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**Tate, Michele**

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**From:** Stephen J. Kerbacher [skerbacher@nbma.org]  
**Sent:** Tuesday, November 20, 2007 9:51 AM  
**To:** RegComments@state.pa.us  
**Cc:** Duane L. Filchner; Jerry Deily; R Scott Hughes; bhixson@prodigy.net  
**Subject:** Chapter 109, Safe Drinking Water, Public Notification Revision Comments

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

Dear Members of The Environmental Quality Board,

I would like to take this opportunity to share the comments and concerns of The Northampton Borough Municipal Authority regarding the revisions to Chapter 109, Safe Drinking Water, Public Notification Rule. Please open the attached file outlining these comments.

The Northampton Borough Municipal Authority serves approximately 15,000 water customers in Northampton and Lehigh counties. We are active members of The Lehigh Valley Water Suppliers, The Pennsylvania Municipal Authorities Association, and The American Water Works Association, all of which have also commented on the revisions.

Thank you for your time and effort toward resolving this important matter.

Stephen J. Kerbacher, Operations Manager  
Northampton Borough Municipal Authority  
1 Clear Springs Drive  
Northampton, PA 18067  
610-262-6711

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NBMA PUBLIC NOTIFICATION RULE COMMENTS

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INDEPENDENT REGULATORY  
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- Cost concerns related to implementing an automatic telephone dialing system.
  - Compiling list of telephone numbers for all customers.
  - Cost to continuously update and maintain the telephone list.
  - Annual subscription cost that must be paid to vendors.
  - Will any public funding be available to assist in financing this expense.
  
- Concerns over Notification Requirements.
  - It must be noted that even an automatic telephone dialing system cannot guarantee 100 percent notification to all customers. Other notification methods already in place such as mass media, hand delivery, website notifications must continue to be used.
  
  - A compliance period must be defined to allow water systems to implement an automatic dialing system. NBMA recommends a twelve month period to allow water systems to set budgets appropriately, negotiate with vendors, compile telephone listings, pursue possible cost saving opportunities by shared-service agreements with other water systems or municipalities.
  
- Concerns Regarding Notification Requirements
  - One hour reporting requirements to PADEP
    - It must be recognized that water systems need a reasonable amount of time to provide a preliminary assessment of the potential emergency condition. Therefore, it should be stated a public water supplier shall report the emergency situation once they have assessed the conditions, not upon discovery of a potential situation.
  
  - A situation that causes a negative water pressure in any portion of the distribution system.
    - This situation could be related to any system leak or water main break, shutting down of a pump, etc. Industry experience has shown that most of these instances do not result in a Tier I condition and therefore notification should be limited to known situations of contamination or high risk circumstances. The "Decision Tree" introduced by PADEP is a helpful standard to provide guidance but should be further evaluated to guarantee its effectiveness.

Finally, public safety is a top priority to all parties involved in this process. It should be noted that these decisions should be considered carefully with ample time allowed to address all issues appropriately.