



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

June 14, 2010

Mr. Arthur Coccodrilli
Chairman
Independent Regulatory Review Commission
333 Market Street
14th Floor
Harrisburg, PA 17101

Re: Re: Chapter 102, Erosion and Sedimentation Control
IRRC #2783. EQB 7-440

Chapter 95, Wastewater. IRRC #2806. EQB 7-446

Dear Chairman Coccodrilli:

We write today to encourage the IRRC to approve EQB's recent revisions to its rules for Erosion and Sedimentation Controls, particularly the section mandating 150 foot buffers for new development along Exceptional Value and High Quality streams. We also write in support of revisions to rules for Wastewater, particularly the section that requires natural gas drillers to meet a higher standard for treating wastewater before dumping it into Pennsylvania waterways.

The benefits of stream buffers have been well-documented. Not only is there a widespread consensus of their value in the scientific community, but Pennsylvania's conservation community has also shown a broad and deep support for these rules. Communities have begun to recognize their value as well. At least 192 municipalities across the state have adopted some sort of buffers rule. Notably, two of the counties with the most communities with buffers rules, Chester and Bucks are already two of the fastest growing. However, the buffer every town needs most is in the next town upstream, that's why a statewide rule is so important.

A review of scientific research on the efficiency of streamside buffers by Stroud Water Research was submitted to the PA Department of Environmental Protection in March 2010 as they developed Chapter 102 revisions. The research review revealed a removal efficiency of more than 80% for sediment and 68% for nitrogen from surface

and subsurface flow. The phosphorus removal rates vary depending on the type of buffer used, but still average removal efficiencies exceed 50%. This is remarkable effectiveness for a free system that also adds aesthetic enhancements and preserves property values.


On Wastewater standards, DEP engaged in a thorough and well rounded stakeholder process to arrive at these standards. In addition to the stakeholder process, hearings were held across the state and hundreds of people participated. Many more weighed in by writing to the EQB. We applaud the Department for being careful and conscientious of our state's interests and needs and of the opportunity that natural gas drilling presents for us, but we also recognize that we are overdue to update regulations in the face of a large and entirely new industry here. Hydrofracking has never been conducted on such a scale and with such volumes of water in our state before.

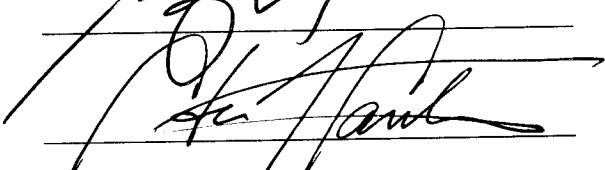
We support a discharge standard of 500 milligrams per liter (mg/L) for Total Dissolved Solids (TDS) and 250 mg/L each for Sulfates and Chlorides for natural gas drillers. These standards will go a long way towards ensuring that federal drinking water standards are met across the state for TDS. We also applaud DEP for setting a reasonable ceiling for TDS for existing industries with discharge permits.

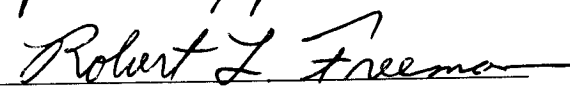
We also note that many other states that host hydrofracking do not permit any discharge of wastewater in their states. Pennsylvania is a water rich state but it does not have the sort of geology that makes large scale deep-well injection an option. Therefore, it is critical that we implement a strong discharge standard for wastewater that does make it into our water supply.

Please approve these rules so that they may be promulgated quickly and begin protecting the people of Pennsylvania as well as the aquatic life that so many of them enjoy.


Sincerely,

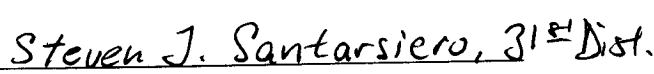







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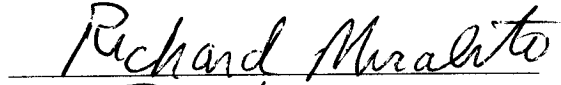
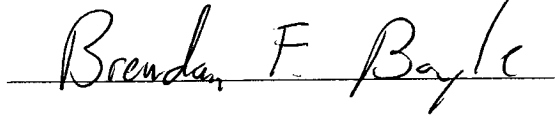
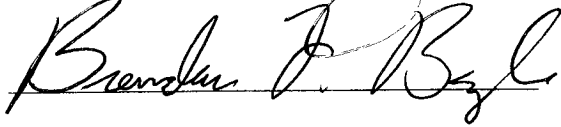
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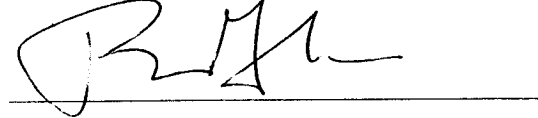
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cc: Kim Kaufman, Executive Director