

Minutes of the April 21, 2022 Meeting
Public Water System Technical Assistance Center (TAC) Board

A regular meeting of the TAC Board was called to order by Chairperson Serena DiMagno at 9:10 AM. This was the second regularly scheduled meeting of 2022.

The following Board members were present:

Amy Batdorf, Pennsylvania Municipal Authorities Association (PMAA)
John Brady, USDA Rural Utilities Service (RUS)
Doug Crawshaw, American Water Works Association, Pennsylvania Chapter (AWWA)
Serena DiMagno, Water Works Operators Association of Pennsylvania (WWOAP)
JT Hand, National Association of Water Companies, PA Chapter (NAWC)
Roger Hadsall Pennsylvania Rural Water Association (PRWA)
Greg Herb, Pennsylvania Association of Realtors (PAR)
Christine Maloni Hoover, Office of Consumer Advocate (OCA)
Clint McKinley, Pennsylvania Public Utility Commission (PUC)
Mary Roland, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
Sukhwindar Singh, RCAP
James Steele, Pennsylvania Builders Association (PBA)

The following Alternate members were present:

Dennis Beck, Pennsylvania Association of Conservation Districts, Inc. (PACD)
Jeff Bickel, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
Chip Bilger, Water Works Operators Association of Pennsylvania (WWOAP)
Christine Caldara Piatos (CRP)
Jennifer Case, Pennsylvania Municipal Authorities Association (PMAA)
Lisa Daniels, Pennsylvania Department of Environmental Protection (DEP)
Sharon Fillmann, American Water Works Association, Pennsylvania Chapter (AWWA)
Mary Gaiski, Pennsylvania Manufactured Housing Association (PMHA)
Erin Gannon, Office of Consumer Advocate (OCA)
Joel Jordan, Pennsylvania Rural Water Association (PRWA)
Matt Lamb, Pennsylvania Public Utility Commission (PUC)
Wanda Rios Martinez, RCAP
Tesra Schlupp, Pennsylvania Infrastructure Investment Authority (PIIA)

The following Organizations were not represented:

County Commissioners Association of Pennsylvania (CCAP)
Department Community and Economic Development (DCED)
League of Women Voters, Pennsylvania (LWVPa)
Pennsylvania State Association of Township Supervisors (PSATS)

Members/alternates from 17 organizations were present; therefore, a quorum was achieved.

Department of Environmental Protection (DEP) staff attending the meeting:

William Adams, Bureau of Safe Drinking Water
Jeff Allgyer, Bureau of Safe Drinking Water
Angi Anderson, Bureau of Safe Drinking Water
Kevin Anderson, Bureau of Safe Drinking Water
June Black, Bureau of Safe Drinking Water
Ed Chescattie, Bureau of Safe Drinking Water
Dawn Hissner, Bureau of Safe Drinking Water
Bill King, Bureau of Safe Drinking Water
Kim Snook, Bureau of Safe Drinking Water
Lori Wise, Bureau of Safe Drinking Water
Brian Chalfant, Policy Office
Taylor Nezat, DEP Legislative Office

Krystal Bloom, Bureau of Clean Water
Jamie Foster, Bureau of Clean Water
Bob Kachonik, Bureau of Clean Water
Matt Kundrat, Bureau of Clean Water
Luisa Lassova, Bureau of Clean Water
Manyi Liu, Bureau of Clean Water
M. Josh Lookenbill, Bureau of Clean Water
Laura Mensch, Bureau of Clean Water
Tami Opila, Bureau of Clean Water
Anita Stabile, Bureau of Clean Water
Adam Duh, Bureau of Regulatory Counsel

Non-Members attending the meeting:

Brandy Braun, PA American Water Co.
Rita Kopansky, Phila. Water Department
Dennis O'Connor, Phila. Water Department
Christine Swailes, SUEZ/Veolia

Matt Walborn, Western Berks Water Authority
Erik Ross, Milliron & Goodman
Tyler Bradley, citizen

General Advisory Board business

Two items were discussed.

- The draft minutes from February 8, 2022 TAC Board meeting were presented for discussion. One edit was requested – that the acronym explanation for CRP (Center for Rural Pennsylvania) be added. Mary Gaiski (PMHA) made a motion to approve the February 8, 2022 minutes with this edit; Jim Steele (PBA) seconded the motion. The motion passed by a unanimous vote.
- Elections for Chairperson & Vice-Chairperson:
 - The nomination committee put forward Serena DiMagno as the nominee for Chairperson and Mary Roland as the nominee for Vice-Chairperson; there were no other nominees and there was no additional discussion.
 - Both Serena and Mary accepted the nomination and the nominees for Chairperson and Vice-Chairperson were each approved by a unanimous vote (Serena and Mary each abstained from the vote).

Review & Discussion *Draft-final technical guidance - Guidance on Notification Requirements for Unauthorized Discharges to Waters of the Commonwealth Under Pennsylvania's Clean Streams Law*

DEP Bureau of Clean Water (BCW) staff presented information and answered questions on the draft Final technical guidance on Notification to DEP required under the Clean Streams Law.

BCW staff also noted that additional information is available on eLibrary for the Preparedness, Prevention, and Contingency (PPC) Plan at this link:

www.depgreenport.state.pa.us/elibrary/GetDocument?docId=1467327&DocName=PING A SPILL PREVENTION RESPONSE PLAN.PDF 2630-FS-DEP1471 *

- The TAC Board had the following comments:
 - Provide specific examples for public water systems on what triggers notification to DEP.
 - Provide clarification or additional (possibly separate) guidance on what remediation a water system using chloramination needs to do in the event of a spill as identified in this guidance.
 - Provide clarification on what notification is required for automatic flushing stations in water distribution systems.
 - The definition of waters of the Commonwealth is so broad that notification is required whenever water “hits the ground.” Additionally, there seems to be competing requirements between Safe Drinking Water and Clean Water related to disinfection & flushing for water main repair or replacement.
 - Address inconsistent implementation between regional staff of the notification requirements.
 - Is there inter-program sharing of information? Provide clarification on whether notification to DEP for spills and 1-hour reporting required by Safe Drinking Water regulations means notification to each or to the Department (i.e. will 1 phone call fulfill the requirements for both programs?).
 - JT Hand noted that NAWC does not support this guidance – it is too burdensome for water systems using chloramination and there is no benefit to the environment.
 - Doug Crawshaw also noted that PA-AWWA does not support this guidance as it is written because of the broad definition of waters of the Commonwealth and the burdens placed on water systems using chloramination.
 - BCW will need to educate Safe Drinking Water staff once this guidance is finalized.
- Mary Roland (SBCSTPWWO) noted that there are existing notification requirements for ALL public water systems (those using chlorination as well as those using chloramination) until this guidance is finalized.
- Doug Crawshaw (PA-AWWA) made a motion that TAC form a workgroup to engage DEP (Safe Drinking Water and Clean Water staff) in discussions to find a path forward to address the issues related to water systems using chloramination. Greg Herb (PAR) seconded the motion. The motion passed by a unanimous vote. Serena DiMugno & Chip Bilger (WWOAP), Doug Crawshaw & Sharon Fillmann (PA-AWWA) and Mary Roland (SBCSTPWWO) volunteered to be the TAC representatives for this workgroup.
- Doug Crawshaw (PA-AWWA) made a motion that the TAC Board withholds support for this technical guidance as it is currently written until the workgroup has completed its deliberations and made a recommendation to BCW. Dennis Beck (PACD) seconded the motion. The motion passed by a unanimous vote with one abstention (DEP). the workgroup will present its recommendations to TAC at the July 14 meeting.

SDW Update

- PFAS
 - DEP’s Proposed PFAS MCL Rule was published in the *PA Bulletin* on February 26, 2022 for a 60-day public comment period (to end on April 27, 2022).
 - DEP anticipates discussing the draft final regulation with TAC this summer and intends to submit the final rulemaking to the Environmental Quality Board for consideration this fall. DEP expects the final

rulemaking to be published during the winter of 2022-23. The regulation would be effective upon publication.

- DEP is renewing the contract with Drexel to continue to review any updated health assessment information and provide additional cost and benefit information.
- EPA published four draft health assessment documents in November 2021; these documents are currently being reviewed by EPA's Science Advisory Board (SAB). Based on this new information and input from the SAB, EPA will be reviewing and may be revising the Health Advisory levels for PFOS and PFOA.
- EPA estimates a proposed PFAS Rule will be published in the *Federal Register* in the fall of 2022 and a final PFAS rule will be published in the fall of 2023.
- Federal LCRR
 - EPA published a notice in the *Federal Register* on December 17, 2021 amending the effective date and the compliance date. The effective date is Dec 16, 2021 and the compliance date is Oct 16, 2024.
 - EPA intends to propose for public comment a new rule to revise the LCRR to advance the goals described above while balancing stakeholder interests and incorporating required economic, environmental justice, and other analyses. EPA's tentative schedule for the LCRI is to publish a final rule in the *Federal Register* by Oct 16, 2024.
 - There are some early implementation activities that water suppliers will be required to complete (such as the Lead Service Line inventory) prior to the October 16, 2024 compliance date.
- UCMR 5
 - The final UCMR5 was published in the Federal Register on December 27, 2021. The rule includes 29 PFAS (EPA Method 537.1 & 533) and lithium; monitoring will be required in 2023-2025.
 - America's Water Infrastructure Act (AWIA) requires all systems > 3,300 to do testing if funding & lab capacity are available, but EPA noted that if they do not receive the appropriations needed for monitoring all of these PWSs in a given year, EPA will reduce the number of systems serving 25 to 10,000 people that will be asked to perform monitoring.
 - EPA will hold several webinars and public meetings in 2022 (dates to be determined).
- Microbial and Disinfection Byproducts (M/DBP) Rule Revisions
 - EPA has requested that the National Drinking Water Advisory Council (NDWAC) form a working group to provide EPA with advice and recommendations on key issues related to potential revisions. EPA anticipates that the working group would be active from Spring 2022 through mid-2023.
 - EPA expects to publish a proposed rule by July 2024 and publish a final rule by September 2027. EPA may delay these dates by 1 year as needed.
- Harmful Algal Blooms (HABs) Implementation
 - A Harmful Algal Bloom (HAB) occurs when certain kinds of microscopic organisms in a waterbody or waterway produce toxins or other chemical compounds in concentrations that can harm people, pets, or other animals. The microscopic organisms that most commonly cause HABs in Pennsylvania are known as cyanobacteria or blue-green algae. Cyanobacterial HABs (sometimes referred to as CyanoHABs) bring the risk of introducing cyanotoxins into the finished drinking water.

- EPA has established 10-day health advisory levels (HALs) for two of the primary cyanotoxin groups: total microcystins and cylindrospermopsin. These levels include two sets of values: one for adults and school age children, and one for children under 6 years of age. The 10-day HAL indicates the contaminant levels less than or equal to which adverse human health impacts are *unlikely* to occur over a 10-day period.
- If DEP becomes aware of a potential HAB through observation or monitoring, regional and central office SDW staff will take steps to identify any nearby surface water intakes and notify water systems accordingly. These steps may include: confirmation sampling by the water system, evaluation of the filter plant's current operations and the potential for treatment process optimization, public notice, and/or follow-up sampling.
- BSDW staff and staff from other DEP programs participate in an interagency HABs task force that meets monthly to coordinate HAB awareness, monitoring, response, and prevention activities. More information about HABs and the Pennsylvania HABs Task Force can be found on the task force's webpage, hosted by DEP, at www.dep.pa.gov/HABs.
- TAC had questions regarding the methods for cyanotoxin testing, labs using the approved methods and the use of field test kits as a screening tool in lieu of immediate sampling.

Public Comments

There were no public comments.

Adjourn

Doug Crawshaw (PA-AWWA) made a motion to adjourn. The motion passed by a unanimous vote.