



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Safe Drinking Water

# **BSDW Regulatory Update**

Public Water System Technical Assistance Center Board  
October 26, 2023

Josh Shapiro, Governor

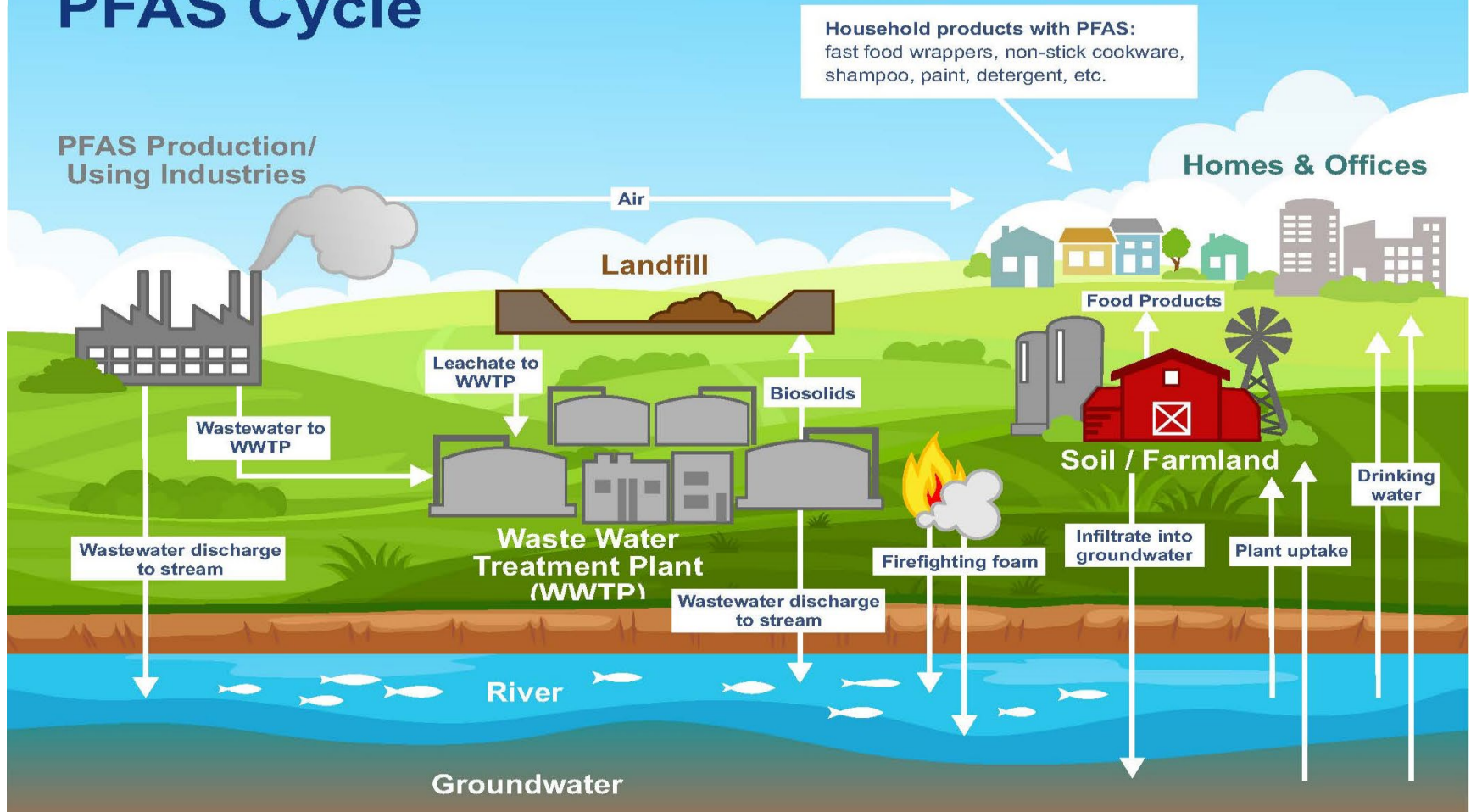
Richard Negrin, Secretary

# Topics

- New state regulation – PFAS MCL Rule
- Bipartisan Infrastructure Law (BIL)
- Federal regulatory schedule:
  - UCMR 5 and PFAS
  - Lead and Copper Rule Revisions (LCRR) and LCR Improvements (LCRI)
  - Consumer Confidence Report (CCR) Rule
  - Microbial/Disinfection Byproducts Rules (M/DBP)

# PFAS Background

## PFAS Cycle



# MCL Rulemaking Process

The PFAS MCL rule is based on available data, studies, and science, and considers all factors as required by the Federal Safe Drinking Water Act (SDWA) and Pennsylvania's Regulatory Review Act (RRA), including:

- Health effects (as determined by Drexel University)
- Occurrence data (from UCMR3 and PFAS Sampling Plan)
- Technical limitations such as available analytical methods and detection and reporting limits
- Treatability of the contaminant and available treatment technologies
- Costs and benefits

# State PFAS MCL Rule

- Published as final January 14, 2023
- MCLGs and MCLs:

	MCLG (ng/L or ppt)	MCL (ng/L or ppt)
PFOA	8	14
PFOS	14	18

- Intended to be protective of adverse developmental and immune system effects

# State PFAS MCL Rule

- Also sets requirements for monitoring and reporting, compliance determinations, public notification and consumer confidence reports, analytical methods, and acceptable treatment technologies
- DEP's PFAS Rule webpage contains many resources  
<https://www.dep.pa.gov/Business/Water/BureauSafeDrinkingWater/DrinkingWaterMgmt/Regulations/Pages/PFAS-MCL-Rule.aspx>
- Additional guidance and training materials are under development for delivery and posting later this year

# BIL - Drinking Water State Revolving Fund

- Available Funds
  - 1 existing base and 3 new supplemental pots
  - 5 years of funding
- Base Funding
- Supplemental Pots
  - General Supplemental
  - Lead Service Line Replacement
  - Emerging Contaminants

# 2022 Grant Awards and 2023 Allotments

Grant Title	FFY2022 Award	FFY2023 Allotment
DWSRF BASE	\$25,892,400.00	\$19,548,000.00
DWSRF BIL General Supplemental	\$60,943,300.00	\$76,408,200.00
DWSRF BIL Lead Service Lines	\$87,296,000.00	\$154,956,000.00
DWSRF BIL Emerging Contaminants	\$23,264,000.00	\$25,205,000.00
Subtotal	\$197,395,700.00	\$276,117,200.00



# BIL Supplemental Funds Awarded

Grant Title	Amount Awarded
DWSRF BIL General Supplemental	\$60,425,856.00
DWSRF BIL Lead Service Line	\$62,882,358.00
DWSRF BIL Emerging Contaminant	\$8,897,188.00
<b>Total</b>	<b>\$132,205,402.00</b>

# Federal Regulatory Schedule

## Unregulated Contaminant Monitoring Rule (UCMR) 5:

- Monitoring being conducted 2023 – 2025 for 29 PFAS & Lithium

## PFAS:

- Proposed rule published Mar. 29, 2023; includes MCLGs = 0 and MCLs = 4.0 ppt for PFOA and PFOS; Hazard Index of 1.0 (no units) for 4 other PFAS (PFNA, GenX, PFHxS and PFBS)
- Final rule expected by end of 2023 (compliance date 3 years later)

## LCRR/LCRI

- Final LCRR published Jan. 15, 2021; focus for LCRR – completion of service line inventory by October 24, 2024; training and technical assistance are ongoing
- LCRI
  - Proposed rule expected Fall 2023
  - Final rule expected by October 2024

# Federal Regulatory Schedule

## CCR Revisions:

- Proposed rule published April 5, 2023
- Intended to improve readability, clarity and understandability; requires systems that serve 10,000 or more people to issue CCRs twice a year

## Microbial/Disinfection Byproducts (M/DBP) Rules:

- Based on 3<sup>rd</sup> 6-Year Review
- NDWAC charged to provide advice and recommendations
  - Numeric disinfectant residual, emerging opportunistic pathogens (Legionella), distribution systems/storage tanks, water management plans, unregulated disinfection byproducts, source water quality (precursors)
- Proposed rule expected 2024
- Final rule expected 2027



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# QUESTIONS?

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