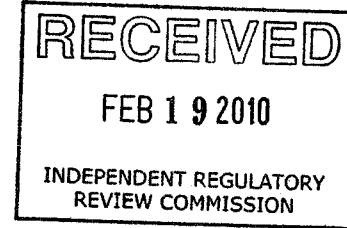


From: Matthew E Caprarese [MECaprarese@uss.com]
Sent: Friday, February 12, 2010 10:30 AM
To: EP, RegComments
Cc: Fred Harnack; Lisa A Zemba
Subject: Proposed Amendments to 25 Pa. Code Chapter 95; TDS, Chlorides, and Sulfates Effluent Standards, 39 Pa. Bulletin 6467 (Nov. 7, 2009)
Attachments: 20100212082523067.pdf



This message is being sent on behalf of Fred Harnack:

"Members of the Board:

United States Steel Corporation respectfully offers the attached comments regarding the proposal to amend Chapter 95 to establish effluent standards for Total Dissolved Solids (TDS), chlorides, and sulfates applicable to new or increased TDS dischargers. A copy of the comments was also submitted today to the Environmental Quality Board via Certified Mail. Please contact me should you have any questions. Thanks."

Fred T. Harnack
United States Steel Corporation
General Manager Environmental Affairs
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1350 Penn Avenue
Suite 200
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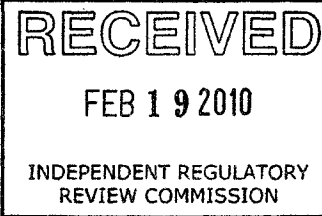
Fred T. Harnack
General Manager
Environmental Affairs

2806

VIA CERTIFIED RETURN RECEIPT MAIL
VIA email: RegComments@dep.state.pa.us

February 12, 2010

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



SUBJECT: Proposed Amendments to 25 Pa. Code Chapter 95; TDS, Chlorides, and Sulfates Effluent Standards, 39 Pa. Bulletin 6467 (Nov. 7, 2009)

Members of the Board:

United States Steel Corporation (U. S. Steel) respectfully offers the following comments regarding the proposal to amend Chapter 95 to establish effluent standards for Total Dissolved Solids (TDS), chlorides, and sulfates applicable to new or increased TDS dischargers, regardless of watershed, location, impact, or need.

The proposed rulemaking was presented to the Water Resources Advisory Committee (WRAC) at a special meeting on June 19, 2009, and considered at the WRAC's regular meeting on July 15, 2009. The WRAC, by majority vote, recommended that the Department work in conjunction with the WRAC to form a statewide stakeholders group to analyze the issues and develop appropriate solutions, in lieu of proceeding with the currently proposed rulemaking. U. S. Steel agrees with the WRAC's recommendation.

U. S. Steel participated in the development of and supports those comments as submitted to the Environmental Quality Board by the Pennsylvania Chamber of Business and Industry (Chamber) and the Allegheny Conference on Community Development (Allegheny Conference)

As the comments of the Chamber and Allegheny Conference reflect, the proposed amendments are premature and the potential economic impacts are substantial and widespread. In addition to the Chamber and Allegheny Conference comments, the proposed regulations would significantly impact U. S. Steel's operational strategy by the following;

- **Discourages Water Recycle / Conservation**

Over the last several decades, U. S. Steel has made significant progress toward reducing raw water consumption associated with steelmaking and finishing operations through the implementation of process water recycle



systems. The proposed rulemaking would consider increased TDS concentrations, typically associated with increased water recycling, to be considered "new" or "expanded" sources, thus triggering further and costly end-of-pipe treatment. The proposed approach focuses on concentrations, rather than total TDS loading, which penalizes companies for engaging in beneficial water conservation. As such, the proposed rulemaking would deter U. S. Steel from implementing further voluntary water conservation / recycle initiatives.

- **Forces Consideration of Alternate Locations for Facility Expansion(s) or Upgrade(s)**

U. S. Steel will be forced to consider locating future expansions or upgrades of operations subject to the proposed rules to other states or locations that do not place the Corporation at such a competitive disadvantage that the proposed rulemaking represents. The proposed rulemaking could also affect U. S. Steel's decision making process(es) associated with investing in state-of-the-art equipment that helps to ensure long term employment and other economic benefits to the state of Pennsylvania. As such, the proposed regulation is a deterrent to any expansion or upgrade of our existing facilities and development of new business in Pennsylvania.

Requested Action:

U.S. Steel respectfully requests that the Department work with the stakeholders to (1) develop a better understanding of the real TDS challenges, in terms of affected streams and conditions; (2) evaluate options for addressing those TDS challenges; (3) carefully evaluate the technical and economic feasibility, effectiveness, and cross-media impacts of each of the treatment technologies that might be used to treat various constituents that comprise TDS, including issues regarding management and deposition of resulting residuals; and (4) reframe a strategy and approach to more effectively address the real TDS challenges in a common sense and cost-effective manner.

Thank you for considering these comments related to the proposed regulations. If you have any questions or should need additional information, please do not hesitate to contact me at 412.433.5901 or fharnack@uss.com

Sincerely,

A handwritten signature in cursive script that reads "Frederick T. Harnack".

Frederick T. Harnack
General Manager – Environmental Affairs
United States Steel Corporation