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REPLY TO:



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JUDICIARY
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LOCAL GOVERNMENT COMMISSION
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Senate of Pennsylvania

Harrisburg

October 7, 2008

Honorable Mary Jo White, Chairman
Senate Environmental Resources & Energy
Room 169, Main Capitol Building
Harrisburg, PA 17120

Honorable Ray Musto, Democrat Chairman
Senate Environmental Resources & Energy
Room 17, East Wing
Harrisburg, PA 17120

Dear Senators White and Musto:

I am taking this opportunity to write to you regarding the "Triennial Review of Water Quality Standards (7-421) as approved by the Environmental Quality Board on September 16, 2008. These regulations include Molybdenum (Mo or Moly) as a "toxic substance." Molybdenum is a metal, essential trace mineral, cofactor for enzymes xanthine oxidase, aldehyde oxidase, and sulfide oxidase. These enzymes are needed for a variety of metabolic processes in animals. In plants, Mo is required for nitrogen fixation and for reduction of nitrate to nitrite in bacteria. The federal Environmental Protection Agency has chosen not to adopt national drinking water standards for Mo.

DEP currently monitors four areas of Mo discharge and two facilities are permitted. The standards contained in the proposed regulations are more stringent than bordering states and will potentially serve to hurt a Pennsylvania industry that has been in business since 1926 in Langeloth (Washington County), Pennsylvania. This company has an outstanding environmental record in water, air and solid waste. Langeloth Metallurgical Company competes in the world market where cheaper labor and lower international operating costs place them in a highly competitive situation. Langeloth Metallurgical has proven that it is committed to providing quality discharge water to the Commonwealth and continues to explore both short-term and long-term water treatment options. However, there is no known method for removal of Mo at the

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level, which is being imposed by the regulation. This would certainly have an economic impact on both Northwest Washington County and the Commonwealth.

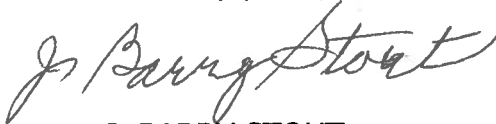
There is no evidence that Mo is harmful to aquatic life and in fact there has never been a health hazard warning due to Mo levels in fish. These regulations would treat Mo differently than other substances it is similar to such as chlorides, fluoride, phenolics and sulfates by determining that it is "toxic." Although it has never before been considered a "toxic" subject to Chapter 16 regulation and no "in-stream" water quality criteria designed to protect "human health" has ever been promulgated for this metal.

If DEP would continue to monitor new science and technology and keep the current policies relating to Mo exposure under the current permit process would provide for the health and safety of the public. Questions still exist about Mo health criteria and what treatment technology is available to meet the in-stream criteria defined in the proposed regulation.

It is with regret that I must state that I do not agree with the Triennial Review of Water Quality Standards due to the inclusion of Mo standards that have not been justified by any scientific data.

Thank you for your time and consideration of my letter. Should you have any questions, please feel free to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "J. Barry Stout".

J. BARRY STOUT
State Senator

JBS:clh