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September 12, 2022

**VIA ELECTRONIC SUBMISSION**

Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101  
[irrc@irrc.state.pa.us](mailto:irrc@irrc.state.pa.us)

**Re: Comments in Advance of Public Hearing on No. 3260 Environmental Quality Board #7-553: Water Quality Standards for Manganese and Implementation (25 Pa. Code Chapters 93 & 96)**

Dear Sir or Madam,

United States Steel Corporation (“U. S. Steel”) appreciates the opportunity to provide comments in advance of the public hearing on the proposed rulemaking to change manganese (Mn) water quality standards and their implementation in the Pennsylvania Code, Title 25, Chapters 93 and 96 (“Proposed Rule”). In addition to the concerns outlined herein, U. S. Steel directs the Independent Regulatory Review Commission (“IRRC”) to its more detailed comment on the Proposed Rule, attached as Exhibit A, which it submitted on September 25, 2020. U. S. Steel is headquartered in Pennsylvania and has several large operating facilities in the state that would be impacted by the Proposed Rule.

U. S. Steel respectfully directs the IRRC’s attention to the following concerns regarding the Proposed Rule in advance of the public hearing on August 9, 2022. First, and most importantly, U. S. Steel expresses its concern regarding the significant capital expenditure this Proposed Rule would require for point source dischargers without a proven scientific basis or benefit. As noted in U. S. Steel’s more detailed comment, the lower criterion of 0.3 mg/L is not needed to protect aquatic life and other surface water uses. The existing aquatic toxicity literature shows that even the most sensitive aquatic species (brook trout [*Salvelinus fontinalis*]) would be protected from chronic exposures to manganese at levels as high as 2.7 mg/L.

In light of the literature on manganese levels that are protective of aquatic life, U. S. Steel also recommends that the IRRC send the Proposed Rule back to the EQB with direction to further consider to adopt the “First Alternative Point of Compliance” initially presented in the proposed rule. That would change the point of compliance for manganese to being met “at the point of all

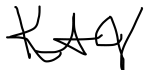
existing or planned surface potable water supply withdrawals” (§ 96.3(d)). Moving the compliance point minimizes the extreme economic burden of unnecessary and excessive treatment of water from point sources while also protecting both human health and the aquatic environment.

In addition, the proposed criterion is redundant of the existing, more stringent, drinking water secondary maximum contaminant limit for manganese of .05 mg/L. Lastly, manganese is often present at background levels in surface waters prior to usage in industrial facilities. The Proposed Rule would thus require entities to treat manganese beyond what their processes might be associated with.

Thus, the Proposed Rule’s requirements are unnecessary, duplicative, overbroad, and are likely to end up being extremely costly to affected entities. Therefore, U. S. Steel recommends that IRRC not approve the Proposed Rule. However, if the IRRC does take any action we would recommend IRRC send the Proposed Rule back to the EQB with directions to adequately review and to address the substantial policy, legal and scientific concerns raised in both of U. S. Steel’s submitted comments.

U. S. Steel appreciates the opportunity to submit these comments in advance of the public hearing on the final rulemaking to change manganese water quality standards and the associated implementation provisions. If you have any questions or should you need additional information, please do not hesitate to contact me at [Kjones@uss.com](mailto:Kjones@uss.com) or 479-200-9743 or you may also contact Chris Masciantonio at [Cjasciantonio@uss.com](mailto:Cjasciantonio@uss.com) or 412-433-6869.

Sincerely,



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