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From: John.Yamona@amwater.com
Sent: Friday, November 16, 2007 2:31 PM
To: RegComments@state.pa.us
Subject: Comments -- Proposed Public Notification Requirements

My comments are focused primarily on the "boil water" implications of the proposed DEP guidance for "a situation that causes negative water pressure in portions of the distribution system" . . .

- As you know, the "intention" of the PN Rule was to revise the regulations to require faster notice in emergencies and fewer notices overall, resulting in notices that better communicate the potential health risks from drinking water violations and how to avoid such risks. The changes to the PN Rule were to enable water systems to better target notices to the "seriousness" of the risk, make the existing notification process less burdensome for water suppliers, and make notices easier to read for consumers. The proposed regulation as written will diminish customer confidence as well as desensitize the public to the primary intent of the PN regulation.
- I strongly agree with the PA-AWWA Water Utility Council and NAWC position that the proposed guidance unnecessarily treats every main break as a Tier 1 violation and that Tier 1 notice should be limited to situations where there is a known contamination or high risk of contamination.
- The Tier 1 public notice "trigger criteria" under 25 Pa. Code § 109.408.(a) for circumstances (1-7) are "occurrence-based" and initiated upon a "known or confirmed" violation of a MCL, MRDL, or treatment technique. § 109.408.(a)(8) of the Tier 1 public notice references "Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the Department on a case-by-case basis." Without available causative information, a situation resulting in negative pressure should not be assumed to have "significant potential" or high risk for serious adverse health effects and should be based on a confirmed occurrence rather than "potential" to occur.
- Knowing the circumstances and confirming the type and level of risk of a negative pressure event is critical to the decision to initiate a Boil Water Advisory which is microbial in nature, vs. Do Not Drink or Do Not Use Notices which are chemical in nature. Proper health effects language also cannot be applied without first confirming that a contamination has occurred. A "blanket" boil water advisory for all negative pressure events promotes a false sense of security without knowing the actual nature of the potential contamination.
- Due to the high frequency and relatively low risk of contamination, negative pressure events should not be subject to general boil water advisories without substantiated cause. Elevating a negative pressure event to a Tier 1 level should be made on confirmed risk information, and require consultation with DEP on a case-by-case basis. This approach will engage DEP and avoid potential notification violations, reduce the number of unwarranted boil water advisories, and limit public notification to the seriousness of the risk, regaining customer confidence.

If you should have any questions, I can be reached directly at 570-830-6543.

Thank you for the opportunity to comment . . .

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11/19/2007