

# 2637

# **NORTH PENN WATER AUTHORITY**

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November 20, 2007

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

**Subject: Comments to Proposed Rulemaking – Regulation ID #7-407 (#2637)**  
**Safe Drinking Water – Public Notice Revisions (Title 25, PA Code Chapter 109)**

Dear Environmental Quality Board:

Enclosed are comments from the North Penn Water Authority (NPWA) regarding the above referenced matter. NPWA is a municipally owned water authority that serves 30,000 customers in a suburban region north of Philadelphia with an average daily demand of about 9 million gallons of water from a combined surface water and groundwater supply. We have a proud history of routinely meeting or exceeding all of the many stringent federal and state water quality regulations without violation. We provide our customers with a consistently reliable, high quality product at low cost.

If you have any questions regarding our comments on this matter, or wish to contact me further for any reason, my phone number is 215-855-3617 and my email address is [abellitto@northpennwater.org](mailto:abellitto@northpennwater.org).

Thank you for the opportunity to provide input on this important subject.

Sincerely,

NORTH PENN WATER AUTHORITY

A handwritten signature in black ink, appearing to read 'Anthony J. Bellitto, Jr.', is written over the typed name.

Anthony J. Bellitto, Jr., P.E.  
Executive Director

INDEPENDENT REGULATION  
PAENW 02/28/07

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**The North Penn Water Authority (NPWA) -- Lansdale, PA**  
**Comments to Proposed Rulemaking – Regulation ID #7-407 (#2637)**  
**Safe Drinking Water – Public Notice Revisions – (Title 25, PA Code Chapter 109)**

Following significant flooding events and an accidental release of fluoride by a water utility in 2005, Governor Rendell directed the Department of Environmental Protection (DEP) to strengthen the public notification procedures that public water suppliers must follow to alert residents when there is an imminent threat to drinking water supplies. DEP Secretary Kathleen McGinty has stated in a press release, “We need to update our public notification system so that timely, reliable information never leaves room for fear and confusion.”

If that indeed is the goal – and we agree that it should be – then the proposed new regulations cannot be approved in its current state. Unfortunately, the way that the proposed regulations are presently drafted, the end result will be only more fear and confusion for the public, not less.

The new regulations unnecessarily treat every water main break as a potential Tier 1 violation. The water industry’s experience has shown that most main breaks do not allow contamination to enter the distribution system through back-flow by back-pressure, or back-siphonage and are not a health concern. Tier 1 notice should be limited to situations in which there is known contamination or a high risk of contamination.

In its present form, the proposed new regulations will require water utilities to issue many more boil water advisories (BWA’s) for a myriad of conditions that are part of daily routine operations of a water distribution system. Specifically regarding incidences of negative pressure, this is unnecessary, because in the vast majority of those instances, no real public health hazard exists. In actual practice, there have been no documented cases of people getting sick from occasional instances of negative pressure or from routine water main breaks, as long as there is sufficient disinfectant residual in the piping system. The regulation is attempting to fix a health hazard that does not exist.

More frequent BWA’s will cause more unnecessary fear and confusion for the public, and will completely undermine public confidence in the quality of their drinking water. Water utilities work hard to build up a solid reputation for reliable, high quality service that we deliver to our customers on a 24/7 basis. Once that public confidence is lost, it would be extremely difficult, if not altogether impossible, to win it back.

With frequent issuances of BWA’s for negative pressure situations, or routine water main breaks, or fire hydrant usage, a new norm would be established in the public mindset that the quality of the water supply is generally unreliable and cannot be trusted on a regular basis. This is just not true about the public water supply in the state of Pennsylvania, as we are already a very heavily regulated industry with an excellent compliance record for health and safety.

Notification to DEP of every water main break is impractical and unnecessary. Breaks occur – and timely repairs completed without incident – on a routine basis around the clock as a normal part of the operations of all water distribution systems. Rather, it should be only the “out of the ordinary” water main breaks that impact a large number of customers over a long period of time that should require notification. As has been suggested in previous comments from the AWWA Water Utility Council, we support that subsection (3) (iii) (G) should be revised as follows:

*"An unscheduled water service interruption in a single incident for 6 or more projected consecutive hours affecting 2,500 or 5% (whichever is less) of the total customers of the distribution system."*

Also, we support that Section 109.701 (3) should be revised as follows:

*A public water supplier shall report the circumstances to the Department within 1 hour of discovery, after a preliminary assessment of conditions, for the following violations.*

Also, in Section 109.707, we support that the Emergency Response Plan should require an annual review and update instead of annual drills and testing.

Specifically regarding the subject of water main breaks, we still have the following questions regarding the proposed regulations:

1. Will every water main break require sampling, or only those ones that require DEP contact? It is impractical to expect large numbers of customers to have to wait for the water to be turned back on after an emergency water main break repair, while waiting for sampling results to come back from the lab.
2. Will every contact with DEP initiate a BWA? The decision tree indicates that an assessment will be conducted and then a determination made, which sounds like a subjective process without firm criteria. Too many BWA's will undermine public confidence in the water supply.
3. Why should curb boxes be shut in all instances? In practice, curb boxes are not routinely turned off when responding to a water main break. This is unnecessary in situations with no contamination risk and would be quite time consuming. It would further divert the repair crew away from the primary job of repairing the break. Also, this requirement is completely impractical when the ground is covered with snow and ice for long periods of time, and/or during the night, when the curb boxes cannot be found easily.

Another unfortunate result of BWA's that are issued too frequently for situations that are part of normal, routine operations of a water system is that the public will eventually tune out the warnings and will think we are "crying wolf," so to speak, when a real emergency might exist, like an overfeed of a hazardous chemical or some other truly dangerous situation that we want the public to really pay attention to. We as an industry should be required to warn the public only about real problems if we want them to respond, rather than desensitizing the public with an overabundance of warnings that will collectively become almost meaningless.

In conclusion, we also have a point of agreement regarding the proposed method of public notification. Situations involving real hazards to the public health via the public water supply that would require BWA's or "Do Not Use" or "Do Not Consume" orders are, fortunately, quite rare in the public water supply industry in the state of Pennsylvania. For such true emergencies, we are in favor of using the best available technology to notify the impacted customers in the fastest, most efficient way possible. New autodialing software is now readily available that will give a water utility the capability to place several thousand phone calls, if necessary, in a short period of time to customers' cell phones and/or home phones to warn them about a problem that they should be made aware of. Public notification that is limited to only TV, radio, newspapers, and websites will, in reality, not reach all impacted customers as expeditiously as phone calls will. In such true emergencies, response time is the critical element.