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LEHIGH COUNTY AUTHORITY

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April 19, 2016

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

Re: Comments on the proposed rulemaking: [25 PA Code Ch. 109] Safe Drinking Water; Disinfection Requirements Rule [46 Pa. B. 857]

Dear Environmental Quality Board members:

The Lehigh County Authority (LCA) appreciates the opportunity to comment on the proposed Disinfection Requirements Rule, published in the Pennsylvania Bulletin February 20, 2016.

LCA took part in early discussions with many of the Disinfection Requirements Rule Stakeholder Workgroup members and concurs with their conclusions, which are the basis for the following comments:

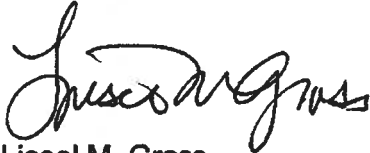
1. There is no direct public health issue being addressed by the proposed rule.
2. While we agree with the stated goal of the Department to address the minimum detectable residual and low chlorine distribution disinfectant residuals, we do not agree that the minimum residual should be set at 0.2 mg/L.
3. We agree that the current minimum distribution system detectable residual of 0.02 mg/L is not valid. We believe the minimum residual should be set at 0.1 mg/L. The current regulatory language should only change the 0.02 mg/L to 0.1 mg/L and maintain all other existing language.
4. Increasing the minimum disinfectant level in the distribution system from the existing 0.02 mg/L to 0.1 mg/L (for both free & total chlorine) is a 5-fold increase from the current level. A minimum value of 0.1 mg/L is a reasonable and responsible level to address the Department of Environmental Protection's concerns. The 0.2 mg/L does not provide any additional health benefits to our customers, but it does require additional capital improvements & operating costs.
5. We agree with the proposed rule that the compliance calculation for systems serving greater than 33,000 people is 95% in 2 consecutive months and the compliance calculation for systems serving 33,000 or fewer people is 75% in 2 consecutive months. However, the increased residual monitoring (from once/ month to once/week) will increase small system operating costs. LCA owns and operates ten small water systems that will be affected by this section of the proposed rule.
6. The stated compliance benefits in the proposed rule are unfounded and the associated compliance costs are dramatically underestimated (from stakeholder group's findings).

Every drop matters. Every customer counts.

7. Disinfection byproducts (DBPs) are likely to increase at some utilities as a result of increasing the distribution disinfection residual to 0.2 mg/L. Setting the minimum residual at 0.1 mg/L will allow time for utilities to assess impacts to DBPs.
8. Taste & odor complaints will likely increase if the minimum distribution disinfection residual is set at 0.2 mg/L.
9. The option for Heterotrophic Plate Count (HPC) should be retained as an alternative compliance criteria for surface water systems when the distribution disinfectant residual is below the minimum required level. This is still allowed under the federal regulation and will reduce the number of instances where Public Notice (PN) is required.
10. Because no known health risks have been identified in this proposed rulemaking, requiring water utilities to issue Tier 2 PN for failing to meet 0.2 mg/L will unnecessarily erode public confidence in water quality. This is another justification for setting the minimum distribution disinfection residual at 0.1 mg/L and continuing to allow HPC as an alternative compliance method.

Thank you for the opportunity to comment.

Respectfully,



Liesel M. Gross
Chief Executive Officer