

Minutes of the February 8, 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 9:08 AM. This was the first regularly scheduled meeting of 2022.

The following Board members were present:

Amy Batdorf, Pennsylvania Municipal Authorities Association (PMAA)
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)
Russell James, Pennsylvania Manufactured Housing Association (PMHA)
Clint McKinley, Pennsylvania Public Utility Commission (PUC)
Mary Roland, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
Sukhwinder Singh, RCAP
James Steele, Pennsylvania Builders Association (PBA)

The following Alternate members were present:

Savannah Beeler, Pennsylvania Association of Realtors (PAR)
Dennis Beck, Pennsylvania Association of Conservation Districts, Inc. (PACD)
Chip Bilger, Water Works Operators Association of Pennsylvania (WWOAP)
John Brady, Rural Utilities Service (RUS)
Christine Caldara Piatos (CRP)
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)
Mark Smith, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)

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:

Jeff Allgyer, Bureau of Safe Drinking Water
Angi Anderson, Bureau of Safe Drinking Water
Ed Chescattie, Bureau of Safe Drinking Water
Dave Grube, Bureau of Safe Drinking Water
Dennis Harney, Bureau of Safe Drinking Water
Sabrina Haydt, Bureau of Safe Drinking Water
Dawn Hissner, Bureau of Safe Drinking Water

Bill McNamara, Bureau of Safe Drinking Water
Manyi Liu, Bureau of Clean Water
Josh Lookenbill, Bureau of Clean Water
Kristen Schlauderaff, Bureau of Clean Water
Leda Lacomba, Bureau of Regulatory Counsel
Michelle Moses, Bureau of Regulatory Counsel
Brian Chalfant, Policy Office

Non-Members attending the meeting:

Jeff Bickel, Aqua PA
Brandy Braun, PA American Water Co.
Alison Aminto, Phila. Water Department (PWD)

Kayla Shellenhamer, citizen
C. Thompson, citizen

General Advisory Board business

Two items were discussed.

- The draft minutes from July 29, 2021 TAC Board meeting were presented for discussion No edits were noted. JT Hand (NAWC) made a motion to approve the July 29, 2021 minutes; Greg Herb (PAR) seconded the motion. The motion passed by a unanimous vote.
- Chairperson DiMagno requested volunteers for a nominating committee to present a list of candidates for Chairperson and Vice-chairperson at the April 21, 2022 meeting. Sharon Fillmann (AWWA), Mary Gaiski (PMHA) and Savannah Beeler (PAR) volunteered for the nominating committee.

NOTE: *There was a change in the order of topics discussed from what was noted on the agenda. The review and discussion of the LIHWAP and the draft final Manganese Rule were swapped because staff from the Department of Human Services (DHS) were yet not available to present the LIHWAP topic.*

Draft Final Manganese (Mn) Rulemaking Review & Discussion

DEP Bureau of Clean Water staff presented information and answered questions on the *draft* Final-form rulemaking for the revised Mn water quality standard.

- The TAC Board had the following comments:
 - Request for clarification on what triggered the change in the water quality criterion. DEP noted the trigger was Act 40 of 2017, which required the Environmental Quality Board to promulgate proposed regulations to move the point of compliance for the manganese water quality criterion. This prompted the Department to review the manganese criterion because DEP must consider current scientific knowledge and understanding when updating any water quality standard and because the manganese criterion had not been comprehensively reviewed or updated since 1979 when it was adopted as a statewide PWS use criterion. In addition to ensuring that WQ criteria are based on the most current scientific information, the Department must also evaluate the impacts associated with moving a point of compliance.

- Request for clarification on where the point of compliance is. DEP noted that the draft final rulemaking maintains the point of compliance in all surface waters (at the point of discharge).
- Request for clarification on options for appealing the rulemaking. DEP outlined the next steps in the rulemaking process (i.e. consideration by EQB, then IRRC and the legislative standing committees) and noted that if/when the rulemaking is finalized, appeals would be filed in Commonwealth Court.
- The TAC Board commended DEP on its work on this rulemaking. JT Hand (NAWC) made a motion: “The PWS TAC Board supports advancing this final-form rulemaking to EQB for consideration as it was presented to TAC.” Doug Crawshaw (AWWA) seconded the motion. The motion passed by a unanimous vote.

Low Income Household Water Assistance Program (LIHWAP) Review & Discussion

Staff from DHS presented information and answered questions on the LIHWAP. Key points from this presentation are:

- DHS noted that their outreach efforts included press releases, posts on social media and contact with advocacy groups. DHS encouraged all partners to expand on this outreach (DHS will provide an informational flyer to TAC members). Water suppliers are encouraged to include information about the program on their bills.
- The application is available in English and Spanish and may be translated into other languages upon request.
- This program requires both the homeowner to complete an application and the water/wastewater utility to become a vendor because the funds are paid directly to the utility.
- To date (as of Feb 5, 2022), DHS has received approximately 17,500 applications and nearly \$3 million has been distributed with the average being \$451 per household.
- JT Hand (NAWC) commented that their members have said this program does work and encouraged TAC members to help spread the word.
- DHS will provide the cover letter and vendor agreement form to TAC members.

SDW Update

- PFAS
 - The proposed PFAS rule was approved by EQB on November 16, 2021. It is anticipated that the rulemaking will be published in the PA Bulletin in early 2022 for a 60-day public comment period. There will be at least 5 public hearings, each with a virtual attendance option.
 - 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).
- Federal LCRR
 - EPA published a notice in the Federal Register on December 17, 2021 indicating they completed their review of the LCRR. EPA found that although the LCRR improves public health protection in comparison

to the previous version of the rule, there are significant opportunities to further improve upon it to achieve increased protection of communities from lead exposure through drinking water.

- 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.
- However, because the LCRR provides additional protections relative to the pre-existing rule and contains components (such as the LSL inventory) that supports any future rule, the LCRR effective date and compliance date remain the same as published in the June 16, 2021 Federal Register. The effective date is Dec 16, 2021 and the compliance date is Oct 16, 2024.
- There are some early implementation activities that water suppliers will be required to complete 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.
 - Topics under consideration include: opportunistic pathogens, disinfectant residuals, regulated and unregulated DBPs, consecutive and small systems, distribution system water quality management, finished water storage facilities, source water approach, DBP precursor removal, sanitary surveys, water safety plans and mischaracterized ground water under the direct influence of surface water (GUDI) systems
 - 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.

Public Comments

There were no public comments.

Adjourn

Greg Herb (PAR) made a motion to adjourn. The motion passed by a unanimous vote, and the meeting adjourned at 11:35 am.