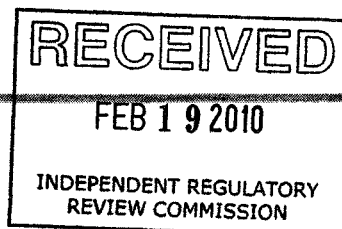


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Michal Jones-Stewart, P.G.



230 Idaho Road
Shelocka, Pa 15774
724-354-2708
geomason@penn.com

February 9, 2010

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

RE: DEP TED Strategy
Proposed Chapter 95 Amendments

Dear Members of the Environmental Quality Board,

I am writing to strongly object to the proposed amendments to Chapter 95 to establish a statewide limit of 500 mg/l for Total Dissolved Solids (TDS) and a 250 mg/l limit for sulfates and chlorides. This will have a devastating effect on industry in Pennsylvania.

The Department has not met their own criteria for implementing such a far reaching and major change to industry in Pennsylvania.

The information used in "driving" this rule making was **NOT** done with "good science". The data does not represent the entire state, and yet this rule would impact all industries within the Commonwealth.

There has been no cost analysis to industry other than the Department stating it would cost about \$.25/gallon to treat this waste stream. If the individuals at the department had to add \$400 per month to their sewage bill they would be upset (.25(65 gpd/household)(30 days)) . Now multiply that out to some dischargers who discharge a 1,000 gpm. The cost is staggering.

The only technology able to reduce TDS to the levels DEP is proposing is reverse osmosis combined with evaporation and crystallization and pretreatment—and this technology has not been operationally tested nor could any system of this level be economically built and maintained. There are additional environmental concerns: Where would the power come from to reduce the billions of gallons of water? It is estimated that it would take 429,000 megawatts of power at a cost of \$42.9 million. Where would the waste go? This issue is not addressed in the proposed regulations. Many landfills would not accept the waste stream of 237,000 tons per year or nearly 1 BILLION Gallons per year of brine.

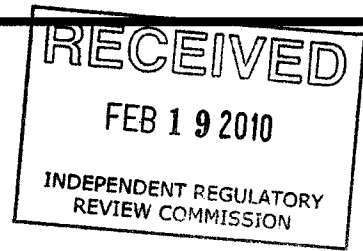
I have seen press releases from the Department stating that there are far more comments supporting the new regulations than those who oppose it. Non-technical individuals are certainly stakeholders in the regulatory process. But, as the entity empowered to decide the validity of a proposed regulation, it is the Boards responsibility to assure regulations are enacted which are to the benefit of the people of the Commonwealth. The implementation of this regulation would be harmful not only to industry, but have far reaching economic impacts to all the citizens of Pennsylvania. Our economy is just beginning to recover from the 2008 recession. We cannot afford to pass regulations which are not based on scientific facts.

The bottom line is "If it ain't broke ... why is DEP trying to fix it?"



Michal Jones-Stewart, P.G.

From: Michal Jones [mjones@eadsgroup.com]
Sent: Thursday, February 11, 2010 10:21 AM
To: EP, RegComments
Subject: Chapter 95 Regualtions
Attachments: TDS Comments.pdf



Attached please find my comments regarding the proposed Chapter 95 regulations for changes in the TDS limits.

Michal Jones-Stewart