

November 21, 2023

Dear PA-DEP,

As part of the current public comment period for the Department of Environmental Protection's (DEP) 2023 proposal for the Delaware River's Triennial Review, we respectfully request that the Department remove its current (and sadly, longstanding) policy that sets *lower* water quality standards for the section of the Delaware River flowing through Philadelphia and the City of Chester.

Instead, we respectfully request that DEP designate this 27-mile stretch of the Delaware River for "primary contact water quality standards" within the agency's finalized 2023 Triennial Review.

Yet for years, DEP has kept a rule on the books that allows more pollution into the 27 miles of the Delaware that flow through Philadelphia and down to Chester, than is allowed anywhere else along the other 300 miles of the Delaware River.

This is DEP's ongoing effort to avoid applying "primary contact" water quality standards to this stretch of the river, which would ensure that water quality along this 27-mile segment of the river is safe for wading, paddling and boating, swimming, jetskiing and other recreational activities.

The result? Up to 15 billion gallons of untreated wastewater is discharged into that section of the Delaware each year. This sewage and runoff pollution can contain toxic substances, bacteria, and viruses and result in intestinal infections, vomiting, fever, headache and other illnesses.

On occasion, DEP has argued that the agency is reticent to set stronger water quality standards for this section of the Delaware River because of the current levels of pollution in this portion of the river. Yet the reality is that the reason that this section of the river receives more pollution and therefore is unsafe for primary use contact on so many days is because DEP hasn't set water quality standards to ensure a cleaner, healthier segment of the river.

Moreover, in 2018 the [U.S. EPA strongly urged Pennsylvania to end this exemption that allows more pollution and a dirtier stretch of Delaware River in and around Philadelphia](#). Sadly, DEP did not implement EPA's policy recommendation five years ago--more reason we hope that the department will do so this year.

Lastly, Governor Shapiro has been vocal in his commitment to address issues of environmental racism in the Commonwealth. Ensuring that the predominantly black and brown communities living in Philadelphia, the City of Chester, and the communities in between are afforded the same clean water protections as more affluent communities up and down the Delaware River will be a critical test of that commitment.

Local residents should be able to boat, paddle, fish and explore the Delaware River without fear of dangerous levels of pollution. And a history of lower environmental standards and higher levels of pollution, are no justification for continuing to pollute the river that so many residents of the region are inextricably tied to. If we want a greener, healthier Pennsylvania, we need to protect the Delaware River and its tributaries.

Thank you for taking our input into consideration, and amending the 2023 proposed Triennial Review for the Delaware River to include primary contact water quality standards for the 27-mile stretch of the river between Philadelphia and the City of Chester to be included in the final rule.

Sincerely,

The Black Church Center for Justice
and Equality
Clean Air Action Fund
Clean Water Action
Conservation Voters of PA
Delaware River Greenway Partnership
Delaware Riverkeeper Network
Keystone Trails Association

Natural Resources Defense Council
(NRDC)
Newtown Creek Coalition
PennEnvironment
Physicians for Social Responsibility
Pennsylvania
Sierra Club Pennsylvania Chapter
Valley Forge Trout Unlimited