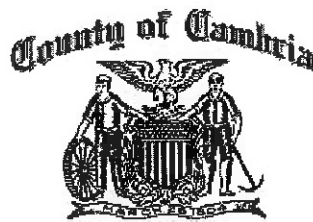


COMMISSIONERS  
**THOMAS C. CHERNISKY**  
 PRESIDENT  
**B. J. SMITH**  
**SCOTT W. HUNT**



## Office of County Commissioners

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September 12, 2022

Independent Regulatory Review Commission  
 333 Market Street  
 14th Floor  
 Harrisburg, PA 17101

RE: Regulation #7-553: Water Quality Standard for Manganese and Implementation (IRRC #3260)

Dear Commissioners:

We are writing regarding the Pennsylvania Department of Environmental Protection (DEP) and the Environmental Quality Board's final regulation #7-553: Water Quality Standard for Manganese and Implementation (IRRC #3260) and encourage the Independent Regulatory Review Commission (IRRC) to disapprove the regulation.

The history of coal mining in Cambria County dates back to as early as the 1760's and grew rapidly in the mid – 1800's until the late 1900's to support the iron and steel industries, the railroad industry, and two world wars. As such, Cambria County is also home to 85 known abandoned mine land acid mine drainage (AMD) discharges that are listed on the federal Abandoned Mine Land Inventory System, and several discharges that are not on the inventory that DEP is responsible to treat.

Cambria County is important to us, and we continuously look for ways to improve our water quality, which has suffered due to legacy mining discharges. In past years we have worked with private industry to address legacy discharges and have seen some successes. One success story to highlight is the treatment of the St. Michael discharge. This particular discharge started in in the 1960's after the Maryland No. 1 Mine was closed, prior to coal mining being regulated. The discharge comes from a 665' deep main access shaft located at a surface elevation of 1604' and drains an area of 37 square miles underground in the Lower Kittanning coal seam. Before treatment, the discharge flow was around 4,000 gallons per minute, producing 3,700 tons of AMD annually, the largest AMD source on the Little Conemaugh River. The current treatment reduces the iron loading by 99% treating to a 1.92 mg/l average, 81% reduction in manganese to a 0.87 mg/l average, and 99% reduction in aluminum to <0.10 mg/l. The discharge has downstream benefits by providing additional alkalinity to the Little Conemaugh River which helps to increase river alkalinity and offset some of the impacts

from other AMD sources in the watershed. Prior to the construction of St. Michael Treatment Plant, passive and active treatment sites in the Little Conemaugh Watershed were overshadowed by the volume and quality of the St. Michael discharge, hindering cleanup efforts.

The St. Michael Treatment Plant was constructed in 2013 at a cost of \$15.5 million, completely funded by private industry. The annual operation and maintenance costs at the site are being funded by private industry, and at present a \$15 million dollar trust for the perpetual water treatment of the site is also being established by private industry. The St. Michael Treatment Plant is capable of treating 10,000 gallons per minute of AMD, and the plant has extra capacity that could be used to treat future discharges, such as the second largest AMD discharge at the Sulphur Creek Discharge and eight largest at the Stineman Creek Discharge.

However, if the DEP and the EQB's Water Quality Standard for Manganese and Implementation (IRRC #3260) regulation advances, we fear that any future opportunities to advance innovative treatment solutions will disappear. The additional discharge capacity at the St. Michael Treatment Plant will never be realized, as treating to a 0.3 mg/L standard for manganese will be too difficult to achieve. Further, considering the significant AMD discharges in our County, future projects will be compromised as they will face the same challenges.

Thank you in advance for the consideration of our comments on regulation #7-553: Water Quality Standard for Manganese and Implementation (IRRC #3260). We encourage IRRC to disapprove the regulation.

Sincerely,



Thomas C. Chernisky



William J. Smith



Scott W. Hunt