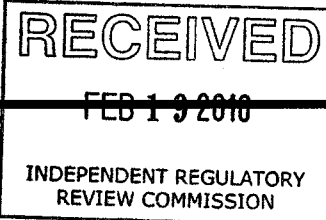


2806

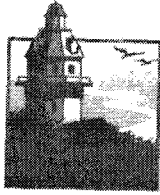


From: Jen Adkins [JAdkins@delawareestuary.org]
Sent: Friday, February 12, 2010 11:58 AM
To: EP, RegComments
Cc: Zemba, Andrew; rtudor@drbc.state.nj.us; Howard.Neukrug@phila.gov
Subject: Proposal to amend 25 Pa. Code Chapter 95 (relating to Wastewater Treatment Requirements)
Attachments: PDEDEPChapter95Comments.pdf

Please accept the attached comments regarding DEP's Chapter 95 proposed revisions and/or contact me with any questions or concerns. Thanks!

Jennifer A. Adkins
Executive Director

Partnership for the Delaware Estuary
One Riverwalk Plaza
110 South Poplar Street
Suite 202
Wilmington, DE 19801
phone: 302-655-4990
fax: 302-655-4991
email: JAdkins@DelawareEstuary.org
web: www.DelawareEstuary.org

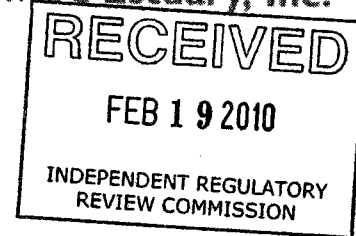


Partnership for the Delaware Estuary, Inc.

February 12, 2010

2806

VIA EMAIL: RegComments@state.pa.us
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477



RE: Proposal to amend 25 Pa. Code Chapter 95 (relating to Wastewater Treatment Requirements)

Dear Environmental Quality Board Members,

I'm writing to you today in response to the request for public comments on the Proposal to amend 25 Pa. Code Chapter 95 (relating to Wastewater Treatment Requirements). While the Partnership for the Delaware Estuary takes no position on the proposed amendments, we offer the following comments in general support of PADEP efforts to insure the protection of water quality in the face of extensive Marcellus Shale Gas development.

As the National Estuary Program responsible for implementing the Comprehensive Conservation Management Plan for the 6,827 square mile Delaware Estuary study area, the Partnership for the Delaware Estuary is charged to work with its current and future partners on a wide variety of tasks to sustain the Estuary's complex ecosystems by integrating management strategies that strike the proper balance among the needs of our diverse stakeholders. The Partnership discharges these important responsibilities through an assessment of the science underlying the myriad of decisions that are made affecting the Estuary, and based on guidance provided by the CCMP and our partners in the Delaware Estuary Program. Because of our focus on science and the broad base of input the Partnership receives from its partners, the Partnership generally refrains from advocating for or against specific legislative or regulatory proposals.

Written in 1996, the CCMP did not anticipate the extensive Marcellus Gas development getting underway today, or the associated challenge posed by the release of high concentrations of total dissolved solids, sulfates, and chlorides, by wastewater treatment plants. However, it did recognize the importance of protecting the supply of water provided by the Delaware Estuary's streams and rivers, and the importance of encouraging water and wastewater utilities to conduct integrated resource plans (Action W5). It also recognized the importance of regulating discharges of toxic materials, as required of the states by the Clean Water Act, for the protection of aquatic life and human health (Limiting Toxic Pollutant Loadings to the Estuary, p. 215.) And it recognized the need to identify new and emerging toxics of concern to those that pose a threat to the health of our waterways (Add to List of Toxics of Concern, p. 206).

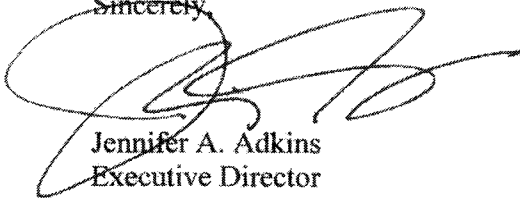
In the spirit of these elements of the CCMP, we applaud PADEPs recognition of the need to adapt regulations to emerging concerns like the release of high concentrations of total dissolved

Partnership for the Delaware Estuary: A National Estuary Program
One Riverwalk Plaza, 110 South Poplar Street, Suite 202, Wilmington, DE 19801
1-800-445-4935 • Tel: 302-655-4990 • Fax: 302-655-4991 • Website: www.DelawareEstuary.org

solids, sulfates, and chlorides, by wastewater treatment plants. With the potential for massive development of Marcellus Gas drilling wells in the Delaware River Basin, we urge PADEP to work closely with the Delaware River Basin Commission (DRBC) to take into account the cumulative potential impacts of Marcellus Shale drilling in its decision-making, including potential impacts from wastewater disposal, chemical contamination from spills and accidents, increased surface water demands, and loss of forest lands for drilling site development. We also urge PADEP to work closely with the DRBC, the Philadelphia Water Department, and other effected communities to take into account the potential impact impacts to drinking water supplies – one of our most critical resources – and to consider these impacts within the broader context of flow and salinity management.

We appreciate your consideration of this important issue, and the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer A. Adkins', written over a large, stylized circular flourish.

Jennifer A. Adkins
Executive Director

CC: Andy Zemba, Pennsylvania DEP Coastal Zone Management Program
Robert Tudor, Delaware River Basin Commission
Howard Neukrug, Philadelphia Water Department