

3260

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**Independent Regulatory
Review Commission**



Hanson Aggregates Pennsylvania LLC
2200 Springfield Pike
Connellsville, PA 15425
(724) 626-0080

September 7, 2022

Chairman George D. Bedwick
Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17101

**Re: Regulation #7-553: Water Quality Standard for Manganese and Implementation
IRRC No. 3260**

Dear Chairman Bedwick & Commissioners:

I am a Pennsylvanian licensed Professional Engineer (P.E.) and the Area Environmental Manager for Hanson Aggregates Pennsylvania LLC (Hanson) with responsibility for environmental compliance and permitting of our operations in western Pennsylvania. Hanson is one of the largest producers of crushed aggregate in Pennsylvania employing approximately 1,000 people. Hanson, along with all crushed aggregate producers in Pennsylvania, also play an important part in our communities by providing basic building materials for all construction and infrastructure projects. My employment with Hanson provides a good life for my family and myself.

I am requesting your disapproval of Regulation #7-553: Water Quality Standard for Manganese and Implementation, IRRC No. 3260 for the following reasons:

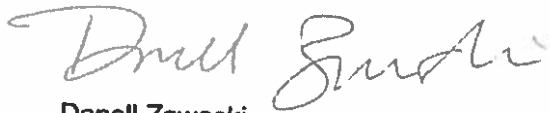
- This regulation ignores the intent of Act 40 of 2017;
- This regulation is discriminatory as it only applies to permitted discharges and there are thousands of unpermitted discharges of manganese across the Commonwealth that are the responsibility of the Pennsylvania Department of Environmental Protection (DEP);
- The DEP has not developed a complete analysis regarding the capital expense (i.e. cost) of this regulation. This regulation will cost Hanson significant and unnecessary capital expense with no substantial measure of environmental or health benefits; and
- The DEP's implementation of the modifying factor of 3 is outdated and not legally or scientifically required to be used.
- Manganese is an essential nutrient at low doses and is naturally occurring in many surface and ground water sources. According to EPA in *Drinking Water Health Advisory for Manganese (January 2004)*, "Similarly, manganese is detected in about 97% of surface water sites (at levels far below those likely to cause health effects) and universally in sediments and aquatic biota tissues (at levels which suggest that it does

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Page 2

not bioaccumulate; U.S.EPA 2003a).” and “Although there are substantial data supporting the neurological effects of inhaled manganese in both humans and animals, there are few data for the association between oral exposure to manganese and toxic effects.” This regulation seems to ignore the scientific data and the fact that EPA has not chosen to regulate manganese with a national standard.

Hanson suggests if (and when) the United States Environmental Protection Agency (USEPA) develops a nationwide regulation for manganese with regard to human health, DEP could then develop a regulation that is equitable across the Commonwealth of Pennsylvania and accounts for all discharges of manganese into Pennsylvania waters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danell Zawaski".

Danell Zawaski
Environmental Manager