

May 16, 2012

Mr. Stuart Gansell  
33 Presidents Drive  
Mechanicsburg, PA 17050

Molly Pulket  
Division of Water Quality Standards  
Bureau of Point and Non-Point Source Management  
P. O. Box 8774  
Harrisburg, PA 17105-8467

Re: Susquehanna River Impairment Designation

Ms. Pulket:

I represent a group of 22 retired DEP professionals with over 600 years of combined service in managing, establishing standards, permitting, monitoring, and enforcing in the Commonwealth's water quality and pollution control programs. Our names are included on the attached list. Our careers spanned from the 1950s to the recent past. Most of the Commonwealth's water quality related laws, regulations and policies were developed and implemented on our watch. We believe in the goals of improving and maintaining water quality for the benefit of all Pennsylvanians.

We are writing to express our concern and submit comments regarding DEP's proposed 2012 Section 303 (d) list. Specifically, we are concerned about environmental conditions that exist in the Susquehanna and Juniata Rivers, particularly regarding the smallmouth bass population and DEP's refusal to acknowledge that these waters are impaired. Our concerns are similar to those of PA Fish and Boat Commission Executive Director John Arway, which he has recently conveyed to you.

Section 303(d) of the Federal Clean Water Act requires that the states periodically provide the U.S. Environmental Protection Agency with a list of impaired and threatened waters and their cause, if identified. A number of us were involved in preparing this list during our years of employment. We maintain it is not necessary to know the cause or source of the impairment prior to listing. According to EPA's most recent fact sheet, there are thousands of waters nationwide where the causes or sources are not yet identified. In fact, DEP's proposed 2012 list of impaired and threatened waters also includes 3,482 miles of streams and rivers that are classified by DEP as impaired without knowing the sources, and 1,140 miles of streams and rivers that are classified by DEP as impaired by unknown causes. The Susquehanna and Juniata Rivers fit several of EPA's listing categories. These include failure to meet a designated use (Warm Water Fishes), violations of the dissolved oxygen criteria, and presence of noxious weeds. All of these conditions are well documented from Sunbury to the Holtwood Dam in the Susquehanna River basin. A warm water fishes use is defined as maintenance and propagation of fish species and additional flora and fauna which are indigenous to a warm water habitat (25 PA

Code Chapter 93). The evidence is clear that the water quality of the rivers no longer supports this use.

We further believe that these rivers meet the following criteria for high priority impaired and threatened designation:

- Risk to human health and aquatic life
- Degree of public interest and support
- Recreational, economic and aesthetic importance
- Vulnerability and fragility as an aquatic habitat.

Listing the rivers as high priority impaired and threatened will compel DEP to develop a TMDL in two years (40 CFR 130.7(d)(1)). This will be a first step toward bringing the rivers back to a healthy condition.

Frankly, we do not understand DEP's reluctance to list the Susquehanna and Juniata Rivers as impaired. It is not necessary to know the reason for the impairment. Listing would focus attention and funding on the issue. This, in turn, will help to resolve the problem.

These rivers were once a valuable water supply, recreational, and economic resource. They were recognized as a world class smallmouth bass fishery. Many of our group enjoyed what they had to offer. We would like to enjoy these attributes again.

As former DEP scientists, engineers and attorneys we take pride in what we have accomplished. We are also willing to volunteer our time and experience to assist DEP in restoring and preserving this significant resource.

Sincerely,

Stuart Gansell, PE, Director,  
Bureau of Watershed Management (Ret), 35 years.

Robert Agnew, Chief, Environmental Analysis and Support, Bur. of Mining and Reclamation, 34 years

Daniel L. Alters, Environmental Program Manager, Williamsport Regional Office, 35 years

Charles D. Ferree, Jr., Sewage Planning Supervisor, Water Management Program 32 years

Andrew E. Friedrich, Chief, Division of Mine Hazards, Bur. of Abandoned Mine Reclamation, 35 years

Robert P. Ging, Jr., Esq. Assistant Attorney General, 4 years

Steve R. Jones, Chief, Division of Mine Hazards, Bur. of Abandoned Mine Reclamation, 26 years

Michael J. Klimkos, Water Pollution Biologist II, 32 Years  
Susan M. Klimkos, Clerical Supervisor, 15 years  
Milt Lauch, Chief, Division of Wastewater Management, Bureau of Water Quality Management, 33 years  
Walter A. Lyon Pa. Water Quality Administrator, 22 years  
John Meehan, Mining Program Manager, 33 years  
Leon M. Oberdick Jr, Water Management Program Manager, Southcentral Regional Office, 35 years  
Kenneth Okorn, Chief – Compliance and Monitoring, Bureau of Water Quality Management, 32 years  
Curtis Pieper, Executive Assistant, Office of Mineral Resources Management, 20 years  
Robert J. Schott, BS/MS, Water Pollution Biologist Supervisor, Water Management Program, 32 years  
Joseph Schueck, P.E., PG. Chief, Division of Acid Mine Drainage Abatement, BAMR, 36 years  
Evan T. Shuster, Hydrogeologist, 35 years  
Peter Slack, Division Chief, Bureaus of Water Quality Management and Mining and Reclamation, 30 years  
Khervin D. Smith, Esq., 35 years  
James T. Ulanoski, BS/MS, Water Pollution Biologist, Chief Aquatic Biology Section, 25 years  
Robert J. Wellington, Biologist, 36 Years