



June 9, 2010

Submitted by fax and email

Independent Regulatory Review Commission
333 Market Street
Harrisburg, PA 17120

Dear Commission Members,

Delaware Riverkeeper Network urges that you approve the changes to Chapter 95 regulations that are being proposed by Pennsylvania Department of Environmental Protection in order to protect our streams, rivers and water supply from high-TDS discharges, especially from the burgeoning flow of gas drilling wastewater. The proposed standards for TDS, sulfate and chloride are an important first step in the effort to address these pollutants, which are already adversely impacting some of the Commonwealth's streams and rivers.

The large volume of wastewater that results from increased shale gas development here will pose a greater challenge as new industrial treatment plants go on line and existing plants increase their discharges of gas drilling wastewater. According to DEP's TDS Strategy paper of April 2009, "Estimates from the industry indicate that demand for brine water treatment in Pennsylvania will reach approximately nine million gallons per day (MGD) in 2009, 16 MGD in 2010, and 19 MGD in 2011. Estimates from the Susquehanna River Basin Commission are 20 MGD for that same timeframe." Over time, this means billions of gallons of wastewater rich in TDS, sulfate and chlorides.

The unprecedented expansion of gas drilling that is occurring now is expected to accelerate; DEP has projected that 5200 permits will be requested in 2010, more than doubling the number for the past 2 years. This current and expected activity requires that the Commonwealth be prepared for handling and processing the wastewater that is being produced. The proposed regulations will establish a starting point that is essential to meet state and federal environmental protection goals.

During the public comment period for the Chapter 95 rulemaking, DRN's advocated stricter standards and policies than what is moving forward and we still advocate for that. However, we do support the proposed changes to Chapter 95 regulations at a minimum and urge the Commission to take this crucial first step to prevent degradation and protect the Commonwealth's waterways, habitats and residents.

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Thank you for your consideration of this urgent and important action to protect Pennsylvania's waterways and water supplies.

Sincerely,

Maya van Rossum
the Delaware Riverkeeper

Tracy Carluccio
Deputy Director