

**Executive Summary  
Revised Total Coliform Rule  
25 Pa. Code Chapter 109**

**Purpose of Proposed Rulemaking:**

The purpose of the proposed rulemaking package is to amend the Department's Safe Drinking Water regulations to: (1) incorporate necessary federal requirements needed to obtain primary enforcement authority (primacy) for the Revised Total Coliform Rule (RTCR), the Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Stage 2 Disinfectants/Disinfection Byproducts Rule (Stage 2 DDBP), (2) provide for the increased protection of public health at public water systems (PWS) and (3) promote healthy and sustainable communities.

**Summary of Amendments:**

**Obtain primacy:** The PA Safe Drinking Water Act (SDWA) obligates the Department to maintain primacy for the Safe Drinking Water program. As such, the Department must amend Chapter 109 to incorporate the federal RTCR, which the U.S. Environmental Protection Agency (EPA) promulgated on February 13, 2013 and in response to EPA's comments to obtain primacy for the LT2 and Stage 2 DDBP rules.

This rule establishes a maximum contaminant level for *E. coli* and uses *E. coli* and total coliforms to initiate a "find and fix" approach to address fecal contamination that could enter into the distribution system. It requires PWS to perform assessments to identify sanitary defects and subsequently take action to correct them.

The following proposed PA RTCR regulations will be more stringent than Federal regulations:

- To be consistent with existing public notification requirements, DEP is requiring one hour notification for several circumstances where the federal rule requires notification within 24 hours.
- DEP can require PWS to conduct an assessment for additional circumstances which may adversely affect drinking water quality.
- If DEP determines an assessment to be incomplete the PWS must consult with the Department within 14 days.

**Protect public health:** Additional regulatory revisions have been added to assure that PWS continuously supply safe and potable water to their users. These amendments strengthen regulations relating to source water protection, filtration, and disinfection.

The following proposed revisions will be more stringent than Federal regulations:

- For membrane filter technologies, Combined Filter Effluent (CFE) turbidity must be less than or equal to 0.15 NTU in 95% of samples and less than or equal to 1.0 NTU at all times.
- Continuous monitoring of CFE and individual filter effluent is required for all filtration technologies.
- PWS providing filtration of surface water and/or groundwater under the direct influence of surface water (GUDI) are required to calculate and report the inactivation achieved for Giardia to demonstrate compliance with existing treatment technique requirements.
- Except for transient noncommunity water systems that use groundwater and do not provide 4-log treatment of viruses, PWS (including PWS purchasing water) are required to maintain a minimum distribution system free chlorine residual of 0.30 mg/L (or a total chlorine residual of 0.50 mg/L for PWS chloraminating).
- A uniform timeline for responding to significant deficiencies by groundwater systems and surface water systems replaces the existing schedules (which are different depending on the source of water) to ensure consistency and improve compliance, especially for systems with both ground water and surface water sources.
- Clarification that all triggered source water samples testing positive for *E. coli* under the Groundwater Rule require corrective action.

**Promote healthy and sustainable communities:** Safe drinking water is vital to maintaining healthy and sustainable communities. Proactively avoiding incidents such as waterborne disease outbreaks can prevent loss of life, reduce the incidents of illness, and reduce health care costs. Proper investment in public water system infrastructure and operations helps ensure a continuous supply of safe drinking water; which enables communities to effectively serve existing residential, business and commercial customers; attract new customers; and ensure their long-term sustainability for years to come.

**Advisory Committee Review:**

The draft proposed amendments were submitted for review to the Small Water Systems Technical Assistance Center Advisory Board (TAC) for review and discussion on June 18, 2014. Comments were received from the TAC on July 3, 2014. Discussion with TAC was continued on September 23, 2014 and TAC’s revised comments were received on October 20, 2014.

**Adoption Deadline:**

The Department recommends that the Board incorporate the proposed amendments into the Pa. Safe Drinking Water Regulations (25 Pa. Code Chapter 109) in order to obtain primacy and provide for the increased protection of public health at PWS. These regulations should be adopted no later than March 2016. Failure of the Board to adopt these regulations may result in Pennsylvania losing primacy for the drinking water program.

**Recommendations for Public Comment Period and Public Meetings/Hearings:**

The Department recommends a 60-day public comment period and two public meetings or hearings.