



November 21<sup>st</sup>, 2023



Subject: Triennial Review of Water Quality Standards

To Whom it May Concern:

I thank the Environmental Quality Board (the Board) for improving aquatic life and human health criteria for many dangerous pollutants like cadmium, formaldehyde and xylene, among others. However, the Board has unfortunately chosen not to update aquatic life and human health criteria for many other dangerous pollutants that regularly pollute our waterways such as fecal coliform, chloride, chlorine, and methyl tertiary-butyl ether (MtBE). This is particularly relevant to zones 3, 4 and 5 of the Delaware Estuary, which make up the majority of Philadelphia and Delaware County's portion of the Delaware River riverfront. Pollutants like fecal coliform, MtBE, and many others have contaminated this portion of the Delaware River for decades because of the large concentration of fossil fuel storage facilities, wastewater treatment centers and sewage and waste incinerators in this comparatively small section of the Delaware River.

Fortunately, because of vast reductions of water pollution in this section of the Delaware River, the Delaware River Basin Commission (DRBC) has found that all nine fish species it has evaluated are now successfully reproducing in this section of the Delaware River with multiple species exhibiting moderate to strong reproduction. In addition to vastly improved fish reproduction in this section of the Delaware River, recreation has also significantly increased and the Board must work to protect those already recreating in this area of the Delaware River<sup>1</sup>. It is a significant missed opportunity in this review of water quality standards to not upgrade the designation of zones 3, 4 and 5 of the Delaware Estuary to fishable and swimmable to reflect that people use it for recreational purposes and may come into contact with water.

The current Triennial Review of Water Quality Standards claims that the Pennsylvania Department of Environmental Protection (DEP) continues "to implement DRBC Resolution 2017-4," however I do not believe the current review of water quality standards properly accounts for the resolution's shared goal of protecting "The improved conditions and uses we collectively have achieved." This resolution was passed over 6 years ago and residents and wildlife impacted by the Delaware River deserve increased protections from water pollution in this section of the Delaware River in the form of an updated use designation. DRBC's research has clearly shown that fish reproduction has immensely improved in this region of the Delaware River and not updating the designated use of this section of the Delaware River in the current triennial

<sup>1</sup><https://www.delawariverkeeper.org/sites/default/files/Primary%20Contact%20Petition%20%282020-03-02%29.pdf>



review of water quality standards is a risk to current, improved water quality. Polluting industrial facilities continue to be proposed in already overburdened environmental justice communities within Zones 3, 4, and 5 of the Delaware Estuary like Chester, PA. An updated use designation would better protect those communities from increased water pollution. Without an updated use designation, the pollution reductions in this section of the Delaware River are at risk of being undone by existing, proposed, or expanding facilities.

While I applaud the Board for updating aquatic life and human health criteria for a significant amount of pollutants across the Commonwealth of Pennsylvania, individual waterways continue to be contaminated by unique pollutants and pollution sources that must be directly addressed. I urge DEP and DRBC to study the individual pollutants discharged by industrial facilities that are most responsible for preventing Zones 3, 4, and 5 of the Delaware Estuary from achieving universally strong fish reproduction and then propose standards to reduce those pollutants. This is critical to ensuring the continued improvement of water quality and protection of the health of impacted residents and aquatic life in this section of the Delaware River.

Thank you,  
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