

JOE CONTI
10TH DISTRICT

SENATE BOX 203010
ROOM 460, MAIN CAPITOL BUILDING
HARRISBURG, PA 17120-3010
(717) 787-7305
FAX: (717) 783-5962

10 EAST COURT STREET
DOYLESTOWN, PA 18901
(215) 348-2233
1-800-728-8600
FAX: (215) 345-6583
jconti@pasen.gov

SENATE OF PENNSYLVANIA
REVIEW COMMISSION



Senate of Pennsylvania

October 28, 1998

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Ms. Sharon Freeman
Environmental Quality Board
15th Floor
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

RE: Proposed Rulemaking on Water Quality (PA Bulletin #35, Pages 4431-4447)

Dear Ms. Freeman:

I would like to offer my comments on the recently published proposed amendments to Chapters 92, 93, 95 and 97. Although most of the proposed regulatory changes are necessary modifications to eliminate redundancy, some proposed regulations will have a dramatic effect on the quality of water in southeastern Pennsylvania. My concerns are enumerated as follows:

Section 92.5a. Concentrated animal feeding operations.

I am concerned about the continuance of serious groundwater contamination in agricultural areas. Section 92.5a seems to only address surface discharge. The use of holding ponds can and has led to serious groundwater pollution. The connection of surface and groundwater should be addressed.

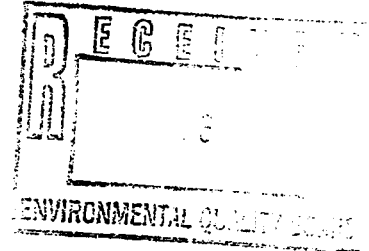
Section 92.11. Duration of standards for certain new sources.

I suggest that wording be made clear that more stringent standard of performance for lesser of 10 years or during the period of depreciation.

COMMITTEES

INTERGOVERNMENTAL AFFAIRS,
VICE CHAIRMAN
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FINANCE
LAW AND JUSTICE
LOCAL GOVERNMENT
STATE GOVERNMENT

DELAWARE RIVER BASIN CAUCUS,
CHAIRMAN
DELAWARE CANAL STATE PARK CAUCUS,
CHAIRMAN



Section 92.81. General NPDES Permits.

I object to the wording of this section based on the fact that it will allow the discharge of toxic or hazardous substances into High Quality Waters. Additionally, it increases the criteria for designating Exceptional Value Waters. I believe that we should change the proposed rulemaking to allow for easier designation of Exceptional Value Waters.

Section 93.4. Statewide water uses.

I believe protection of potable water supply should continue to be a statewide use.

Section 93.7. Specific water quality criteria.

I support the continued inclusion of ALL Delaware River Basin Commission (DRBC) criteria in Table 3. The Delaware River Basin services over 10 million people and must remain a high quality source of water. We cannot eliminate the more stringent requirements of water quality for the Delaware River Basin.

I have great concern about the proposed elimination of numeric standards for cobalt. Additionally, I oppose putting lower standards on the toxic chemicals phenol, toluene, xylene and formaldehyde. The change of standards for some of these chemicals from the aquatic-life standards to the human health criteria may have a detrimental impact on the aquatic life in Pennsylvania.

Thank you for affording me the opportunity to provide comments on the proposed Water Quality Regulations. I am available for further comment on these proposals if it is needed.

Respectfully yours,

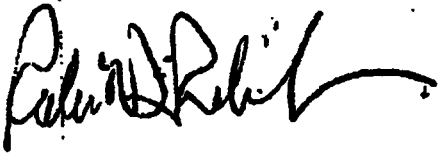

JOE CONTI
State Senator

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In consideration of the above, we ask the Department to carefully review the testimony presented, the public comments received and amend the proposed regulations to reflect the concerns expressed by the Committee and in the comments and testimony received.

Sincerely,


Camille George, Minority Chairman
Environmental Resources & Energy


Robert D. Reber, Jr., Majority Chairman
Environmental Resources & Energy

RDR/gh

cc: Members of the Environmental Resources & Energy Committee