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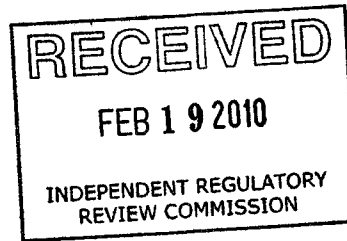


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February 10, 2010



Environmental Quality Board  
P.O. Box 8477  
Harrisburg, PA 17105-8477

Dear Board Member:

We are writing concerning the Pennsylvania Department of Environmental Protection's (PA DEP) proposed rulemaking to the Environmental Quality Board for changes in Chapter 95 primarily concerning Wastewater Treatment Requirements effluent limits for total dissolved solids (TDS), sulfates, and chlorides. **As written, the proposal will amend Chapter 95 of the Pennsylvania Code to establish a statewide limit of 500 mg/l for TDS and a 250 mg/l limit for sulfates and chlorides, consistent with national standards.**

As the Greene County Board of Commissioners, we felt it was necessary to weigh in during the written comment period. As we are sure you are aware, extractive industries are critical to Greene County's economy. Our economy depends on well-paying jobs to support our families, businesses, and local government and non-profits. We will always work to provide a stable job climate and a healthy environment, upholding the *PA Constitution, Section 27 – The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment . . . As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.* **Our success depends upon water resources being mutually available for commercial, industrial, agricultural, recreational, and residential purposes, so we work diligently to protect and improve our waterways. We do not waver in our commitment to the protection and wise management of our precious water resources.**

- **The Monongahela River Basin water quality is the focus of significant attention from the US EPA, US ACOE, PA and WV regulatory agencies, regional organizations, industry, watershed groups, and elected officials. We have actively participated in every opportunity to understand and disseminate information. In December 2009, the Greene County Conservation District hosted a public meeting with participation from all of the above mentioned to present a peaceful update of the recent 45-mile Dunkard Creek fish kill, the role of dissolved solids in the algae bloom of concern, and the status of water quality**

efforts in the Mon River Basin. PA DEP representatives were extraordinary in their helpful participation.

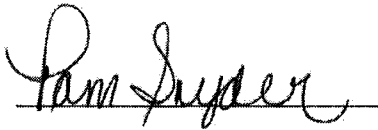
- This Board of Commissioners invests large sums of financial resources and our county staff contributes countless man hours to support multiple water quality efforts. For quite some time, we have been working with regulatory, private, and university partners to address legacy abandoned mine discharges that impact the quality of the Mon River Basin. The Water Research Institute of West Virginia University and Abandoned Mine Drainage Reclamation, Inc. (AMDRI), a subsidiary of Gen Power, have been extremely generous with their support and provision of shared data and academic resources to help us understand the impact posed by dissolved solids. **All of our collective efforts to identify, qualify, quantify, and manage or eliminate sources of pollution are affected by this Proposed Rulemaking for Wastewater Treatment Requirements for TDS.**
- The Greene County Department of Economic Development authored and anticipates publication of *“Energy and Water – a Joint Solution to Sustainable Economic Growth in the Monongahela River Basin”* by the PA Legislative Office for Research Liaison, in the *Speaker’s Journal on Pennsylvania Policy – Sustaining Pennsylvania’s Critical Infrastructure*, which describes some of our recent efforts toward addressing water quality matters, as we face the cusp of tremendous growth of extractive industries.
- We understand that the natural TDS content measured in local surface water is very low. The addition of significant amounts of dissolved solids to our surface waters is an inherent consequence of extractive industry and must be addressed judiciously. Understandably, increased TDS levels, weather, rainfall, and flow, as well as the recently discovered actual and potential dangers to our water resources, have had a role in the timing of this proposed rulemaking. However, we are concerned that this proposal may have been predicated on limited sampling in the Monongahela River Basin between October and December of 2008 when river levels were at historical lows and there were high dissolved solids concentrations entering the Commonwealth from West Virginia. We also recognize that limited information is available to compare before and after dissolved solids were introduced to our surface water. **Therefore, we support the need for coordinated and appropriate studies, by each jurisdictional resource agency, to determine that there is a real sustained issue from dissolved solids concentrations.**

- Our concern rests in environmental as well as the economic issues associated with our water resources. Extractive industries will certainly be impacted by this rulemaking, but other industries will also. To name a few: sewage treatment plants, meat packers, food processors, pharmaceuticals, and paper producers. **Therefore, we encourage a scientific determination that accurately qualifies and quantifies assimilative capacities of dissolved solids as they relate not only to industry, but also to public health and the maintenance of our water resource quality.**
- We are deeply concerned that there is limited proven technology and capital investment commitments needed to meet the standards, and to render compliance by January 1, 2011. Some reports to us have suggested that for higher volume discharges, the only possible option is reverse osmosis that requires a minimum of two and a half years lead time, capital costs reaching billions and annual operating costs over \$100 million. **We do not suggest a unilateral discard of the notion that standards can be realistically met; rather that the compliance date and lack of apparent financial resources requires significant input and interaction with other Commonwealth and regional agencies immediately, before this Proposed Rulemaking becomes final.**
- We also ask if DEP intends to call for a comprehensive proposal addressing **other environmental concerns associated with TDS reduction, such as energy consumption, air emissions, residual solid waste generation, landfill capacity, and disposal costs.**
- The Greene County Conservation District recently took the position to stress the need to gain a better understanding of TDS and **address the introduction of dissolved solids to our rivers and streams at the permitted outfall.** The District is currently in the process of responding to this Proposed Rulemaking and is drafting letters urging the legislators and the Governor to take a harder look at the current law and limits of TDS in permitting of discharges. As stated by one of our board members, **"We are talking about the quality of our drinking water, a major resource, and something needs to be done."**

This Board of Commissioners supports an aggressive, holistic approach to economic growth, environmental regulation, the legislation needed to achieve sustainable water quality, and getting the treatment systems built. **The positive effects created by the address of one source of environmental or economic impact cannot be allowed to be offset by the failure to properly address another. It is in the best interest of Greene**

**County, the Commonwealth, PA DEP, and industry to fully grasp all aspects of the impacts of the proposed rulemaking.** Ultimately, we remain concerned that we may be facing a critical and fragile period of water quality and economic opportunity in the Mon River Basin. **Therefore, we respectfully invite your expeditious response and offer to host a series of meetings of appropriate government, business, educational, and environmental partners for consideration of comprehensive and realistic solutions.** We have an excellent group of partners, very valuable information, and experiences to offer to the Environmental Quality Board, and we hope you will accept our sincere effort to partner with you too. We also request a copy of the Comment/Response document, the Notice of Final Rulemaking, and a copy of the Final Rulemaking Package. You may direct any inquiries to us at (724) 852-5210. Thank you for your consideration.

Sincerely,  
**The Greene County Board of Commissioners**



*Pam Snyder, Chairman*

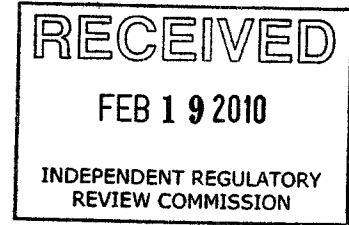


*Dave Coder*



*Archie Trader*

**From:** Elizabeth Witte [ewitte@co.greene.pa.us]  
**Sent:** Wednesday, February 10, 2010 3:14 PM  
**To:** EP, RegComments; Tate, Michele  
**Cc:** Robbie Matesic  
**Subject:** Wastewater Treatment Requirements Comments  
**Attachments:** Environmental Quality Board Comments 021010.pdf



Good afternoon,

Attached are comments from the Greene County Board of Commissioners regarding the Pennsylvania Department of Environmental Protection's proposed rulemaking to the Environmental Quality Board for changes in Chapter 95 of the Pennsylvania Code.

Respectfully submitted by:  
Greene County Commissioners  
93 East High Street  
Waynesburg, PA 15370  
724-852-5210

Thank you.

**Elizabeth Witte**  
Communications Director  
Greene County Commissioners  
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