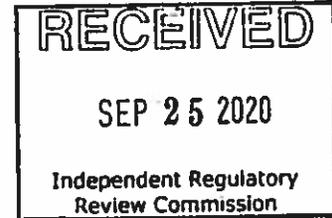


September 25, 2020

Environmental Quality Board
Rachel Carson State Office Building, 16th Floor
400 Market Street
Harrisburg, PA 17101-2301
RegComments@pa.gov



**Re: Comments on Proposed Rulemaking:
Amendments to 25 Pa. Code Chapters 93 and 96 Relating to the Re-Classification
of Manganese as a Toxic Pollutant and the Point of Compliance**

Dear Environmental Quality Board,

Curtiss-Wright Electro-Mechanical Corporation (Curtiss-Wright) is submitting this letter as a public response comment to the proposed rulemaking regarding manganese limits in the Pennsylvania Bulletin, Vol. 50, No. 30, July 25, 2020. Curtiss-Wright appreciates the opportunity to submit these comments.

Curtiss-Wright urges the Environmental Quality Board to retain the current manganese water quality criterion at 1.0 mg/L, and the point of compliance should be established at the downstream user intake for the following reasons:

- 1. The second proposed alternative to establish the point of compliance at the point of discharge conflicts with the directives of Act 40.**

Act 40 of 2017 directed the Environmental Quality Board specifically to propose a regulation that moved the point of compliance for manganese from the point of discharge to any downstream public water intake. The proposed second alternative, where the point of compliance lies at the point of discharge, would not accomplish the move of the point of compliance.

- 2. Manganese in public drinking water does not pose a risk to human health.**

The Environmental Protection Agency (EPA) elected not to regulate manganese with a national primary drinking water regulation in 2003, because regulating manganese with a NPDWR "would not present meaningful opportunity for health risk reductions for persons served by PWS [public water system]." (68 Fed. Reg. 42898, 42903-04 July 18, 2003). The EPA also stated that the health reference level of 0.3 mg/L is well below the tolerable level and public drinking water accounts for only a small proportion of a person's daily manganese intake, concluding that "regulation of drinking water for manganese does not provide a meaningful opportunity to reduce the risk of adverse health effects" (68 Fed. Reg. 42898, 42903-04 July 18, 2003). There is currently no federal drinking water regulation on manganese.

- 3. In some areas, Manganese is present in groundwater at levels that naturally exceed the current limit of 1 mg/L as well as the proposed limit of 0.3 mg/L. Identifying the point of compliance as the discharge location puts an undue burden on facilities whose sole source of manganese is from ambient levels in groundwater.**

The presence of Manganese in Curtiss-Wright's discharge is due entirely to the presence of Manganese in the groundwater. Analytical results from incoming groundwater well water collected in 2018 show that Manganese was present at concentrations ranging from 0.11 mg/L to 0.810 ug/L. The testing shows that Manganese concentrations from the groundwater can exceed the proposed manganese limit of 0.3 mg/L in ambient groundwater.

The attached excerpt from the Cheswick Borough Water Department Wellhead Protection Plan (PWSID: 5020008) references a 1995 study assessing groundwater quality in this area. The groundwater sampling performed in this study showed that the Manganese "exceeded the secondary contaminant level in 6 of the 7 monitoring wells," confirming that Manganese "is consistently present in the sand and gravel alluvial deposits in the study area." Therefore, for more than 20 years, and as confirmed by the current raw water data, it has been known that high concentrations of Manganese are present the area groundwater used by local facilities, including Curtiss-Wright.

The second alternative, which could implement a manganese limit of 0.3 mg/L at the point of discharge, would require significant expensive facility upgrades to remove the manganese prior to discharge. Point source discharges from Curtiss-Wright are not likely to cause a significant increase in manganese concentration at the Allegheny River, due to the insignificant flow rate compared to the river and the manganese concentration being at "background" levels as compared to groundwater. Curtiss-Wright suggests that the second alternative unjustly imposes a conservative limit uniformly on all dischargers to all receiving streams in all areas, with no consideration to the fact that groundwater contributes an ambient source of manganese.

- 4. In the first alternative, where the point of compliance lies at the nearest downstream potable water supply intake, the financial burden of compliance does not rest solely upon the potable water supply system or consumer.**

In the first alternative, "if a potable water supply is located on the stream, a discharger's point of compliance with the proposed manganese criterion will be modelled from the upstream point of discharge to the point of potable water supply withdrawal, allowing for attenuation of the effluent as it travels downstream. The discharger's effluent limitation would be determined based on achieving the proposed manganese criterion of 0.3 mg/L at the point of potable water supply intake." This suggests that the financial burden of compliance will not rest solely upon the public water supply service, as the PADEP will have the ability to apply individual limits based on modeling. Additionally, industries such as power generation and mining will still be subject to the existing Best Available Technology manganese limitations.

Enforcing an effluent limitation based on a downstream requirement and supported by water quality modeling is a more reasonable regulatory approach than uniformly applying a conservative limitation to all upstream dischargers. Furthermore, this approach would not place the full financial burden of meeting the 0.3 mg/L limitation solely on the public water supply

systems, since water-quality-based effluent standard could still be applied to upstream dischargers with the potential to impact downstream water quality.

Curtiss-Wright appreciates the Environmental Quality Board's time and consideration in reviewing these comments.

Respectfully,



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