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Form Letter C 611

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JUN 20 2022

**FORM LETTER C: "Consider Environmental Interests"**

Proposed Rulemaking: Dam Safety and Waterway Management (#7-556)

Independent Regulatory  
Review Commission

Dear DEP Regulatory Comments,

I urge the Environmental Quality Board (EQB) to fully consider the following before finalizing its proposed revisions to Chapter 105.

I am concerned that the EQB consulted with industry groups early in the revision process, specifically by presenting proposed revisions and seeking additional input from the Pennsylvania Chamber of Business and Industry, without giving such an opportunity to public interest and environmental groups. The EQB needs to equally consider feedback from public interest groups who speak up for the health and safety of the public and the environment. The EQB should now give comments from environmental and public interests groups significant consideration and their comments should be treated as an opportunity for further dialogue and contribution.

The EQB should revise these regulations to better protect Pennsylvania's wetlands and waterways and make it harder for various industries to negatively impact them. Certain proposed revisions could make it easier for project applicants to get permits or avoid the permitting process altogether by expanding the number of activities eligible for a waiver from the permitting process. The EQB cannot afford to loosen its regulations by allowing waivers and must protect the state's waterways regardless of their size. The EQB should reduce the number of waivers granted and should not allow any waivers for activities impacting Exceptional Value (EV), High Quality (HQ), Class A, Wild Trout, or already impaired streams.

The EQB should reconsider its revision that would require project applicants to only submit one application instead of submitting applications in each county a proposed activity touches, as is currently required for large-scale projects like pipelines. By only requiring a project applicant to submit one application, EQB's proposed regulations could make it harder for counties and their residents to learn about proposed industrial activities that might affect their water bodies. This revision could make it more difficult for adequate review to take place at the local level and hinder the county's role in reviewing the county-specific impacts from projects like pipelines.

Thank you for your consideration of these comments.

Sincerely,