

EXECUTIVE SUMMARY

Safe Drinking Water Revised Consumer Confidence Report Rule 25 Pa. Code Chapter 109

The Department of Environmental Protection (DEP) recommends final-form amendments to 25 Pa. Code Chapter 109 (relating to safe drinking water). The final-form amendments establish updated requirements for Consumer Confidence Reports (CCRs) for community water systems (CWSs) as required by the revised CCR National Primary Drinking Water Regulation (NPDWR). Other amendments in the final-form rulemaking are needed to: incorporate public notification (PN) and CCR provisions when the lead action level is exceeded as revised under the Lead and Copper Rule Revisions (LCRR) NPDWR; clarify and ensure monitoring requirements are consistent for bulk water haulers and for entry points of systems that purchase water; and require Tier 3 PN for failure to report results of total coliform and *E. coli* monitoring, consistent with the Revised Total Coliform Rule (RTCR) NPDWR.

Purpose of the Final Rulemaking

The purpose of the final-form rulemaking is to incorporate updated federal requirements that improve the readability, clarity, and understandability of CCRs. The amendments also improve the accuracy of the information presented in CCRs, improve risk communication, incorporate electronic delivery options, provide supplemental information regarding lead levels and control efforts, and require systems who serve 10,000 or more persons to provide CCRs to customers biannually (twice per year). These requirements were finalized in the CCR NPDWR, as published in the *Federal Register* on May 24, 2024.

Other amendments in the final-form rulemaking: incorporate PN and CCR provisions revised under the LCRR NPDWR, as published in the *Federal Register* on January 15, 2021; clarify and ensure monitoring requirements are consistent for bulk water haulers and for entry points of systems that purchase water; and require Tier 3 PN for failure to report results of total coliform and *E. coli* monitoring, as required by the RTCR NPDWR.

Safe drinking water is vital to maintaining healthy and sustainable communities and is a key foundation for economic growth. This final-form rulemaking makes CCRs easier for consumers of drinking water provided by public water systems (PWSs) in Pennsylvania to access and understand, so that they may make informed decisions about their health and any risks associated with their drinking water.

Overall, the final-form amendments further protect the health of people in Pennsylvania who consume drinking water provided by PWSs and make information about the drinking water provided by CWSs in Pennsylvania more accessible and understandable to consumers.

Summary of the Final Rulemaking

CCR: The final-form rulemaking improves the readability, clarity, and understandability of CCRs. The final-form amendments also improve the accuracy of the information presented, improve risk communication in CCRs, incorporate electronic delivery options, provide

supplemental information regarding lead levels and control efforts, and require systems who serve 10,000 or more persons to provide the report to customers biannually (twice per year). These revisions make CCRs easier for consumers of drinking water provided by PWSs in Pennsylvania to access and understand, so that they are better equipped to make decisions about their health and any risks associated with their drinking water.

LCRR: The final-form rulemaking incorporates PN and CCR provisions revised under the LCRR NPDWR.

Additional amendments: This final-form rulemaking also includes an amendment to require Tier 3 PN for failure to report results of monitoring for total coliform and *E. coli* bacteria. This amendment is required under the RTCR NPDWR, which the United States Environmental Protection Agency (EPA) finalized on February 13, 2013. The amendment was inadvertently missed in the Commonwealth's rulemaking to incorporate the RTCR NPDWR, published in the *Pennsylvania Bulletin* on September 24, 2016.

For the final-form amendments to incorporate Tier 1 PN and CCR provisions revised under the LCRR NPDWR, and the Tier 3 PN revision under the RTCR NPDWR, the Department expects benefits similar to those for the CCR amendments because a more informed public is better equipped to make decisions about their water consumption. Specifically for the Tier 1 PN requirement for lead action level exceedances, there is an added benefit of customers being informed of the health effects of lead and possible corrective actions that can be taken within 24 hours as opposed to 60 days under current requirements. For the final-form amendments to clarify and ensure monitoring requirements are consistent for bulk water haulers and for entry points of PWSs that purchase water, benefits may include some cost savings by these businesses if they have been conducting more than the minimum required testing.

Other amendments in the final-form rulemaking clarify and ensure monitoring requirements are consistent for bulk water haulers and for entry points of PWSs that purchase water. In addition, this final-form rulemaking clarifies and ensures chlorite and chlorine dioxide monitoring requirements are consistent for bottled water systems, retail water facilities, vended water systems and bulk water hauling systems (BVRB) and for entry points of PWSs that purchase water. These monitoring provisions were revised in this final rulemaking to address comments from EPA regarding monitoring requirements for BVRBs to ensure these provisions are as stringent as the federal regulations.

Affected Parties

As further detailed in the preamble, complying with this final-form rulemaking results in only slight cost increases to PWSs in Pennsylvania.

CCR: The CCR provisions in this rulemaking are applicable to all 1,867 CWSs in Pennsylvania. Of the 1,867 CWSs in Pennsylvania, 146 CWS serve 10,000 or more customers and have to issue the CCR biannually.

LCRR: The LCRR provisions apply to 1,867 CWSs and 1,050 nontransient noncommunity water systems in Pennsylvania.

Additional amendments: The other amendments apply to the 159 bottled, vended, retail and bulk hauling water systems in Pennsylvania.

Outreach (Advisory Committee/Stakeholder Consultation)

The Public Water System Technical Assistance Center (PWS-TAC) Board reviewed the draft final-form rulemaking on May 7, 2026. The PWS-TAC Board did not have specific comments on the regulation language and provided the following statement: “The PWS-TAC Board supports the Department in moving forward with the Revised CCR Rule rulemaking package.”

Public Comments

The regulation was adopted by the Board as a proposed rulemaking at its meeting of September 9, 2025. The proposed rulemaking was published in the *Pennsylvania Bulletin* on December 13, 2025, with a 30-day public comment period that was open through January 12, 2026.

The Board received comments from four commentators and the Independent Regulatory Review Commission (IRRC). Comments from IRRC and comments were focused on the content of CCRs. These requirements are incorporated into DEP’s regulations by reference from the Federal regulations. Therefore, revisions to the final-form rulemaking are not appropriate. Additional comments addressed accessibility issues for electronic delivery and the requirement for biannual delivery for water systems serving 10,000 or more consumers.

EPA commented on BVRB monitoring changes centered around chlorite and chlorine dioxide monitoring. As a result of the comments, DEP revised the final-form rulemaking to add provisions and make related edits to ensure the final-form rulemaking is as stringent as the federal regulations for chlorite and chlorine dioxide monitoring.

The comments received on the proposed rulemaking are summarized in Section F of the final-form preamble, and the Department’s responses to all comments are detailed in the comment and response document that accompanies this final-form rulemaking package.

The Department considered all the public comments received on the proposed rulemaking in preparing this final-form rulemaking.

Recommendation

DEP recommends adoption of this final-form regulation.