

Stephen Hoffman

#3260

From: ecomment@pa.gov
Sent: Friday, September 25, 2020 3:53 PM
To: Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; ntroutman@pasen.gov; timothy.collins@pasenate.com; gking@pahousegop.com
Cc: c-jflanagan@pa.gov
Subject: Comment received - Proposed Rulemaking: Water Quality Standards for Manganese and Implementation (#7-553)

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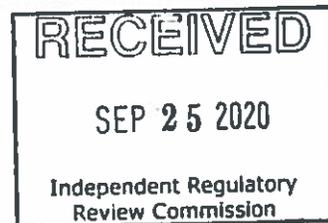
The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Water Quality Standards for Manganese and Implementation (#7-553).

Commenter Information:

Stacey Mulholland
Delaware River Basin Commission (stacey.mulholland@drbc.gov)
PO Box 7360 25 Cosey Road
West Trenton, NJ 08628 US

Comments entered:

Submitted on behalf of:
Ronald MacGillivray, Ph.D.
Senior Environmental Toxicologist
Delaware River Basin Commission
P.O. Box 7360 | 25 Cosey Road |
West Trenton, NJ 08628-0360



Proposed Rulemaking: Water Quality Standards for Manganese and Implementation (#7-553)

After reviewing this proposed rulemaking, the following are a few points that may be informative:

Manganese

Manganese is naturally occurring with releases also arising from point sources such as metal manufacturing and coal mining. Manganese is a human health concern through its action as a neurotoxin when levels necessary to maintain adequate health are exceeded. A secondary

maximum contaminant level (SMCL) for manganese of 0.05 mg/L protects finished water from taste and odor. Manganese is harmful to aquatic life at high concentrations. Like other metals, the temperature, pH and other properties of receiving water influence uptake and toxicity to aquatic life.

Review of Standards

Section 303(c)(1) of the Federal Clean Water Act (CWA) requires that states periodically review and revise, as necessary, their water quality standards to reflect current scientific knowledge and recommendations. PADEP conducted a thorough review of available information on manganese effects on human health and a preliminary evaluation of the available toxicity data indicated that the manganese level required to protect human health would be more stringent than the level needed to protect aquatic life.

Water Uses

States are required to protect existing uses of their waters. The current manganese standard of 1.0 mg/L protects water uses identified in Table 3 at § 93.3 Specific Water Quality Criteria (related to protected water uses) with a critical use of potable water supply. Incorporating the purposed manganese standard in Table 5 at 93.8c. Human Health and Aquatic Life Criteria for Toxic Substances will protect a variety of uses of surface waters including: water supply, water contact sports, irrigation and fishing.

Derivation of the Standard

The development and revision of safe levels for contaminants via exposure and hazard assessment decisions is influenced by multiple scientific, technical, and social factors, including managing scientific uncertainty, technical decisions and capacity, as well as social, political, and economic influences from involved stakeholders. Therefore, in addition to a thorough review of current information, the policies and procedures used to derive water quality criteria should be consistent and transparent. PADEP has conducted a thorough review of current science, used recommended guidance to derive the standard, and followed established procedures in the proposed Rulemaking: Water Quality Standards for Manganese and Implementation. The proposed 0.3 mg/L manganese is equal to an EPA human health advisory for drinking water and comparable to manganese criteria adopted by other states with similar geology, resource extraction activities, or industries to Pennsylvania.

Two Alternative Points of Compliance Proposed

The first alternative point of compliance moves the point of compliance to the point of all existing or planned surface potable water supply withdrawals. Under this alternative, if no potable water supply exists or is planned then no water quality-based effluent limits will apply; however, Federal Effluent Limit Guideline (ELGs) would apply to mining discharges. For all other point source discharges of manganese there would be no water quality criteria or Federal ELGs to limit the amount of manganese discharged into the surface water. If a potable water supply withdrawal does exist downstream of a manganese discharge, the proposed water quality criterion for manganese will only apply at the potable water supply intake, leaving the surface water users between the discharge and the potable water supply intake devoid of any kind of protection from the effects of manganese.

The second alternative point of compliance maintains the existing point of compliance in all surface waters (i.e., at or near the point of discharge). The current science indicates that the human health criteria proposed in this rulemaking will afford adequate protection for aquatic life if it is applied in all surface waters. Under this alternative, additional protections will be provided

to the Potable Water Supply use and other protected water supply uses (e.g., Irrigation, Livestock Water Supply and Wildlife Water Supply).

Application and Implementation

Criteria recommendations are based on the best available science, scientific literature review, established procedures for risk assessment, policies, external scientific peer review, and public input. Because the purpose of criteria recommendations, as set out in the Clean Water Act (CWA), is solely to identify levels of pollutants in water that will ensure adequate water quality protection of designated uses, the recommendations are made independent of other considerations. States may adopt policies and provisions that generally affect the application and implementation of water quality standards, such as WQS variance policies/procedures if justified.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

Jessica Shirley
Director, Office of Policy
PA Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
Office: 717-783-8727
Fax: 717-783-8926
ecomment@pa.gov