

Minutes of the July 29, 2021 Meeting
Public Water System Technical Assistance Center (TAC) Board

A regular meeting of the TAC Board was called to order by Chairperson Serena DiMugno at 9:05 AM. The purpose of the meeting was to review a pre-draft proposed rulemaking.

The following Board members were present:

Amy Batdorf, Pennsylvania Municipal Authorities Association (PMAA)
Doug Crawshaw, American Water Works Association, Pennsylvania Chapter (AWWA)
Serena DiMugno, Water Works Operators Association of Pennsylvania (WWOAP)
JT Hand, National Association of Water Companies, PA Chapter (NAWC)
Greg Herb, Pennsylvania Association of Realtors (PAR)
Christine Maloni Hoover, Office of Consumer Advocate– *via webinar*
Clint McKinley, Pennsylvania Public Utility Commission (PUC) – *via webinar*
Mary Roland, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
James Steele, Pennsylvania Builders Association (PBA) – *via webinar*

The following Alternate members were present:

Savannah Beeler, Pennsylvania Association of Realtors (PAR)
Chip Bilger, Water Works Operators Association of Pennsylvania (WWOAP) – *via webinar*
John Brady, Rural Utilities Service (RUS) – *via webinar*
Jennifer Case, Pennsylvania Municipal Authorities Association (PMAA) – *via webinar*
Lisa Daniels, Pennsylvania Department of Environmental Protection (DEP)
Sharon Fillmann, American Water Works Association, Pennsylvania Chapter (AWWA)
Mary Gaiski, Pennsylvania Manufactured Housing Association (PMHA)
Joel Jordan, Pennsylvania Rural Water Association (PRWA) – *via webinar*
Matt Lamb, Pennsylvania Public Utility Commission (PUC) – *via webinar*
Larry Miller, Pennsylvania Builders Association (PBA)
Wanda Rios Martinez, RCAP– *via webinar*
Tesra Schlupp, Pennsylvania Infrastructure Investment Authority (PIIA) – *via webinar*
Mark Smith, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)

The following Organizations were not represented:

Center for Rural Pennsylvania (CRP)
County Commissioners Association of Pennsylvania (CCAP)
Department Community and Economic Development (DCED)
League of Women Voters, Pennsylvania (LWVPa)
Pennsylvania Association of Conservation Districts, Inc. (PACD)
Pennsylvania State Association of Township Supervisors (PSATS)

Members/alternates from 15 organizations were present; therefore, a quorum was achieved.

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

Angi Anderson, Bureau of Safe Drinking Water
Jill Anderson, Bureau of Safe Drinking Water
June Black, Bureau of Safe Drinking Water
Ed Chescattie, Bureau of Safe Drinking Water
Amanda Ferguson, Bureau of Safe Drinking Water
Joy Groch, Bureau of Safe Drinking Water
Dave Grube, Bureau of Safe Drinking Water
Sabrina Haydt, Bureau of Safe Drinking Water
Mike Hess, Bureau of Safe Drinking Water
Dawn Hissner, Bureau of Safe Drinking Water
Wendy Lloyd, Bureau of Safe Drinking Water

Joe Martin, Bureau of Safe Drinking Water
Bill McNamara, Bureau of Safe Drinking Water
Matt Menendez, Bureau of Safe Drinking Water
David Mittner, Bureau of Safe Drinking Water
Cathy Port, Bureau of Safe Drinking Water
Kim Snook, Bureau of Safe Drinking Water
Aaron Ward, Bureau of Safe Drinking Water
Charles Prettner, Bureau of Laboratories
Leda Lacomba, Bureau of Regulatory Counsel
Brian Chalfant, Policy Office

Non-Members attending the meeting:

Jeff Bickel, Aqua PA
Charles Hertz, Aqua PA
Matt Miller, Aqua PA
Alison Aminto, Phila. Water Department (PWD)
Dennis O'Connor, PWD
Scott Sharp, PA American Water Co
Christine Swailes, Suez
Matt Walborn, Western Berks Water Auth. (WBWA)
Joanne Stanton, Buxmont Coalition for Safer Water
Maurice Sampson, Clean Water Action
Ron MacGillivray, DRBC
Tracy Carluccio, Delaware River Keeper

Erik Ross, Milliron & Goodman Associates
Rachel Rosenfeld, Sierra Club
Ron Andre, citizen
Abby Foster, citizen
Jeff Hale, citizen
Julie Herzner, citizen
Jeremy Kriger, citizen
Correne Kristiansen, citizen
Charles Neslund, citizen
Megan Ritchie, citizen
Benjamin Thonus, citizen
Mike (last name unknown), citizen

General Advisory Board business:

The draft minutes from January 28, 2021 TAC Board meeting were presented for discussion.

- Two edits were noted.
 - The 3rd bullet on page 3 should read free ammonia < 0.1 (not free chlorine).
 - In the 2nd bullet on page 4 the year for UCMR 5 needs to be corrected so that it reads March 11, 2021.
- Jim Steele (PBA) made a motion to approve the April 29, 2021 minutes with the revisions as noted; Mary Gaiski (PMHA) seconded the motion. The motion passed by a unanimous vote.

Proposed PFAS Rule Review & Discussion

DEP presented information on the development of the proposed PFAS regulation. The TAC Board had the following questions and comments:

- Request for clarification on the turnaround time for a final federal regulation once a proposed regulation has been published. DEP noted that a final federal regulation is typically published about 18 months after the proposed rule is published.

- Request for clarification on the DEP sampling project:
 - The number of DEP baseline sampling sites that detected any PFAS. DEP noted that 2 baseline sites detected one or more PFAS. The complete data set is posted to DEP's PFAS website.
 - An explanation of the blanks that were collected for each sampling location. DEP noted that a field reagent blank was collected at each sampling site in accordance with the EPA method and protocol detailed in the sampling plan which is also available on DEP's PFAS website.
- In the preamble, the estimated capital costs should be separated from the operation & maintenance costs. Additionally, the cost estimates are low and there needs to be additional funding at the state and federal level to assist water systems that need to install treatment. DEP noted that water systems can still submit cost information to DEP to inform the cost estimate information in the preamble.
- Request for information on studies about human health effects caused by water consumption. DEP noted that PFAS are emerging contaminants; most studies have been done on animals, but there are numerous studies underway including some that are evaluating health effects on humans.
- Request for any updates from the PFAS Action Team. DEP noted that work is continuing by the Team. Updates will be posted to DEP's PFAS website.
- Request for clarification on whether the results of the initial monitoring for 4 PFAS that do not have a proposed MCL are included in the Consumer Confidence Report (CCR). DEP noted that although the proposed language does require these results to be included in the CCR, these results will not affect the repeat monitoring frequency for PFOS & PFOA.
- Request for clarification on how MCL compliance is determined. DEP noted that the proposed language details that MCL compliance is based on a running annual average calculated quarterly for each entry point.

Public Comments:

Members of the public that requested to speak were each given 3 minutes.

Delaware River Keeper (DRK): The DRK encourages and supports the development of the regulations but the proposed MCLs should be set at the MCLG levels. DRK also commented on DEP's sampling plan: private wells should have been included as sampling locations; wastewater plants should have been included as a potential source of contamination; and the plan should have included areas of high fracking.

Clean Water Action (CWA): CWA agrees with DRK's comments and adds that aggressive testing is needed. All PFAS end up in water so this proposal is inadequate.

Buxmont Coalition for Safer Water: DEP needs to fully consider the Drexel Report and the health of community members. DEP should consider regulating PFAS as a class and follow Drexel's recommendations.

Sierra Club: The public has been exposed to PFAS for decades so the MCLs need to be stronger (the Environmental Working Group recommends a MCL of 1 ppt).

TAC Final Comments on Proposed PFAS Rule

Mary Roland (SBCSTPWWO) made a motion that "TAC supports the pre-draft documents for the proposed PFAS MCL as they have been presented to the Board." JT Hand (NAWC) seconded the motion.

- After discussion by the members, the motion was amended to be: “The Public Water System TAC Board supports the Department moving forward in the rulemaking process to present a proposed PFAS Rule to the Environmental Quality Board.”
- The amended motion passed by a unanimous vote (with DEP abstaining).

Adjourn

Doug Crashaw (AWWA) made a motion to adjourn. The motion passed by a unanimous vote, and the meeting adjourned at 1:35 pm.

DRAFT