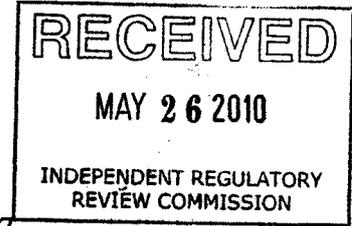


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Before the
Environmental Quality Board (EQB)

In Re: Proposed Rulemaking – Chapter 105
Dam Safety and Waterway Management

Document Number: 7-_____



**Comments of
Pennsylvania American Water**

Pennsylvania American Water is the largest investor-owned water utility in the state, providing high-quality and reliable water and/or wastewater services to approximately 2.2 million people. The company owns, operates and maintains 58 PA DEP regulated dams and reservoirs, 27 of which are classified by the PA DEP as high hazard dams due to their size and proximity to downstream population centers. We have reviewed the proposed amendments to 25 Pa. Code Chapter 105 (relating to Dam Safety and Waterway Management) and have the following comments for your consideration:

I. **Comments**

1. **§ 105.97 Stability of Structures**

The proposed regulation provides minimum factors of safety for various analyses such as 1.7 for maximum pool for a gravity dam. This factor of safety is significantly greater than 1.1 that is currently required by the Corps of Engineers and we request that Department of Environmental Protection (DEP) reconsider the minimum factors of safety presented in the proposed regulation. Furthermore, we are concerned that listing the required minimum factor of safety in the regulations does not allow for future changes in the industry and would recommend that you remove the required factors of safety and publish them in a separate document, such as

design guidance. This will give the department the ability to rapidly respond to advancements in the field of dam engineering rather than needing to rewrite the regulations.

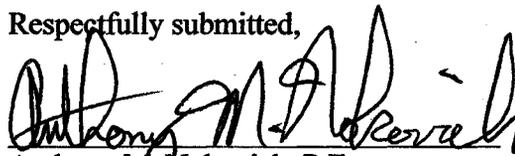
2. § 105.134 EAP

Section 105.134 requires notices to be posted in the city, borough, and township buildings in the affected municipalities. The Company understands the intent of the regulation, but neither DEP nor a dam owner has the authority to require a location to keep a posting displayed. We expend significant time and effort to comply with this requirement and regularly find that our notices have been removed after we leave. Pennsylvania American Water request that DEP recommend legislation that would require city, borough, and township buildings to post these notices and ensure they remain posted or eliminate this requirement all together.

II. Conclusion

The Pennsylvania American Water appreciates the opportunity to present comments on this proposed rulemaking.

Respectfully submitted,



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Senior Engineer

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