

Comments of the Independent Regulatory Review Commission



Environmental Quality Board Regulation #7-583 (IRRC #3423)

Water Quality Standards: Class A Stream Redesignations

April 17, 2025

We submit for your consideration the following comments on the proposed rulemaking published in the February 1, 2025 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

Clarity and lack of ambiguity.

The Board proposes to amend Chapter 93 (relating to water quality standards) drainage lists to update the designated uses so that the surface waters of this Commonwealth are afforded the appropriate level of protection. The Pennsylvania Fish and Boat Commission (PFBC) submitted comments addressing reformatting concerns related to several drainage lists. For example, related to Drainage List D, the PFBC states:

- “Saucon Creek – The redesignation recommendations for Saucon Creek would preclude UNT 03378 located at -75.4533, 40.5302. The recommendations incorrectly name the UNT as UNT 03882. The drainage list should replace UNT 03882 with UNT 03378 to properly redesignate Saucon Creek.”
- “Also the county needs to be corrected for Saucon Creek – Basin, from the point downstream of Chestnut Hill Road Bridge to Black River. Code currently reads ‘Lehigh’, but the downstream limit of the zone is actually in Northampton County.”

We ask the Board to address or clarify the various concerns and errors raised by the PFBC related to the drainage lists in the final regulation.