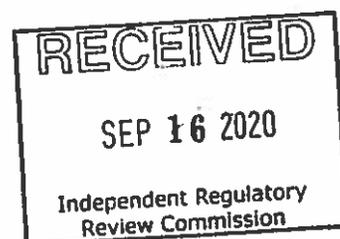


**TESTIMONY
OF
ANDREW J. GUTSHALL, P.G.**

**AREA ENVIRONMENTAL MANAGER
HANSON AGGREGATES**

SEPTEMBER 10, 2020

**DEP Public Comment Hearing on Proposed Rulemaking: Water Quality
Standards for Manganese and Implementation**



Good afternoon, my name is Andrew Gutshall and I am the Area Environmental Manager for Hanson Aggregates based in our Allentown, Pennsylvania region corporate office. Hanson Aggregates is a subsidiary of Lehigh Hanson, Inc. At present, Hanson Aggregates, along with our peer company Lehigh Cement, has 859 employees across Pennsylvania at approximately 40 business locations. I am responsible for permitting and compliance for Hanson's operations in eastern and central Pennsylvania and I am a licensed Professional Geologist in the Commonwealth of Pennsylvania.

I would like to offer the following comments on the proposed Manganese rulemaking.

- A simple google search reveals that Manganese is one of the abundant elements found in the earth's crust. Manganese is also found in over 300 different naturally occurring minerals.
- Readily available information also says that Manganese is a common element found in the human body and is essential for cartilage and bone formation and good health in general.
- Further research indicates there is a paucity of data indicating human manganese toxicity from drinking water.
- As a scientist, I find that relying on data is the best basis for making good decisions. From what I have learned of the calculations used to arrive at the proposed surface water quality criteria limit of 0.3 milligrams per liter (mg/L), the methodology is based on outdated science and minimal data. I am in favor of thorough, peer-reviewed and thoughtful approach to developing proposed water quality limits.
- Changing water quality limits without fully understanding unintended consequences can and will be a significant challenge to the Commonwealth. Once a new limit is set, it is highly unlikely that limit will ever be "walked back". And if that limit is based upon questionable science, it just doesn't make sense to ratify a new limit just because it sounds good.
- Additional health studies should be conducted or reviewed to make certain that the current or proposed limit is protective and makes sense. And the analysis performed by the Pennsylvania Department of Environmental Protection should be made public and a period provided for comments such as we are here to provide today.
- It is reported that the ambient background levels of manganese in surface waters across Pennsylvania are higher than the proposed limit. It makes no sense to attempt to enforce a lower limit than what exists as background levels.

- As I know you have heard from others before me, Manganese removal from water is a complex process that requires management of treatment media and a delicate balance considering our mining industry also must comply with pH, total suspended solids and other limits as well.
- A unique challenge to our mining industry is that although we are a necessary industry to further the construction and infrastructure goals of the Commonwealth, mining is also pigeon-holed by local zoning regulations to minimal areas within each township, municipality or borough. Those short-sighted regulations also force the mining industry to maximize the use of available land. Additional area within mining facilities to create large treatment ponds for manganese removal just do not exist.
- The mining industry is a competitive industry and additional costs affect a business's ability to remain viable. The cost of Manganese removal is high due to additional personnel costs, chemicals and other management costs. These additional costs, for what appear to be little benefit for the people of the Commonwealth, just do not make sense.
- In summary, we oppose the reduction of the surface water quality criteria limit for Manganese to 0.3 mg/L, and support moving the compliance point to the downstream public water supply per Act 40 of 2017.

I would like to thank you for the opportunity to provide these comments on behalf of Hanson Aggregates and myself. I will provide a written copy of my remarks as instructed by previous correspondence with the Department. Have a good day.