

Minutes of the July 14, 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 9:05 AM. This was the third regularly scheduled meeting of 2022.

The following Board members were present:

Amy Batdorf, Pennsylvania Municipal Authorities Association (PMAA)
John Brady, Rural Utilities Service (RUS)
Doug Crawshaw, American Water Works Association, Pennsylvania Chapter (AWWA)
Serena DiMagno, Water Works Operators Association of Pennsylvania (WWOAP)
Greg Herb, Pennsylvania Association of Realtors (PAR)
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)
James Steele, Pennsylvania Builders Association (PBA)

The following Alternate members were present:

Jeff Bickel, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
Chip Bilger, Water Works Operators Association of Pennsylvania (WWOAP)
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)
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:

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

Members/alternates from 13 organizations were present; therefore, a quorum was achieved.

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

Scott Alderfer, Bureau of Safe Drinking Water
Jeff Allgyer, Bureau of Safe Drinking Water
Jill Anderson, Bureau of Safe Drinking Water
Ed Chescattie, Bureau of Safe Drinking Water
Melissa Crow, Bureau of Safe Drinking Water
Dave Grube, Bureau of Safe Drinking Water
Sabrina Haydt, Bureau of Safe Drinking Water
Michael Hess, Bureau of Safe Drinking Water
Dawn Hissner, Bureau of Safe Drinking Water
Joseph Martin, Bureau of Safe Drinking Water
Matthew Menendez, Bureau of Safe Drinking Water

David Mittner, Bureau of Safe Drinking Water
Jason Minnich, Bureau of Safe Drinking Water
Andrew Hall, Bureau of Clean Water
Bob Kachonik, Bureau of Clean Water
Manyi Liu, Bureau of Clean Water
Tami Opila, Bureau of Clean Water
Adam Duh, Office of Chief Counsel
Leda Lacomba, Bureau of Regulatory Counsel
Abbey Cadden, Policy Office
Brian Chalfant, Policy Office

Non-Members attending the meeting:

Scott Sharp, American Water
Matthew Miller, Aqua America
Alison Aminto, Phila. Water Department (PWD)
Tyler Bradley, Phila. Water Department (PWD)
Matthew Fritch, Phila. Water Department (PWD)
Dennis O'Connor, Phila. Water Department (PWD)
Christine Swailes, Veolia

Kodi Webb, Veolia
Sage Callahan, Western Berks Water Auth. (WBWA)
Matt Walborn, Western Berks Water Auth. (WBWA)
Rob Harvey, Hazen and Sawyer
Erik Ross, Milliron and Goodman
Keith Earls, Office of Consumer Advocate

General Advisory Board Business

The draft minutes from the April 21, 2022 TAC Board meeting were presented for discussion. No edits were noted. Mary Gaiski (PMHA) made a motion to approve the April 21, 2022 minutes. James Steele (PBA) seconded the motion. The motion passed by a unanimous vote.

Review & Discussion Draft-Final PFAS MCL Rule

DEP presented information on the Draft-Final PFAS MCL Rule. The TAC Board had the following comments:

- Request for clarification on how UCMR5 data may be used for initial monitoring.
 - Request for clarification on whether water systems need to apply to use data for both UCMR5 and initial monitoring. DEP noted that water systems may need to apply to EPA to change their UCMR5 monitoring schedule or apply to DEP to modify their initial monitoring start date, but as long as valid results are reported to DEP from a PA-accredited lab, they will be accepted for initial monitoring.
 - Request for a list of labs that are both PA accredited and UCMR5 approved. DEP noted this will be provided with the instructions on how to modify the DEP initial monitoring start date.
- Request for clarification on how DEP will implement the rule if EPA sets lower limits. DEP noted that there is a delayed implementation date for EPA final regulations to allow time for states to update their own regulations. If EPA sets lower MCL values in a final regulation, DEP will initiate a rulemaking to revise the state MCLs. The state MCL values will remain in effect until the federal implementation date or until the state regulation is revised, whichever is sooner.
- Request for clarification on whether early monitoring data will be accepted for initial monitoring. DEP noted that water systems may voluntarily conduct PFAS monitoring at any time, but DEP does not have the authority to accept compliance monitoring data prior to a published final regulation.

- Request for clarification on the whether the cost analysis was only for treatment or that is also included disposal of spent media. DEP noted that the cost estimates are based on a survey of costs from vendors and systems that have installed PFAS treatment; this survey included questions on disposal costs.
- Request for clarification from the Bureau of Clean Water on whether water systems need to obtain a NPDES discharge permit to meet PFAS limits. DEP noted that this would be addressed during the permitting process for PFAS treatment; some guidance will also be provided during the regulation training which would be conducted once the regulation has been published in the *PA Bulletin*.
- Request for clarification on the use of regenerated carbon. DEP noted that any spent media that is regenerated cannot be used for drinking water treatment; it is used in industrial treatment processes.
- Request for clarification on MCL compliance determinations for exceedances within the first year of initial monitoring. DEP noted that MCL compliance will be determined the same as it is for other organic contaminants: an exceedance during initial monitoring is not a violation unless the result is so high that it will cause the running annual average to exceed the MCL even if the results from all the remaining quarters are not detected. For example, if the 1st quarter result is more than 4 times the MCL value, the RAA would be over the MCL at the end of the year regardless of what the results are for quarters 2-4, so this result would be an immediate violation; but, if the result is just over the MCL value, it would just be considered an exceedance.
- Request for clarification on why the language for performance monitoring was changed to “at least quarterly.” DEP noted that some permits require monitoring more frequency during the first year of treatment operation, so the Annex A language was edited.
- Request for clarification on whether the water system needs to apply for reduced monitoring under the “reliably & consistently below the MCL” criteria. DEP noted that this will be an automatic compliance calculation based on the results reported to DEP.

Chip Bigler (WWOAP) made a motion to “approve Draft-Final PFAS Rule as presented.” Sharon Fillmann (AWWA) seconded the motion. The motion passed by a unanimous vote with DEP abstaining.

Discussion on *Guidance on Notification Requirements for Unauthorized Discharges to Waters of the Commonwealth Under Pennsylvania’s Clean Streams Law*

The two discussions with Bureau of Clean Water staff were summarized by the TAC members that participated in the calls. TAC had the following comments on this draft-final technical guidance.

- TAC expressed concern that their comments from the April 21, 2022 meeting were unaddressed.
- TAC expressed concern that the current guidance does not adequately address issues for public water systems.
- TAC expressed concern that regional Clean Water staff are not following the existing guidance or implementing it consistently between regions.
- TAC expressed concern that this guidance will be expanded to include other drinking water treatment chemicals.
- The draft-final guidance only benefits systems using free chlorine. There are no accommodations for systems using chloramines.
- TAC requested that DEP provide additional guidance to water systems on developing a Pollution Control Plan (PCP).

- TAC requested that the informal conversations with DEP staff continue while this guidance is finalized.

Bureau of Clean Water staff noted: this guidance is intended to clarify an existing regulatory requirement and covers all discharges, not just from public water systems; an ammonia discharge limit would be specific to each discharge, so it is not possible to specify a target level; they are working to address regional implementation issues. TAC suggested to create a draft PCP form for water systems that can also be used by systems that chloramine, and Clean Water staff also agreed to review a draft once it has been submitted.

Miscellaneous

TAC members requested clarification from DEP on responding to Harmful Algal Blooms (HABs).

- TAC had requested a list of labs that may be used for cyanotoxin analysis. A list was provided via email.
- TAC requested clarification on the number of significant digits used when evaluating exceedances of the Health Advisory Level (HAL). DEP noted that the HAL for microcystins is 0.3, not 0.30, so a result up to 0.349 is not exceeding the HAL.
- DEP noted that the methods required for cyanotoxin analysis are based on guidance from EPA. If total microcystins or cylindrospermopsin results are exceeding a HAL, the water system needs to contact DEP to discuss the details of the sampling and what additional actions may be required based on system-specific details.

Public Comments

There were no public comments.

Adjourn

Chip Bigler (WWOAP) made a motion to adjourn. The motion passed by a unanimous vote, and the meeting adjourned at 11:50 AM.