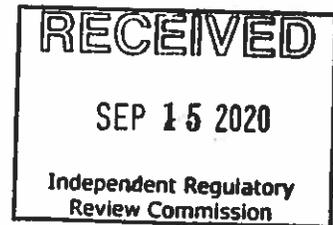


PHILADELPHIA WATER

— DEPARTMENT —

Randy E. Hayman, Water Commissioner



September 8, 2020

The Philadelphia Water Department appreciates the opportunity to provide comment on proposed revisions to 25 Pa. Code Ch. 93 and Ch. 96 ambient manganese regulations. The Department plans to submit more in-depth written comments regarding the proposed rulemaking, but we would like to use this opportunity to highlight a few key points.

First, we want to address the point of compliance exemption proposed as required by Pennsylvania Act 40 of 2017. Our Department supports rulemaking proposals based on sound science that provide public health benefits to the Commonwealth. As many are aware, the proposal to apply this exemption was hastily tacked onto an entirely unrelated administrative bill by Pennsylvania's elected officials. This action sets an alarming precedent for environmental rulemaking. It is our sincere hope that all future rulemakings will continue to be initiated in a way that allows adequate time for scientific review by both external stakeholders and the Pennsylvania Department of Environmental Protection, who have been tasked by law with the very important responsibility of protecting both Pennsylvania residents and our environment from pollution.

PWD provides drinking water to 1.6 million residents of the Commonwealth. Recognizing that impacts to water quality even far upstream of Philadelphia inevitably affect the city's source waters at its points of intake, PWD has embraced a comprehensive watershed protection approach to honor our commitment of providing safe, high-quality drinking water to the City of Philadelphia. As our response letter to the Advance Notice of Proposed Rulemaking indicates, we are extremely concerned with Act 40's directive to essentially deregulate manganese discharges. As a utility we have been dedicated to supporting abandoned mine drainage cleanup efforts in the upper region of our source watershed for nearly 20 years to reduce metals pollution and this rule change would be a step backwards in the environmental progress we have collectively made with our extensive network of partner organizations. Aquatic life and recreating members of the public throughout the state would suffer the consequences of such a broad deregulation.

Secondly, I want to address replacing the existing Ch 93 water quality criterion of 1.0 mg/L for the protection of the potable water supply use with a 0.3 mg/L manganese criterion for human health toxic substance criterion to be applied to all use designations. While manganese may produce negative neurotoxicological effects at very high doses of exposure and negative aesthetic impacts to drinking water at very low concentrations, there is no research that conclusively demonstrates it should be classified as a toxic substance when in an aqueous state at naturally occurring levels. Due to its widespread presence in the earth's crust, existing and natural ambient manganese concentrations throughout Pennsylvania may often be above the proposed 0.3 mg/L human health criterion. For drinking water utilities in those areas, this may require a greater investment in residuals management with no discernable benefit, and at a cost which may be passed onto customers in the form of rate increases.

Adopting manganese as a toxic substance and establishing a much more stringent human health criterion would also unnecessarily burden those wastewater utilities with additional monitoring and removal required as part of the NPDES program. As no national primary drinking water standards yet exist for manganese, it would be inappropriate and excessive to apply a concentration limit equivalent to the

current, highly protective 10-day drinking water health advisory level for infants to the ambient water quality of Pennsylvania streams. Furthermore, elevated manganese in drinking water may often be attributed to premise plumbing issues that would not be alleviated by the implementation of the proposed ambient water quality standard.

It is for these reasons that the Philadelphia Water Department requests that the Environmental Quality Board reject the proposal to modify the existing manganese water quality criterion and the point of compliance at this time.