

Minutes of the October 26, 2023 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 9:03 AM. This was the fourth regularly scheduled meeting of 2023.

The following Board members were present:

Amy Batdorf, Pennsylvania Municipal Authorities Association (PMAA)
Jeff Bickel, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
Doug Crawshaw, American Water Works Association, Pennsylvania Chapter (AWWA)
Serena DiMagno, Water Works Operators Association of Pennsylvania (WWOAP)
Amy Forsha, RCAP Solutions Inc. (RCAP)
Roger Hadsall, Pennsylvania Rural Water Association (PRWA)
JT Hand, National Association of Water Companies (NAWC)
Greg Herb, Pennsylvania Association of Realtors (PAR)
Christine Hoover, Office of Consumer Advocate (OCA)
Clint McKinley, Pennsylvania Public Utility Commission (PUC)
James Steele, Pennsylvania Builders Association (PBA)

The following Alternate members were present:

Chip Bilger, Water Works Operators Association of Pennsylvania (WWOAP)
Jennifer Case, Pennsylvania Municipal Authorities Association (PMAA)
Lisa Daniels, Department of Environmental Protection (DEP)
Mary Gaiski, Pennsylvania Manufactured Housing Association (PMHA)
Joel Jordan, Pennsylvania Rural Water Association (PRWA)
David Martin, Center for Rural Pennsylvania (CRP)
Wanda Rios Martinez, RCAP Solutions Inc. (RCAP)
Larry Miller, Pennsylvania Builders Association (PBA)
Emme Reiser, Pennsylvania Association of Realtors (PAR) – *not yet approved*
Mary Roland, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)
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 Association of Conservation Districts (PACD)
Pennsylvania State Association of Township Supervisors (PSATS)
Rural Utilities Service/Rural Development (RUS)

Members/alternates from 15 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
Angi Anderson, Bureau of Safe Drinking Water
Jill Anderson, Bureau of Safe Drinking Water
Janelle Barry, Bureau of Safe Drinking Water
Lisa Beatty, Bureau of Safe Drinking Water
Avery Bischoff, Bureau of Safe Drinking Water
June Black, Bureau of Safe Drinking Water
Ed Chescattie, Bureau of Safe Drinking Water
Melissa Crow, Bureau of Safe Drinking Water
Amelia Czwalina, Bureau of Safe Drinking Water
Derik Dressler, Bureau of Safe Drinking Water
Dave Grube, Bureau of Safe Drinking Water
Sabrina Haydt, Bureau of Safe Drinking Water
Dawn Hissner, Bureau of Safe Drinking Water
Doug Macik, Bureau of Safe Drinking Water

Sheryl Martin, Bureau of Safe Drinking Water
Bill McNamara, Bureau of Safe Drinking Water
Matt Menendez, Bureau of Safe Drinking Water
Jason Minnich, Bureau of Safe Drinking Water
Selina Prettnner, Bureau of Safe Drinking Water
Kim Snook, Bureau of Safe Drinking Water
Andrew Zadzilko, Bureau of Safe Drinking Water
Andrew Hall, Bureau of Clean Water
Victor Landis, Bureau of Clean Water
Manyi Liu, Bureau of Clean Water
Adam Duh, Office of Chief Counsel
William Gelles, Office of Chief Counsel
Leda Lacomba, Bureau of Regulatory Counsel
Michelle Moses, Bureau of Regulatory Counsel
Brian Chalfant, Policy Office
Laura Griffin, Policy Office

Non-Members attending the meeting:

Amy Borden, Capital Region Water
Anita Martin, Chester Water Authority
Frank Medora, Aqua America
Matt Miller, Aqua America
Tony Nguyen, Aqua America
Christine Swailes, Veolia
Matt Walborn, Western Berks Water Auth. (WBWA)
Ben Reichley, LB Water
Laura Campbell, IRRC

Jacob Guthrie, PA OCA
Andrew Zerby, PA OCA
Glendon King, PA House GOP
Melanie Greene, Milliron and Goodman
Erik Ross, Milliron and Goodman
Steve Tarnowski, Merck
Ken Warren, Warren Environmental Counsel
Brian Wooldredge

General Advisory Board business

Two items were discussed.

- The draft meeting minutes from April 18, 2023 TAC Board meeting were presented for discussion. JT Hand (NAWC) made a motion to approve the April 18, 2023 minutes as presented. Greg Herb (PAR) seconded the motion. The motion passed by a unanimous vote.
- Tentative meeting dates were selected for the 2024 meetings. DEP will confirm the availability of the meeting room for these dates. The final meeting dates will be published in the Pennsylvania Bulletin in December.

SDW Regulatory Update

DEP provided a brief update on proposed or newly published final state and federal regulations.

- PA's PFAS MCL Rule was published as a final rulemaking on January 14, 2023. Initial compliance monitoring begins in 2024 or 2025. DEP is offering classroom training sessions – water systems should contact the appropriate regional office for dates and locations.

- The Bipartisan Infrastructure Law (BIL) reauthorizes the base Drinking Water State Revolving Fund (DWSRF) program funding and establishes new supplemental DWSRF pots.
 - The supplemental pots are for general infrastructure projects, emerging contaminants projects, and lead service line replacement projects. DWSRF BIL funding provides funding to eligible water systems via PENNVEST for these infrastructure projects.
 - BIL also provides additional money to states to expand their existing technical assistance programs to help water systems through the existing DWSRF Set-aside program. The funding also covers the cost of administration of the DWSRF program for DEP and PENNVEST staff.
 - DEP requested and received the maximum allotments for FY 22/23 and FY 23/24.
- Federal Regulations:
 - UCMR 5 monitoring for 29 PFAS and lithium began in 2023 & is ongoing through 2025.
 - The proposed PFAS Rule was published March 29, 2023; EPA hopes to publish the final rule by the end of 2023.
 - A reminder that the Service Line Inventory required by the Lead & Copper Rule Revisions (LCRR) needs to be completed and submitted to DEP by October 24, 2024. EPA intends to publish the proposed revisions to the LCRR (i.e. the Lead & Copper Rule Improvements or LCRI) this autumn.
 - Proposed revisions to the Consumer Confidence Report (CCR) rule were published April 5, 2023. These revisions are intended to improve readability, clarity and understandability. EPA intends to publish the final CCR revisions in 2024.
 - The Microbial/Disinfection Byproducts (M/DBP) Rules are being evaluated for revisions. The National Drinking Water Advisory Council (NDWAC) charged to provide advice and recommendations for these revisions. EPA hopes to publish proposed revisions in 2024.

The TAC Board requested that the LCRR/LCRI update be a standing agenda item.

SDW Informational Session

DEP requested that TAC remind their constituents to routinely check the LCRR website for updated information, including a Q&A guidance on service line inventories. DEP also requested that TAC members remind their constituents on the importance of cybersecurity.

- Water utilities should conduct a Cybersecurity Risk Assessment to identify weaknesses in their information technology (IT) and operational technology (OT) infrastructure. EPA and CISA (the Cybersecurity Infrastructure Security Agency) offer tools and training on cybersecurity topics.
- All cyber-attacks should be reported to the EPA's Water Infrastructure and Cyber Resilience Division (WICRD). The EPA will notify the FBI and the Cybersecurity and Infrastructure Security Agency (CISA), which is part of the Department of Homeland Security, of the attack to ensure a coordinated response.

The TAC Board had the following comments:

- DEP should send an email when there are LCRR updates.
- DEP should clarify the number of excavations needed to verify a service line when water system personnel cannot access a customer's home.

- DEP should clarify what funding may be available for excavations to validate service line data.
- DEP should provide clarification on the definition of a consecutive water system as it relates to manufactured housing communities.

Draft Proposed Rulemaking - Notification Requirements of Unauthorized Discharges to Waters of the Commonwealth Presentation & Discussion

Manyi Liu, Victor Landis and Drew Hall from the Bureau of Clean Water presented an overview of the draft proposed regulation. The TAC Board had the following comments.

- DEP should clarify what hyperchlorination means. The evaluation should be based upon each situation because the discharge could be normal potable water.
- DEP should clarify whether chlorinated and chloraminated water systems will both be included in the notification requirements.

Tesra Schlupp (PIIA) made a motion that TAC support the Draft Proposed Rulemaking for Notification Requirements of Unauthorized Discharges to Waters of the Commonwealth. The motion was seconded by James Steele (PBA). The motion passed by a unanimous vote.

Public Comments

- Steve Tarnowski, Environmental Attorney for Merck: The previous directive required every line break and discharge of any quantity to be reported so they support the draft proposed rulemaking.
- Ken Warren, Warren Environmental (Outside Counsel) for Merck commends DEP for moving forward and supports the spill reporting and draft rulemaking and recommends that a revision be added (similar to WQS or MCL) to include a standard numeric value to clarify at what point a spill is substantial enough to need reported.

Adjourn

Doug Crawshaw (AWWA) made a motion to adjourn. The motion passed by a unanimous vote, and the meeting adjourned at 11:50 AM.