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**Kathy Cooper**

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**From:** ecomment@pa.gov  
**Sent:** Friday, November 06, 2015 12:09 PM  
**To:** Environment-Committee@pasenate.com; IRRRC; eregop@pahousegop.com; environmentalcommittee@pahouse.net; gvitali@pahouse.net; regcomments@pa.gov; apankake@pasen.gov  
**Cc:** ra-epmsdevelopment@pa.gov  
**Subject:** Comment received - Proposed Rulemaking: Revised Total Coliform Rule



**Re: eComment System**

**The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Revised Total Coliform Rule.**

RECEIVED  
IRRC  
2015 NOV -6 PM 12:30

**Committer Information:**

J. Massaro  
Citizen (bballdawg84@aol.com)  
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**Comments entered:**

Public Comment: Proposed Rulemaking to 25 PA. Code Ch. 109 - Safe Drinking Water; Revised Total Coliform Rule  
Doc. Num. 15-1759  
Published Pennsylvania Bulletin: 45 Pa.B. 5943 - Saturday, October 3, 2010

To Environmental Quality Board - PA EPA,  
Residents and officials in the Commonwealth can agree that clean drinking water is an imperative. This proposed rulemaking strides to make the Commonwealth's safe drinking water standards as rigorous or at least as rigorous as those adopted by the federal Environmental Protection Agency. The benefits of this proposed rule making will effect almost 9,000 public water systems in the Commonwealth and some 13 million water consumers in the Commonwealth. The agency is seeking, in addition to expert opinions, public comments and I shall oblige as a concerned citizen of Pennsylvania.

The Pennsylvania EPA is statutorily empowered to promulgate, adopt, and modify regulations pertaining to drinking water through the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.4). Additionally the agency is also empowered by the PA Administrative Code of 1929 (71 P. S. § 510-20), which applies rules, procedure and rulemaking through a Environmental Quality Board as part of the Pennsylvania EPA.

The agency specifically sought comments regarding the proposed change to Chapter 109 (Safe Drinking Water) Section 109.705(b)(2) which requires the public water system company to submitted a contamination assessment form and accounting of corrective actions taken within 30 days to the agency. The agency seeks comments at to submitting these electronically. While the agency no doubt seeks input from water suppliers, as a member of the public I feel that any assessment and accounting forms following a contamination finding should be filed electronically

as soon as completed and no longer than 30 days after the contamination is discovered. These reports should be posted on the PA EPA website and should be available for inspection by the public under the Commonwealth's Sunshine Law. As someone who has the unfortunate experience of being sickened by water borne contamination, though not in the Commonwealth, I and others would be keenly interested in seeing the sample results from local public water systems.

I fully support the more stringent proposed addition to Section 109.701(a)(3)(iv), that the public water system supplier notify the PA Department of Environmental Protection within one hour following a positive test for E. coli bacteria. This should be applicable to both Tier 1 and Tier 2 (acute E. Coli contamination, more serious than Tier 2) violations. Again, speed in notification will ultimately benefit the public.

Proposed § 109.701(d)(9) instructs that water companies maintain a copy of water assessment forms, corrective action instruments for a least five years. I would further urge that these forms be made available online through the PA EPA website for public inspection. I would argue that the public should be able to track how their water supplier is performing over a five year period.

The proposed alteration to § 109.301(3)(i)(D) appears to be a sensible, it seeks to prevent water system sampling and then not reporting the location of where the samples were obtained. This proposal states that a system operator may only collect "more than the required minimum amount of samples to be used for compliance during a monitoring period if those samples are included in the sample siting plan." Importantly, "these extra samples must be included in determining whether a Level 1 or Level 2 assessment has been triggered."

I believe the agency correctly neglected to adopt the proposal Section 109.701(a)(3)(iv) from a water system consultant company which recommended that a positive test sampling for E. Coli bacteria be reported to the PA EPA by the end of that day. I think the more sensible course, and one which the agency advocates is that a test positive shall be reported no less than one hour to the agency.

Seasonal systems, which are not operational year long and tend to be in rural areas, have been included in testing requirements. Proposed § 109.301(3)(i)(C) "requires seasonal systems to collect coliform samples prior to serving water to the public each season."

I oppose the deletion from Section 109.303(a)(2) of "an approved." The deletion will allow public water systems not to seek approval from the agency for their sample siting plan locations. At the present time, public water systems require the agency to sign off on the locations of where sampling will occur. I think the Commonwealth would be better served by having the sampling locations be approved by the agency, since their expertise in this area is undoubtedly comprehensive.

I thank the PA EPA for taking the time to read, evaluate and ultimately consider my comments regarding this proposed rulemaking regarding clean drinking water in our Commonwealth.

Thank You

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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Patrick McDonnell

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Patrick McDonnell  
Director, Office of Policy