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Water Works Operators' Association of Pennsylvania (WWOAP)



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April 19, 2016

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

Re: **Comments on the proposed Disinfection Requirements Rule (25 PA. CODE CH. 109)**

Originally established and organized in 1927 to improve and advance the public water supply industry across the Commonwealth of Pennsylvania, the Water Works Operators' Association of Pennsylvania (WWOAP) remains faithful to that creed and objective today. The WWOAP has become the central forum in Pennsylvania for all those involved with and concerned about the standards and quality of the treatment and delivery of water for use by the general public. Through numerous programs and committee activities, the WWOAP efficiently communicates and disperses technological information to the Commonwealth's entire public water supply industry. Whether municipally-operated or investor-owned, this information can mean a better, safer product for all consumers.

The WWOAP has worked with the Department of Environmental Protection (DEP); the Small Water Systems Technical Assistance Center (TAC); and the Disinfection Requirements Rule Stakeholder Workgroup (DRRSW) on this proposed rulemaking. Therefore, the presentations that are referenced below can be found on either the [TAC website](#)<sup>i</sup> or the [DEP's webpage for "Proposed Disinfection Requirements Rule"](#)<sup>ii</sup> and are part of the public record.

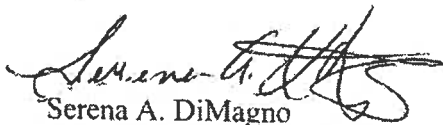
The WWOAP does **not** support the proposed Disinfection Requirements Rule and respectfully submits the following comments:

1. There is no direct public health issue being addressed by the proposed rule.<sup>iii iv</sup>
2. Although the WWOAP agrees 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. The WWOAP agrees that the current minimum distribution system detectable residual of 0.02 mg/L is not valid. Instead, 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 keep all other existing language.<sup>v vi vii viii</sup>

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 responsible level given the Department's concerns regarding a detectable level. 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. The WWOAP agrees 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, we are concerned that the increased residual monitoring (from once/month to once/week) will increase small system operating costs.
6. The stated compliance benefits in the proposed rule are unfounded and the associated compliance costs are dramatically underestimated.<sup>ix x xi xiii xiv xv xvi xvii xviii xix</sup>
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.<sup>xx</sup>
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 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.<sup>xxi</sup>
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.

WWOAP thanks the Environmental Quality Board for the opportunity to present these comments on this proposed rulemaking and respectfully requests the EQB's consideration.

Very truly yours,



Serena A. DiMagno  
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<sup>i</sup> <http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Pages/default.aspx#.VxUGep3D-po>

<sup>ii</sup> <http://www.dep.pa.gov/Business/Water/BureauSafeDrinkingWater/DrinkingWaterMgmt/Regulations/Pages/Proposed-Disinfection-Requirements-Rule-.aspx#.VxUHJp3D-pp>

<sup>iii</sup> Comments on Legionella & Legionnaires Disease and Microbiological Water Quality in the Distribution System and Premise Plumbing: Legionnaires' Disease -- Dr. Jennifer Clancy, Corona Env. Consulting, March 9, 2016 Stakeholder Group Meeting  
<http://files.dep.state.pa.us/Water/BSDW/DrinkingWaterManagement/Regulations/Legionella%20%20Comments%20Public%20Meeting%209%20March%202016.pdf>

<sup>iv</sup> Estimated Costs of Compliance with the Proposed Disinfection Requirements Rule - Jeff Hines, The York Water Co., April 15, 2016 Stakeholder Group Meeting (Not yet posted)

<sup>v</sup> Draft—Minimum Distribution System Disinfectant Residuals: Chlorine Residual Values Reported from Co Drinking Water Distribution Systems – Colorado Dept. Public Health & the Environment, March 30, 2016 Stakeholder Group Meeting (Not yet posted)

<sup>vi</sup> Aqua PA Disinfection Residual Measurements Presentation - Dr. Charles Hertz, Aqua PA, March 9, 2016 Stakeholder Group Meeting  
<http://files.dep.state.pa.us/Water/BSDW/DrinkingWaterManagement/Regulations/Aqua%20PA%20disinfectant%20residual%20measurement%20MDL%20MRL%20presentation%20PADEP%20Stakeholder%20Meeting%20030916%20CDI1.pdf>

<sup>vii</sup> The Meaning and Quantification of a Detectable Residual - Tim Bartrand, Corona Env. Consulting, March 30, 2016 Stakeholder Group Meeting (Not yet posted)

<sup>viii</sup> An Alternative Approach for Setting an Interim Chlorine Residual Requirement - Jeff Rosen, Corona Env. Consulting, Consulting, March 30, 2016 Stakeholder Group Meeting (Not yet posted)

<sup>ix</sup> Costs & Benefits for the Disinfection Requirements Rule - Philadelphia Water Dept, March 9, 2016 Stakeholder Group Meeting  
[http://files.dep.state.pa.us/Water/BSDW/DrinkingWaterManagement/Regulations/PADEP%20Disinfection%20Requirements%20Rule%20Costs%20and%20Benefits\\_March%202016.pdf](http://files.dep.state.pa.us/Water/BSDW/DrinkingWaterManagement/Regulations/PADEP%20Disinfection%20Requirements%20Rule%20Costs%20and%20Benefits_March%202016.pdf)

<sup>x</sup> Cost Analysis of Increased Disinfection Residual - The York Water Co, April 15, 2016 Stakeholder Group Meeting (Not yet posted)

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- <sup>xii</sup> The RTRC and Chlorine Residual Standard and Its Operational Impacts on Lehigh County Authority Water Systems - Aurel Arndt, Lehigh County Authority, May 26, 2015 TAC Meeting  
[http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/Lehigh\\_County\\_Authority\\_Presentation.pdf](http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/Lehigh_County_Authority_Presentation.pdf)
- <sup>xiii</sup> Impact of the Proposed Chapter 109 Update to Disinfectant Residual Requirements - Mary Neutz, Suez (United) Water, May 26, 2015 TAC Meeting  
[http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/United\\_Water\\_PA\\_Presentation.pdf](http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/United_Water_PA_Presentation.pdf)
- <sup>xiv</sup> The RTRC and Chlorine Residual Standard and its Operational Impacts on the Utility - Gary Burlingame, Philadelphia Water Department, May 26, 2015 TAC Meeting  
[http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/Philadelphia\\_Water\\_Department\\_Presentation.pdf](http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/Philadelphia_Water_Department_Presentation.pdf)
- <sup>xv</sup> Impact of Pre-Draft Chapter 109 Revisions: The Impacts are Complex and Require Proper Vetting - David Lewis, Columbia Water Company, May 26, 2015 TAC Meeting
- <sup>xvi</sup> Chlorine Residual and Compliance Samples in Distribution Systems - Charles Hertz, Aqua PA, May 26, 2015 TAC Meeting  
[http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/Aqua\\_PA\\_Disinfectant\\_Residual\\_Presentation.pdf](http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/Aqua_PA_Disinfectant_Residual_Presentation.pdf)
- <sup>xvii</sup> Western Berks Water Authority Presentation - Matthew Walborn, Western Berks Water Authority, May 26, 2015 TAC Meeting  
[http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/Western\\_Berks\\_Water\\_Authority\\_Presentation.pdf](http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/Western_Berks_Water_Authority_Presentation.pdf)
- <sup>xviii</sup> Pre-Draft Chapter 109 Revisions: One Water Utility's Perspective - Dan Preston/Heidi Palmer, North Penn Water Authority, May 18, 2015 TAC Meeting  
<http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/Pre-Draft%20Chapter%20109%20Revisions%20Presentation.pdf>
- <sup>xix</sup> Chapter 109 Update, Water Supplier Challenges and Unintended Consequences - Jeff Hines, The York Water Company, May 18, 2015 TAC Meeting  
<http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/York%20Water%20Company%20Presentation.pdf>
- <sup>xx</sup> RTRC and Chlorine Residuals - Overall Look From A Utility Perspective - Sharon Fillmann, Chester Water Authority, May 18, 2015 TAC Meeting  
<http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Documents/RTRC%20and%20Chlorine%20Residuals%20Presentation.pdf>
- <sup>xxi</sup> Reference: DBPs, HPCs and a shared goal of Optimized Distribution Systems - Tim Bartrand/Jeff Rosen, Corona Env. Consulting, April 15, 2016 Stakeholder Group Meeting (Not yet posted)
- <sup>xxii</sup> Reference: DBPs, HPCs and a shared goal of Optimized Distribution Systems - Tim Bartrand/Jeff Rosen, Corona Env. Consulting, April 15, 2016 Stakeholder Group Meeting (Not yet posted)