

April 19, 2016

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477

Re: Comments on the proposed Disinfection Requirements Rule updates to Chapter 109

The Disinfection Requirements Rule Stakeholder Workgroup (DRRSW) met on March 9, 2016, March 30, 2016 and April 15, 2016 to review and discuss the Department's proposed changes to the safe drinking water regulations, specific to the Disinfection Requirements Rule. The following comments were approved by this workgroup:

1. There is no direct public health issue being addressed by the proposed rule. References are noted below.
 - *Comments on Legionella & Legionnaires Disease and Microbiological Water Quality in the Distribution System and Premise Plumbing: Legionnaires' Disease* – Dr. Jennifer Clancy, Corona Environmental Consulting
 - *Estimated Costs of Compliance with the Proposed Disinfection Requirements Rule* - Jeff Hines, The York Water Co.
2. Although the DRRSW agrees with the stated goal of the Department to address the minimum detectable residual and low chlorine distribution disinfectant residuals, the group does not agree that the minimum residual should be set at 0.2 mg/L.
3. The DRRSW agrees that the current minimum distribution system detectable residual of 0.02 mg/L is not valid. The DRRSW believes the minimum residual should be set at 0.1 mg/L. The current regulatory language should only change the 0.02 mg/L to 0.1 mg/L and keep all other existing language. References are noted below.
 - *Draft—Minimum Distribution System Disinfectant Residuals: Chlorine Residual Values Reported from Co Drinking Water Distribution Systems* – Colorado Dept. Public Health & the Environment
 - *Aqua PA Disinfection Residual Measurements Presentation* - Dr. Charles Hertz, Aqua PA;
 - *The Meaning and Quantification of a Detectable Residual* - Tim Bartrand, Corona Environmental Consulting
 - *An Alternative Approach for Setting an Interim Chlorine Residual Requirement* - Jeff Rosen, Corona Environmental Consulting
4. Increasing the minimum disinfectant level in the distribution system from the existing 0.02 mg/L to 0.1 mg/L (for both free & total chlorine) is a 5-fold increase from the current level. A minimum value of 0.1 mg/L is a responsible level given the Department of Environmental Protection's concerns. The 0.2 mg/L does not provide any additional health benefits to our customers, but it does require additional capital improvements & operating costs.

5. The DRRSW agrees with the proposed rule that the compliance calculation for systems serving greater than 33,000 people is 95% in 2 consecutive months and the compliance calculation for systems serving 33,000 or fewer people is 75% in 2 consecutive months. However, the DRRSW is concerned that the increased residual monitoring (from once/month to once/week) will increase small system operating costs.
6. The stated compliance benefits in the proposed rule are unfounded and the associated compliance costs are dramatically underestimated. References are noted below.
 - *Costs & Benefits for the Disinfection Requirements Rule* - Philadelphia Water Dept;
 - *Cost Analysis of Increased Disinfection Residual* – The York Water Co
 - *The RTCR and Chlorine Residual Standard and Its Operational Impacts on Lehigh County Authority Water Systems* - Aurel Arndt, Lehigh County Authority
 - *Impact of the Proposed Chapter 109 Update to Disinfectant Residual Requirements* – Mary Neutz, Suez (United) Water
 - *The RTCR and Chlorine Residual Standard and its Operational Impacts on the Utility* - Gary Burlingame, Philadelphia Water Department
 - *Impact of Pre-Draft Chapter 109 Revisions: The Impacts are Complex and Require Proper Vetting* - David Lewis, Columbia Water Company
 - *Chlorine Residual and Compliance Samples in Distribution Systems* – Charles Hertz, Aqua PA
 - *Western Berks Water Authority Presentation* - Matthew Walborn, Western Berks Water Authority
 - *Pre-Draft Chapter 109 Revisions: One Water Utility's Perspective* – Dan Preston/Heidi Palmer, North Penn Water Authority
 - *Chapter 109 Update, Water Supplier Challenges and Unintended Consequences* – Jeff Hines, The York Water Company
 - *RTCR and Chlorine Residuals – Overall Look From A Utility Perspective* – Sharon Fillmann, Chester Water Authority
7. Disinfection byproducts (DBPs) are likely to increase at some utilities as a result of increasing the distribution disinfection residual to 0.2 mg/L. Setting the minimum residual at 0.1 mg/L will allow time for utilities to assess impacts to DBPs.
 - Reference: *DBPs, HPCs and a shared goal of Optimized Distribution Systems* - Tim Bartrand/Jeff Rosen, Corona Environmental Consulting
8. Taste & odor complaints will likely increase if the minimum distribution disinfection residual is set at 0.2 mg/L.
9. The option for Heterotrophic Plate Count (HPC) should be retained as an alternative compliance criteria for surface water systems when the distribution disinfectant residual is below the minimum required level. This is still allowed under the federal regulation and will reduce the number of instances where Public Notice (PN) is required.

- Reference: *DBPs, HPCs and a shared goal of Optimized Distribution Systems* - Tim Bartrand/Jeff Rosen, Corona Environmental Consulting
10. Because no known health risks have been identified in this proposed rulemaking, requiring water utilities to issue Tier 2 PN for failing to meet 0.2 mg/L will unnecessarily erode public confidence in water quality. This is another justification for setting the minimum distribution disinfection residual at 0.1 mg/L and continuing to allow HPC as an alternative compliance method.
 11. The DRRSW requests that these comments be shared with the Small Water Systems Technical Assistance Center Advisory (TAC) board at their next meeting.
 12. The DRRSW requests that the Comment and Response document be provided to the advisory committees when a draft-final regulation is presented for their input.

Thank you for the opportunity to comment.

Respectfully,

The members of the Disinfection Requirements Rule Stakeholder Workgroup:

Steve Tagert, Dr. Charles Hertz, Frank Medora - Aqua Pennsylvania
Dave Runkle - Carlisle Municipal Water Authority
Sharon Fillmann - Chester Water Authority
Tony Bellitto - North Penn Water Authority/PA Municipal Authorities Association
Chris Abruzzo – PA American Water Co.
John Muldowney – Philadelphia Water Department/PA Section, American Water Works Association
David Katz, Rita Kopansky, Dennis O'Connor - Philadelphia Water Department
Penny McCoy, Erik Ross – PA Rural Water Association
Mary Neutz, Christine Swailes – Suez Water
Serena DiMagno – Water Works Operators Association of Pennsylvania
Jeff Hines – The York Water Co./National Association of Water Companies, PA Chapter