

May 7, 2019

Environmental Quality Board
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101-2301

**RE: Proposed Class A Stream Redesignations
49 Pa.B. 1367, Published March 23, 2019
FirstEnergy Corp. Comments**

To Whom It May Concern:

FirstEnergy Corp. (“FirstEnergy”) submits these comments in response to the Pennsylvania Department of Environmental Protection’s (“PADEP”) proposed rule to designate numerous streams as high quality with a Docket ID No. 49 Pa.B. 1367, published Saturday, March 23, 2019.

FirstEnergy Overview

FirstEnergy Corp. is a diversified energy company headquartered in Akron, Ohio. FirstEnergy's 10 operating companies form one of the nation's largest investor-owned electric systems, servicing customers in six states, including Maryland, New Jersey, Ohio, Pennsylvania, Virginia and West Virginia. The operating companies are the Potomac Edison Company, Ohio Edison Company, The Illuminating Company, Toledo Edison Company, Pennsylvania Electric Company, Metropolitan Edison Company, Pennsylvania Power Company, West Penn Power Company, Monongahela Power Company and Jersey Central Power and Light. Together, these companies are involved in the transmission and distribution of electricity serving approximately 6 million customers over a 65,000 square mile area. This electric service is provided through approximately 194,000,000 miles of distribution circuits and over 24,000 miles of transmission circuits. FirstEnergy's generating fleet features scrubbed coal and hydroelectric and has a generating capacity of approximately 4,000 megawatts. FirstEnergy is committed to generating and providing its customers with safe, reliable and cost-effective electricity while ensuring the protection of our country's waterways.

Pennsylvania Stream Redesignations

The proposed stream redesignations by PADEP concern FirstEnergy because it may impose undue burden on critical infrastructure projects that also provide benefits to the citizens of the Commonwealth.

For instance, PADEP proposes to designate the entire Mosquito Creek basin (Stream Code 20929) as a high-quality water. This action will designate over 21 miles of stream as high quality and thousands of acres that drain into Mosquito Creek will require the same burdensome treatment. Additionally, the Mosquito Creek area is currently managed by the Williamsport Municipal Water Authority currently as a nature preserve. The Williamsport Municipal Water Authority, like FirstEnergy, has a duty to deliver reliable, utility service to its customers and may need to construct critical infrastructure from time to

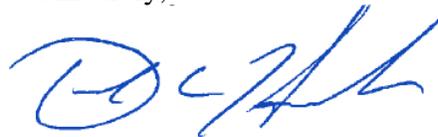
time. By designating the stream as high quality, general permits for construction will no longer be acceptable. Also, expensive, cumbersome, and complicated socio-economic justifications will be required when water quality cannot meet these strict and burdensome standards. Such protections can inadvertently have adverse effects in providing safe and reliable utilities to millions of Pennsylvanians.

PADEP provides a well-documented and quantitative review of the benefits of the proposed regulation; however, PADEP does very little to quantify the costs. While existing permits may not be affected, any expanded or new permits will fall under this purview. As such, construction of critical infrastructure will need individual permits versus efficient, streamlined general permits. Such individual permits will add technical third parties to complete and delay projects by months, all of which, adversely affect the costs of a project. To this end, FirstEnergy requests that the Department develop a general permit for high quality waters in an effort to help keep the time burden and cost of individual permits to a minimum, so that infrastructure improvements can be installed as efficiently as practicable.

FirstEnergy believes that such high-quality stream designations are important in protecting the most valuable waters in the Commonwealth; however, the proposed list should be reviewed to determine whether entire streams and drainage basins are appropriate to characterize as high quality. FirstEnergy also believes that where critical infrastructure already exists to serve the citizens of the Commonwealth for purposes of the public good, such as drinking water or electricity, that PADEP should consider the ramifications of such designations when contemplating changes in stream designations.

We appreciate PADEP's attention to these comments and would welcome any questions or comments by contacting me at (330) 315-6714 or DHavalo@firstenergycorp.com.

Sincerely,



Dan Havalo, P.E.
Environmental Engineer