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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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November 17, 1998

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Secretary James M. Self
Environmental Quality Board
15th Floor, Rachel Carson State Office Bldg.
PO Box 8477
Harrisburg, Pennsylvania 17105-8477

Dear Secretary Self:

On behalf of the members of the House Environmental Resources and Energy Committee, we present the following comments to the Department on EQB Proposed Rulemaking - Water Quality Amendments (Chs. 92, 93, 95, 96, and 97) (7-338). As I am certain you are aware, these regulations have generated a significant amount of interest within and without the environmental community.

On October 30, 1998, the Department of Environmental Protection reversed several of the proposed regulatory changes. DEP withdrew sections of the proposed rulemaking that permitted the discharge of toxic chemicals under general permits and reinstated the aquatic life criteria for some, but not all, of the toxic chemicals. In fact, there will be twenty-one pollutants in which the aquatic life standards will be removed.

While the publicly-stated changes to the proposed rulemaking merit support, we still have several serious concerns about the impact of these regulations. These regulations would weaken existing rules by:

- Allowing the potential increase of discharges of additional toxic chemicals to our waterways, including phenol, toluene, and xylene.
- Failing to fully consider the effects of non-point source pollution on impaired waters.
- Not defining the framework for the proposed effluent trading program.

The Environmental Resources and Energy Committee is concerned that these regulations could have a negative effect on the health of our local waterways. The Pennsylvania General Assembly has passed several important pieces of legislation to protect the quality of our streams over the years. No legislation has passed the Pennsylvania General Assembly that would signal a reversal of the strong legislative support of maintaining and upgrading of the environmental quality of our waterways.

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