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Kathy Cooper

From: ecomment@pa.gov
Sent: Friday, February 16, 2018 3:22 PM
To: Environment-Committee@pasenate.com; IRRC; eregop@pahousegop.com; environmentalcommittee@pahouse.net; regcomments@pa.gov; apankake@pasen.gov
Cc: c-jflanaga@pa.gov
Subject: Comment received - Proposed Rulemaking: Triennial Review of Water Quality Standards



Re: eComment System

The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Triennial Review of Water Quality Standards.

Commenter Information:

Barbara Jarmoska
Ms. (barbjarmoska@verizon.net)
766 Butternut Grove Road
Montoursville, PA 17754 US

Comments entered:

RESPONSIBLE DRILLING ALLIANCE
P.O. BOX 502
WILLIAMSPORT, PA 17703-0502

February 15, 2018

Via electronic mail RegComments@pa.gov

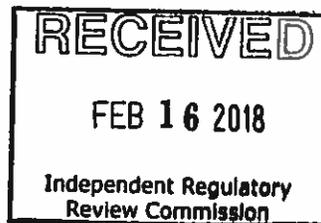
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

Re: Comments on Proposed Rulemaking
Triennial Review of Water Quality Standards
47 Pa. Bull. 6609 (Oct. 21, 2017)

Dear Environmental Quality Board:

The Responsible Drilling Alliance (RDA), a 501 (c) (3) educational and advocacy coalition based in Lycoming County, appreciates the efforts of the Pennsylvania Department of Environmental Protection (PADEP) to set strong numeric water quality standards in the triennial review process to better protect the waters of the Commonwealth and improve our quality of life and our health.

Most of our members grew up enjoying our many exceptional area creeks and streams, and at times, the West Branch of the Susquehanna River, for all kinds of warm weather activities such



as swimming, floating, kayaking, canoeing, and fishing. We would like to one day see all waters of the Commonwealth support these healthy and restorative activities.

We believe the benefits of setting even higher standards than what is currently in effect and what is being proposed, will more than pay for the costs of implementing them by improving the value of living, working, and vacationing in Pennsylvania.

RDA agrees with the comment of the PA Fish and Boat Commission (PFBC) supporting the new federally recommended criteria for ammonia. We note that even water resulting from the careful distillation of toxic gas industry waste fluids still retains some ammonia when no traces of other toxins are reported.

We also agree with the PFBC's support for the statewide application of the federally recommended criteria for the 11 toxic substances listed in Section 93.8.c Human Health and Aquatic Life Criteria for Toxic Substances.

We also agree with the Delaware Riverkeeper Network's concern that the Department is not proposing to add PFA standards (Perfluoroalkyl and Polyfluoroalkyl substances), since these toxins have been found in drinking water supplies in parts of the Delaware River Basin.

With a membership that includes fishing enthusiasts, RDA agrees with the PFBC's comment regarding Delaware River Aquatic Life Uses in the Delaware River Estuary. Anglers from our home area and other regions of the Commonwealth, as well as neighboring states, travel to the Delaware to enjoy the historical diversity of species not available in rivers that no longer free flow to the ocean. The Delaware is a special treasure to all Pennsylvanians, as it allows us a glimpse into the past, and what could one day be the future of aquatic biological diversity in our own region's river.

RDA also supports the call for chloride standards to protect Pennsylvania streams from impacts like approved brines and road salt applications in the winter. Over the past ten years, we have seen a number of "spills" of highly saline gas drilling waste fluids into our streams. Exacerbating our concern is the fact that these gas drilling waste fluids are also spread, from accidents and occasionally deliberate releases, onto our roads and lands. Studies showing increasing chloride trends support the establishment of a chloride criterion.

RDA also supports the comments of the Pennsylvania Land Trust Association (PLTA) that urges the Department "to factor in the constructive role of conservation easements in safeguarding water quality when conducting re-designation evaluations during the time it is considering possible rulemaking to clarify easement matters."

It appears to us that the Association is correct when it points out that the preliminary definition suggested by the Department for 25 Pa. Code § 93.1 would effectively eliminate both government or land trust held conservation easements from consideration in stream re-designations. We agree that conservation easements "can reliably deliver consistent water quality protections."

The Schuylkill Township Environmental Advisory Council (Schuylkill Township EAC) pointed out two specific problems with language changes proposed in the Department's new definition of the term "conservation easements". RDA agrees with the points made by the Schuylkill Township EAC and urges you to consider their well-reasoned arguments for modifying the proposed definition.

In agreeing with both PLTA and the Schuylkill Township EAC, we support the latter's proposal for

modifying the suggested language for "conservation easement" to read:

A legal agreement between a landowner and a conservation trust or Governmental unit, which imposes limitations or affirmative obligations regarding a specific parcel of land for purposes that include, but are not necessarily limited to, water quality maintenance and enhancement; which is recorded and held in perpetuity; and which cannot be amended by any party in a manner that would weaken the underlying water quality protection objectives.

As Pennsylvanians, we all have a constitutional right to clean water. With 19,000 miles of impaired waterways in the Commonwealth, there is still a long way to go.

RDA would like to thank the Department and the Environmental Quality Board for this opportunity to comment and for your vigilance in seeing that our right to clean water will not be ignored.

Sincerely,
Board of Directors, Responsible Drilling Alliance
Robert Cross, President
Barbara Jarmoska, treasurer
Jon Bogle
Mark Szybist, esq.
Dianne Peeling
Roscoe McCloskey
Harvey Katz

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

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