

Tate, Michele

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From: Evans, Nancy A [naevans@pplweb.com]
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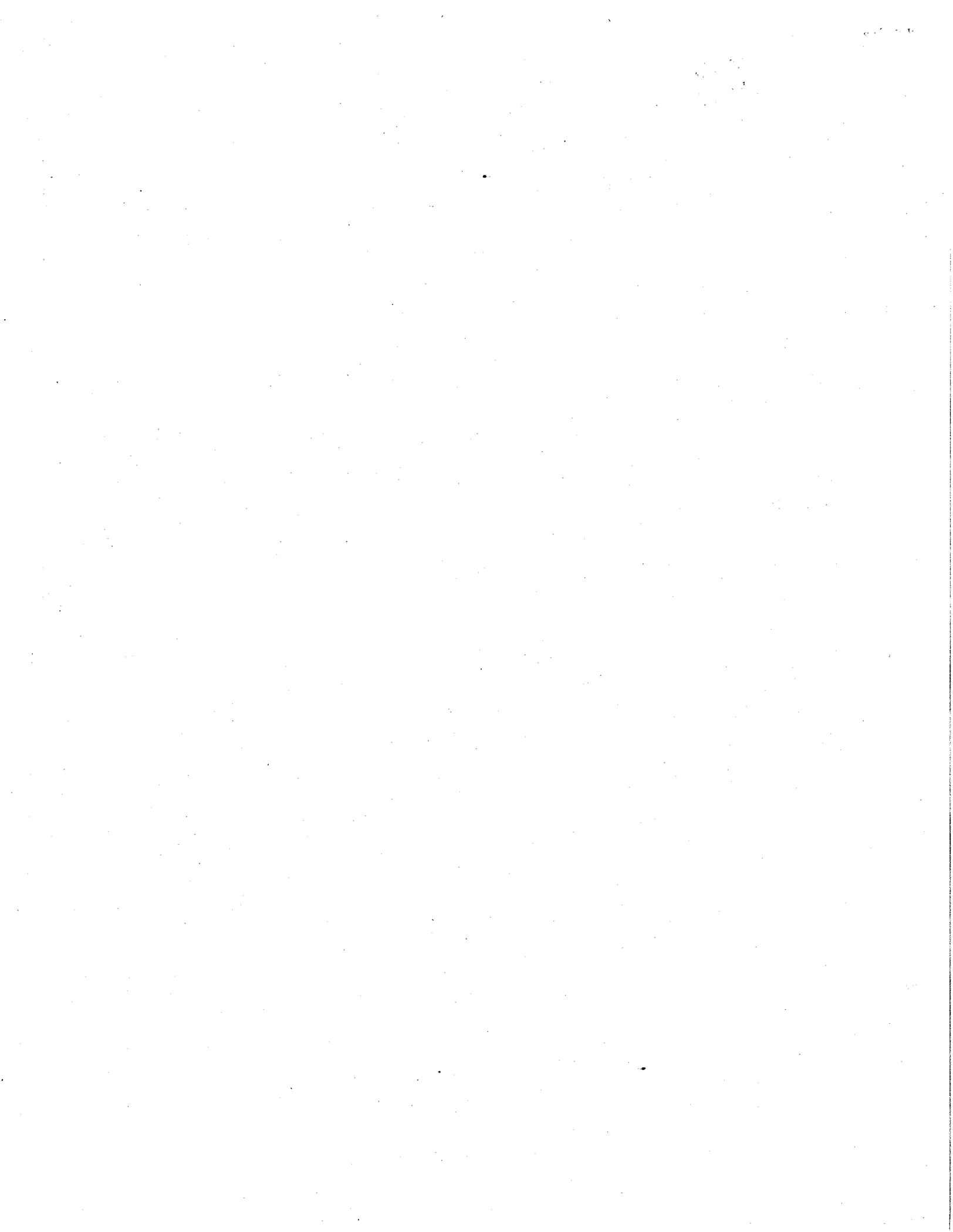
Comments on
Groundwater Rule.d.

<<Comments on Groundwater Rule.doc>>

Nancy A. Evans
Sr. Environmental Professional
610-774-4309
naevans@pplweb.com

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**Comments to Proposed Rulemaking
25 PA Code Chapter 109
38 Pa.B. 6483, 11/29/2008
Safe Drinking Water (Groundwater Rule)**

INDEPENDENT REGULATORY
REVIEW COMMISSION

1. Groundwater systems demonstrating 4-log treatment using chemical disinfection and serving 3,300 or fewer people are required to, among other things, take a daily grab sample during the hour of peak flow. If any daily grab sample measurement falls below the minimum residual disinfectant concentration, the system shall take follow-up samples every 4 hours until the residual disinfectant concentration is restored to the minimum level.

- (a) **Small noncommunity water systems (less than 500 people served) will find this requirement onerous since it effectively requires that a certified operator be on-site at all times. The resources required to meet this part of the rule will be burdensome to most small systems such as office buildings, schools, churches, etc. At a time when systems are already struggling to comply with limited resources, this requirement seems unduly strict.**
- (b) **The requirement for continuous sampling is no less onerous as grab sampling is required if the continuous monitor fails. In addition, the rule is silent on requirements for sampling during calibration or maintenance of the monitor.**
- (c) **4-log treatment is not a reasonable remedy for small systems.**

2. Triggered source water monitoring is required when a positive total coliform result is collected. If it is positive for a fecal indicator, the State will require the system to take corrective action or take five additional samples.

Triggered source water monitoring at many small systems is not a simple task. Further, the suggestion that all GWSs should have a sample tap at each source that enables sampling is a costly upgrade for many small systems. Without this tap, it will be difficult to obtain a sample within 24 hours as required.

3. States have two years to adopt the rule. The rule requires each state to define significant deficiencies for each of the eight sanitary survey elements. Further, the states have until December 31, 2014 to conduct sanitary surveys of noncommunity water systems. However, the requirement to conduct triggered monitoring goes into effect December 1, 2009.

Only those systems with significant deficiencies or documented fecal contamination are required to provide corrective actions. How will the State determine corrective actions (when a positive fecal coliform result is obtained during triggered monitoring) when they have not developed their own rule? If a positive fecal coliform result is obtained before the State rule is finalized, on what basis will the State proceed with corrective actions? How will they determine significant deficiencies when they have not developed the definitions? This rule requires triggered monitoring to be done without a State rule to govern the next steps.

Nancy A. Evans
Sr. Environmental Professional
PPL Services Corp.
610-774-4309
naevans@pplweb.com