



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

MAY 12 2011

Ms. Kelly Jean Heffner  
Acting Deputy Secretary for Water Management  
Pennsylvania Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, Pennsylvania 17105-2063

Dear Ms. <sup>Kelly</sup> Heffner:

Thank you for the opportunity to review and comment on the projected scope, purpose and anticipated timeline for the Commonwealth's upcoming triennial review of water quality standards (WQS). The U.S. Environmental Protection Agency's (EPA) comments are based on the information presented to Pennsylvania's Water Resources Advisory Committee (WRAC) at its April 13, 2011 meeting.

EPA is in agreement with PADEP's plans to revise 25 Pa Code, Chapters 93 and 16 as presented to WRAC, although we do have some additional revisions to recommend for PADEP's consideration. First, the Pennsylvania WQS implementation procedures (at PA Code 25§ 96.3(d)) currently allow the water quality criteria for several parameters which are common constituents of Marcellus Shale wastewater to apply only at the point of all existing or planned surface potable water supply withdrawals. This allows for instream dilution for Total Dissolved Solids (TDS) and other parameters. During the upcoming WQS triennial review EPA requests that PADEP remove the implementation procedures provision, or at least exclude TDS, chloride and sulfate from the list of exceptions. This will facilitate the inclusion of these criteria in permits and the assessment of the state waters in light of the increasing wastestreams from the drilling operations.

Please consider the development of a criterion as it relates to the protection of the Commonwealth's potable water supply designated use. The presence of bromides in surface water from a variety of industrial sources and the link to the development of disinfection byproducts in the drinking water treatment process is a major concern.

Also, Pennsylvania's manganese criterion for the protection of potable water supply is currently 1000 micrograms per liter (ug/l). EPA's manganese criterion recommendation for human health protection (water plus organism) is 50 ug/l. EPA is requesting that PADEP review its manganese criterion for the protection of potable water supply during this triennial review to ensure that it is protective of that use, or revise the criterion.

EPA notes that PADEP is anticipating final aquatic life criteria recommendations for new or revised water quality criteria for chloride and sulfate. EPA is currently working on a revision



of the aquatic life criteria for chlorides, and hopes to propose the revised criteria shortly. Although the development of a nationally recommended sulfate criterion is not planned, EPA can provide to PADEP examples of state derived sulfate criteria and assist PADEP in the development of criteria for the Commonwealth.

EPA will provide assistance to facilitate the completion of a full review of Pennsylvania's WQS regulation, and to meet PADEP's goal of submittal of the final published rule to EPA for review and approval by May 2013. This letter is not a determination under section 303(c)(4)(B) of the Clean Water Act. Please let us know if these suggestions will not be evaluated so we can determine if additional action is needed by EPA.

If you have any comments regarding this letter, please do not hesitate to contact me, or have you staff contact Ms. Denise Hakowski, Pennsylvania Water Quality Standards Coordinator, at (215)814-5726.

Sincerely,



Jon M. Capacasa, Director  
Water Protection Division

cc: Rod Kime (PADEP)

