

Minutes of the March 16, 2016 Meeting
Small Water Systems Technical Assistance Center (TAC)
Advisory Board

A regular meeting of the TAC Board was called to order by Serena DiMagno, Chairperson at approximately 9:00 AM in Room 105 of the Rachel Carson State Office Building. Chairperson Serena A. DiMagno was in attendance and assumed responsibility for the meeting immediately after the opening remarks and housekeeping. The purpose of the meeting was to gather stakeholder input on the draft final-form Revised Total Coliform Rule (RTCR) regulation language (Annex A). This was the first meeting of the Board in 2016.

The following Board members were present:

Del Becker, Rural Utilities Service/Rural Development (RUS)
Stan Brown, Pennsylvania Public Utility Commission
Doug Crawshaw, American Water Works Association (AWWA)
Serena DiMagno, Water Works Operators Association of Pennsylvania (WWOAP)
Tom Essig, RCAP Solutions
Christine Hoover, Office of Consumer Advocate (OCA)
Mary Roland, State Board for Certification of Sewage Treatment Plant & Waterworks Operators (SBCSTPWWO)

The following Alternate members were present:

Chip Bilger, Water Works Operators Association of Pennsylvania
Robert H. Boos, Pennsylvania Infrastructure Investment Authority (PIIA)
Jennifer Case, Pennsylvania Municipal Authorities Association
Lisa Daniels, Pennsylvania Department of Environmental Protection (DEP)
Mary Gaiski, Pennsylvania Manufactured Housing Association
Mike Kelly, Pennsylvania Department of Community & Economic Development
Mike McFadden, American Water Works Association (AWWA)
Christine Caldara Piatos, Center for Rural Pennsylvania
James Steele, Pennsylvania Home Builders Association (PBA)
*Wes Stefanick, Pennsylvania Association of Realtors *via WebEx*
Curt Steffy, State Board for Certification of Sewage Treatment Plant and Waterworks Operators (SBCSTPWWO)

**Acting Alternate member – not yet approved*

The following Organizations were not represented:

Pennsylvania Rural Water Association (PRWA)
Pennsylvania State Association of Township Supervisors (PSATS)
County Commissioners Association of Pennsylvania
Pennsylvania Association of Conservation Districts, Inc.
League of Women Voters, Pennsylvania

The following DEP staff were present:

Jeff Allgyer, Bureau of Safe Drinking Water
Dawn Hissner, Bureau of Safe Drinking Water
Wendy Lloyd, Bureau of Safe Drinking Water
Joanne Nardone, Bureau of Safe Drinking Water
Cecelia Slough, Bureau of Safe Drinking Water

Non-Members present at the meeting:

Frank Medora, Aqua Pennsylvania
Sharon Fillman, Chester Water Authority
Scott Sharp, Pennsylvania American Water
Dennis O'Connor, Philadelphia Water Department
Rita Kopansky, Philadelphia Water Department
Mary Neutz, Suez Water
Matt Walborn, Western Berks Water Authority

General Advisory Board business:

Two items of general business were introduced prior to new business:

- The new member for AWWA (Doug Crawshaw) was introduced and welcomed. The Board also wanted to officially recognize and thank Dan Standish for his many years of service to the TAC Board as the member from AWWA.
- The draft minutes from the December 17, 2015 TAC Board meeting were presented for discussion. Robert Boos (PIIA) made a motion to approve the December 17, 2015 minutes as presented; Mary Gaiski (PMHA) seconded the motion. The motion passed by a unanimous vote.

Disinfection Requirements Rule - Status Update

The proposed Disinfection Requirements Rule was published in the *PA Bulletin* on February 20, 2016 with a 60-day public comment period. There are 3 public hearings scheduled during the public comment period (Harrisburg, Pittsburgh & Norristown).

The public comment period will end on April 19, 2016. The public comment period for the Independent Regulatory Review Commission (IRRC) extends an additional 30 days after the public comment period ends. IRRC's comment period ends on May 19, 2106.

There are also additional stakeholder meetings scheduled during the public comment period. DEP has created a web site for the proposed Disinfection Requirements Rule. The details about and notes from these stakeholder meetings will be posted to this website.

Discussion of the Revised Total Coliform Rule (RTCR) Draft-Final Regulatory Language

DEP presented the draft of the final Annex A language for the RTCR. TAC provided the following comments:

- Serena DiMagno made a motion that a statement should be added to the Order of the final rule that Section 109.301(3)(i)(E) does not apply in Pennsylvania because all PWSs will be required to conduct monthly monitoring. The motion was seconded by Jim Steele. The motion passed by a unanimous vote.
- Mary Roland made a motion that the RTCR technical guidance document and the Order of the final rule should clarify there is flexibility to use an alternate check sample location for repeat monitoring if a check sample location is not available within 5 service connections up- or downstream of the routine sample location. Jim Steele seconded the motion. The motion passed by a unanimous vote.

- Mary Roland made a motion that the RTCR technical guidance document clarify that repeat monitoring is defined as being equivalent to check samples. Jim Steele seconded the motion. The motion passed by a unanimous vote.
- Chip Bilger made a motion that Section 109.301(3)(ii)(D) should be revised (for clarity) to include “from the same locations” for the additional sets of check samples. Mary Gaiski seconded the motion. The following language was suggested:

“At a minimum, the system shall collect one set of check samples for each total coliform-positive routine sample. If a check sample is total coliform-positive, the public water system shall collect an additional set of check samples from the same locations in the manner specified in this subparagraph. The system shall continue to collect additional sets of check samples FROM THE SAME LOCATIONS until either total coliforms are not detected in a set of check samples, or the system determines that an assessment has been triggered under § 109.202(c)(4).”

The motion passed by a unanimous vote.

- Mary Roland made a motion that the examples used by DEP during the discussion be added to the RTCR technical guidance document. Doug Crawshaw seconded the motion. The motion passed by a unanimous vote.
- Doug Crawshaw made a motion that Section 109.301(3)(ii)(F) should be revised to clarify that the water system must notify DEP that an alternate sample location will be used. Additionally, the RTCR technical guidance document should clarify that DEP does not need to approve the alternate repeat monitoring location prior to sample collection. Chip Bilger seconded the motion. The following language was suggested:

“If an upstream or downstream repeat monitoring location identified in the sample siting plan is not available in the timeframe specified in this subparagraph, the public water system SHALL NOTIFY THE DEPARTMENT PRIOR TO COLLECTING THE CHECK SAMPLE THAT THE CHECK SAMPLE WILL BE COLLECTED FROM A LOCATION WITHIN REASONABLE PROXIMITY TO THE ROUTINE MONITORING LOCATION.”

The motion passed by a unanimous vote.

Public Comments

PWD requested clarification on the 1-hour reporting requirement for an *E. coli*-positive sample.

DEP response: This provision is more stringent than the federal regulation, but it is consistent with existing requirements in 109.701(a)(3)(ii) – water systems are currently required to notify DEP within 1 hour of discovery of a sample result that requires collection of check samples.

Aqua PA is in favor of using an SOP instead of listing all check sample locations in the sample site plan. Listing all locations will be too complicated. Serena would like to recommend that DEP consider accepting an SOP. DEP requested some additional details on what language would be used to demonstrate how the SOP would identify locations that are not reasonably proximate but that represent a pathway of contamination for the original routine sampling location.

- Doug Crawshaw made a motion that TAC recommends DEP consider accepting SOP’s THAT WILL IDENTIFY CHECK SAMPLE LOCATIONS WITHIN 5 SERVICE CONNECTIONS UP- OR DOWNSTREAM in lieu of listing check sample locations in the sample siting plan. These SOPs would be evaluated on a case-by-case basis. Mary Roland seconded the motion.

Discussion: Identifying these repeat locations for water systems collecting over 100 routine samples/month requires a large investment of staff time to interview homeowners when most systems will never need to use these repeat monitoring locations. DEP – the SOP described by the large water systems may be used as part of the sample site plan, but it is different than the SOP process described in the federal rule.

A question was raised as to how relevant is this for the small systems? This seems to be an issue only for the large systems. Chip questioned whether this contradicts the federal rule... A: Yes, it does. The federal rule requires water systems to identify sample site locations for all routine and repeat monitoring. DEP is allowing water systems to identify the range of available locations within 5 service connections, rather than identifying a specific address that is up- or downstream. The motion was modified (capitalized text).

The motion was defeated by a vote of 8 (no) to 5 (yes); the vote was recorded as follows:

Organization	Vote	Organization	Vote	Organization	Vote
DEP	No	RCAP	No	PIIA	No
PMAA	Yes	OCA	No	SBCSTPWWO	Yes
AWWA	Yes	PBA	Yes	CRP	No
WWOAP	Yes	PUC	No	RUS	No
PMHA	No				

Public Comments (cont.)

There was a request for clarification on the monthly monitoring requirement. Answer: all community water systems have been required to conduct monthly monitoring under the existing regulation since the early 1990’s; the requirement for monthly monitoring will affect the noncommunity water systems that are currently monitoring on a quarterly frequency.

What is the status of the 3rd section of the regulatory revisions? DEP – you may see proposed language in the 3rd or 4th calendar quarter.

Discussion on dates for the next version of the Disinfection Requirements Rule - the June 1 meeting will need to be rescheduled for June 23rd at the Fish & Boat Commission meeting. The April 28th meeting will likely be cancelled (due to a lack of agenda items).

Chip Bilger made a motion to adjourn. The motion passed and the meeting adjourned at approximately 1:30 pm.