComments
Subject: Opposition to 25 PA Code Chapter 95 Waste Water Treatment Requirements

Dear Sir or Mam,

I would like to voice my objection to the PA Department of Environmental Protection's proposed rule making regarding 25 PA Code Chapter 95 Waste water Treatment Requirements. I would also request the PA DEP withdraw the proposed regulation.

The proposed rule making lacks the comprehensive scientific and economic analyses required to develop effective and balanced regulations. The DEP has not performed the required analysis necessary to support such a rule making. It appears that It is based on a limited set of data collected from the Monongahela River during a 2 ½ month period in the fall of 2008 during an exceptionally low-flow period and in December 2008 when tests indicated TDS and sulfate levels were no longer elevated, DEP stopped collecting data. Also have the samples been analyzed using an EPA approved method?

This small data set is not adequate scientific justification for the proposed regulation changes particularly when EPA's STORET data for the last 10 years at the south Pittsburgh Monongahela River monitoring station show no significant high TDS trends. Even though major industrial sectors have presented DEP with significant cost impact studies for their industries, DEP has not performed the required comprehensive socioeconomic impact study. Additionally the PA DEP has not addressed the disposal of waste in the proposed rule making

The potential loss of thousands of stable Pennsylvania mining jobs as well as indirect jobs from the mining industry due to the extremely high compliance costs associated with this proposed rule making,

Best regards,
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