

**Minutes of the
May 21, 2009 Meeting
Small Water Systems Technical Assistance Center (TAC)
Advisory Board**

The regularly scheduled quarterly meeting of the TAC Board was called to order at 10:05 a.m. by Chairperson Brion Johnson in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA

The following board members/alternates were present:

Penny McCoy, Pennsylvania Rural Water Association
Serena DiMagno, The Water Works Operators Assoc. of Pennsylvania
John Poklembo, The Water Works Operators Assoc. of Pennsylvania
Ronald Rohall, Pennsylvania Association of Conservation Districts, Inc.
Jack Mitchell, Pennsylvania Builder's Association
Mike Sienkiewicz, Pennsylvania Manufactured Housing Association
Stan Brown, Pennsylvania Public Utility Commission
Herb Spencer, American Water Works Association, Pennsylvania Chapter
Daniel Standish, American Water Works Association, Pennsylvania Chapter
Brion Johnson, Pennsylvania Infrastructure Investment Authority
Mary McElhinny, State Board for Certification of Sewage Treatment Plant & Waterworks Operators
Korah Abraham, Rural Utilities Service/Rural Development
Jennifer Case, Pennsylvania Municipal Authorities Association

Members/alternates from the following organizations were not present:

County Commissioners Association of Pennsylvania
Pennsylvania Association of Realtors
Center for Rural Pennsylvania
Pennsylvania State Association of Township Supervisors
The League of Women Voters of Pennsylvania
Department of Community & Economic Development
RCAP Solutions, Inc
Office of Consumer Advocate

The following DEP staff was present:

Duke Adams, Office of Policy and Communications
Veronica Kasi, BWSFR, Division of Technical and Financial Assistance
Janet Fisher, BWSFR, Division of Technical and Financial Assistance
David Hissner, BWSFR, Division of Operations Monitoring & Training
Godfrey Maduka, BWSFR, Division of Planning & Permits
Dawn Hissner, BWSFR, Division of Operations Monitoring & Training
Joanne Nardone, BWSFR, Division of Operations Monitoring & Training
John Piekara, BWSFR, Division of Planning & Permits

Jeff Allgyer, BWSFR, Division of Operations Monitoring & Training
Matt Walderon, BWSFR, Division of Operations Monitoring & Training
Barry Greenawald, BWSFR, Division of Operations Monitoring & Training
Kevin Anderson, BWSFR, Division of Operations Monitoring & Training
Kevin McCleary, BWSFR, Division of Planning & Permits
Wendy Lloyd, BWSFR, Division of Operations Monitoring & Training
Mary Lou Barton, Regulatory Counsel, Office of Chief Counsel

There were no non-members present at this meeting

General TAC Business

Brion Johnson, called the meeting to order at 10:05.

Motion made by Mike Sienkiewicz to approve the minutes of the December 1, 2008 TAC Board meeting. Motion seconded by Stan Brown. Motion carried.

Chapter 109 Revisions

Draft final Annex A covering the Ground Water Rule, Long Term 2 Filter Rule and Stage 2 DBP (Disinfection By-products) Rule were provided to committee members for review. Nicki Kasi started the discussions by reminding the members that this is the second time they had seen these regulations. DEP intends to present these as final to the EQB, so members should only focus on those revisions that they could not live with.

David Hissner, Dawn Hissner and John Piekara went over the regulation package and addressed parts where there was a change made in response to the public comment period. There were several points of discussion. The vote was unanimous on the following:

1. All references to HAA5 and TTHM should be consistent. Some references are in the singular format, some plural. Using the plural form and adding an "s" to HAA5 is recommended.
2. Requiring Tier 1 Public Notification for the violation of a treatment technique requirement is more stringent than the federal requirement. There is a difference between "potential" and "actual" threat to public health. Treatment technique violations should be kept in Bin 2 as Tier 2, with the Department still having the ability to elevate the violation to Tier 1 when an actual threat has been determined to exist. [109.408(a)(7)]
3. The Department should reconsider the sanitary survey language that limits the frequency of these surveys to three years and keep the original language that allowed for a five year frequency option based on identified circumstances. [109.701(d)(2)]

4. It is suggested that wholesale systems should specifically be mentioned in Section 109.1201(b)(1) for clarity to insure that all wholesale systems know that they are included in this requirement. Another option would be to revise the definition of “combined distribution system.”
5. It will be difficult to implement the continuous disinfection monitoring prior to the first customer requirements in 109.1302(a)(4). There is already an issue with regional office interpretations of this proposed monitoring requirement. It’s not realistic to require monitoring equipment in a person’s home. This issue needs to be addressed in a guidance document and the current misinterpretation of this requirement by some regional office staff needs to be addressed as soon as possible.
6. Insert the word “that” in 109.1303(c)(2). It should read, “Multiple distribution systems where no interconnection exists that are supplied by separate sources....”
7. Change “fecally contaminated” to “fecal contaminated” in 109.1304(a).

The TAC Board could not come to agreement on changing the word “people” to “connections” in 109.1305(a)(1). Five people were opposed (Brion Johnson, Mary McElhinny, Ron Rohall, Korah Abraham and Penny McCoy) and six people were for this change. Those people wanting to use the word “people” feel this should stay to be consistent with the federal regulations and the fact that public health statistics are all based on population served and the number of people impacted. Those suggesting the word “connections” feel this is more reflective of how drinking water systems track and count their customers.

Motion made by Brion Johnson to send a letter of support to DEP, seconded by Mike Sienkiewicz. Joanne Nardone read through all the comments as a review for members prior to voting on sending the letter of support. An email of a draft of the letter will be sent to all board members so they have the opportunity to make any further comment before it’s sent. Vote was unanimous. Motion carried.

Motion made by Serena Dimagno to send a thank you letter to John Hood for his years of service to the TAC Board. John Mitchell second. Motion carried unanimously.

Motion to adjourn made by Mike Sienkiewicz. Second by Stan Brown. Board adjourned.