

**PROPOSED RULEMAKING
ENVIRONMENTAL QUALITY BOARD
[25 PA. CODE CH. 109]**

Safe Drinking Water Revised Consumer Confidence Report Rule

The Environmental Quality Board (Board) proposes to amend Chapter 109 (relating to safe drinking water) to read as set forth in Annex A. The proposed amendments ensure that the Commonwealth's safe drinking water regulations in Chapter 109 remain at least as stringent as 40 CFR Part 141 (relating to National Primary Drinking Water Regulations) promulgated by the United States Environmental Protection Agency (EPA), which is a condition of the Department of Environmental Protection (Department) retaining primary enforcement responsibility for public water systems in this Commonwealth under the Federal Safe Drinking Water Act (42 U.S.C. §§ 300f—300j-27).

Specifically, the proposed amendments will: (1) enhance the accessibility and clarity of a Consumer Confidence Report (CCR), which provides information to public water system customers about the quality of their drinking water; (2) incorporate public notification and CCR provisions for lead action level exceedances; and (3) clarify and ensure monitoring requirements are consistent for entry points at bottled, vended, retail and bulk hauling water systems that purchase water. This proposed rulemaking also includes an amendment to require a Tier 3 public notice for failure to report results of total coliform and *E. coli* monitoring; this amendment is required under the National Primary Drinking Water Regulations: Revisions to the Total Coliform Rule (Federal revised total coliform rule), published at 78 FR 10270 (February 13, 2013) but was inadvertently missed in the Department's rulemaking published at 46 Pa.B. 6005 (September 24, 2016), which incorporated the Federal revised total coliform rule.

Consumer Confidence Reports

The EPA's original National Primary Drinking Water Regulations: Consumer Confidence Reports rulemaking (original Federal CCR rule), published at 63 FR 44512 (August 19, 1998), requires all community water systems to issue an annual drinking water quality report to their customers. CCRs provide customers with information on the drinking water provided by their community water systems, including the water source, contaminants detected in finished water, health effects of contaminants when violations occur, likely sources of detected contaminants and availability of source water assessments. The EPA published the revised National Primary Drinking Water Regulations: Consumer Confidence Reports rulemaking (revised Federal CCR rule) at 89 FR 45980 (May 24, 2024). The revised Federal CCR rule is applicable to all community water systems, as are the Department's current CCR regulations in Chapter 109, so the proposed CCR amendments will not regulate additional public water systems in this Commonwealth.

The proposed CCR amendments will align Chapter 109 with the revised Federal CCR rule by improving the readability and accuracy of the information presented in CCRs, improving risk communication, incorporating electronic delivery options, providing supplemental information regarding lead levels and control efforts, and requiring community water systems who serve 10,000 or more persons to provide CCRs to customers twice per year.

Lead and Copper Rule revisions

The EPA's National Primary Drinking Water Regulations: Lead and Copper Rule Revisions (Federal LCRR) rulemaking was published at 86 FR 4198 (January 15, 2021). The Federal LCRR requires community water systems and nontransient noncommunity water systems to issue a Tier 1 public notice to all consumers within 24 hours of determining that the 90th percentile compliance value for lead exceeds the action level. This public notification requirement became effective on October 16, 2024, so the Department's proposed amendments also include provisions to be consistent with the public notification provisions in the Federal LCRR.

Clarifying monitoring requirements at entry points of bottled, vended, retail and bulk hauling systems that purchase water

This proposed rulemaking includes minor revisions to clarify the definition of "entry point" for bulk hauling water systems to be the point at which water is dispensed into the carrier vehicle and to clarify that bottled, vended, retail and bulk hauling systems purchasing finished water are not required to conduct monitoring for chemical contaminants, provided the selling system conducts the monitoring and results are at or below Maximum Contaminant Levels.

Additional amendments

This proposed rulemaking also includes the aforementioned amendment to require a Tier 3 public notice for failure to report results of total coliform and *E. coli* monitoring. This amendment is required under the Federal revised total coliform rule but was inadvertently missed in the Department's rulemaking published at 46 Pa.B. 6005.

Safe drinking water is vital to maintaining healthy and sustainable communities and is a key foundation for economic growth. The proposed amendments would further protect the health of people in this Commonwealth who consume drinking water provided by public water systems and make information about the drinking water provided by community water systems in this Commonwealth more accessible and understandable to consumers.

This proposed rulemaking was adopted by the Board at its meeting of **DATE**.

A. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

B. Contact Persons

For further information contact Edgar B. Chescattie, Director, Bureau of Safe Drinking Water, P.O. Box 8467, Rachel Carson State Office Building, Harrisburg, PA 17105-8467, (717) 787-9633; or Leda J. Lacomba, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464,

Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department's website at www.pa.gov/agencies/dep.html (select "Public Participation," then "Environmental Quality Board," then navigate to the Board meeting of **DATE**).

C. Statutory Authority

This proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (35 P.S. § 721.4), which grants the Board the authority to adopt rules and regulations governing the provision of drinking water to the public, and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which authorizes the Board to promulgate rules and regulations necessary for the performance of the work of the Department.

D. Background and Purpose

National Primary Drinking Water Regulations: Consumer Confidence Reports

Federal safe drinking water regulations in 40 CFR Part 141, Subpart O (relating to Consumer Confidence Reports) require community water systems to provide CCRs to each of its customers at least annually. The information in CCRs is intended to raise awareness among community water system customers of where their water comes from, help those customers understand the process by which safe drinking water is delivered to their homes and educate them about the importance of preventative measures that ensure a safe drinking water supply. CCRs also provide important information on source water assessments and health effects data. CCRs can promote dialogue between community water systems and the people they serve, encourage customers to become more involved in decisions that may affect their health and equip customers to make more informed decisions about their drinking water.

In the revised Federal CCR rule, the EPA states that the amendments to CCR provisions in its final rulemaking would improve the readability, clarity and understandability of CCR content, as well as enhance the accuracy of the information presented, improve risk communication and incorporate electronic delivery options. CCRs contain a great deal of highly technical information. This proposed rulemaking aims to make CCRs easier for every community water systems consumer to understand so that they may make informed decisions about their health and any risks associated with their drinking water.

The revised Federal CCR rule requires community water systems to create a summary paragraph for each CCR that includes the following: instructions for obtaining a paper or translated copy; information for any public notification that is included in the report because the CCR is also serving to provide public notification for one or more violations or situations; notice that lead and copper data is included in the report; and information on the public water system's corrosion control efforts. However, Chapter 109 already incorporates the content provisions of the original Federal CCR rule by reference, so amendments are not necessary to meet the content provisions in the revised Federal CCR rule.

In addition to revising CCR content provisions, the revised Federal CCR rule also amended CCR delivery requirements. Therefore, this proposed rulemaking includes amendments so that the Department's safe drinking water regulations in Chapter 109 remain as stringent at the revised Federal CCR rule with respect to CCR delivery requirements. Proposed changes to CCR delivery requirements include the following:

- *For all community water systems* – requiring submission of the delivery certification form within 10 days of the date the report is delivered to customers.
- *For community water systems that serve 10,000 or more persons* – requiring biannual (twice yearly) delivery to consumers. Currently, these community water systems are required to deliver CCRs only annually (once yearly).
- *For community water systems that serve 50,000 or more persons* – requiring posting of the report on a publicly-accessible website. Currently, this is only required for community water systems that serve 100,000 or more persons.
- *For community water systems that serve 100,000 or more persons* – requiring the development and maintenance of a plan that evaluates languages spoken by consumers and provides assistance to consumers with limited English proficiency (including translation needs). These community water systems shall develop a plan for providing meaningful access to CCRs for consumers with limited English proficiency, evaluate the plan annually and update the plan as needed. This plan is in addition to the existing requirement that all community water systems include in their report a statement in Spanish regarding the importance of in the report.

National Primary Drinking Water Regulations: Lead and Copper Rule Revisions

The Federal LCRR includes updated public notification and CCR provisions that became effective on October 16, 2024.

The Federal LCRR revised the content of CCRs with respect to lead by requiring that each report include: the range of tap sampling results and the number of results that exceed the lead action level; information about the service line inventory; updated educational information about the health effects of lead exposure; and information about how consumers can reduce their exposure to lead in drinking water. As noted previously, Chapter 109 already incorporates the content provisions of the original Federal CCR rule by reference, so amendments to meet the new Federal LCRR content provisions are not necessary.

The Federal LCRR public notification revisions require public water systems to issue a Tier 1 public notice to all consumers and to the EPA within 24 hours of determining that the compliance value for lead exceeds the action level. The Federal LCRR revisions also update which lead and copper monitoring/reporting violations require Tier 3 public notification.

Clarifying monitoring requirements at entry points of bottled, vended, retail and bulk hauling systems that purchase water

This proposed rulemaking also includes minor revisions to clarify the definition of “entry point” for bulk hauling water systems to be the point at which water is dispensed into the carrier vehicle and to clarify that bottled, vended, retail and bulk hauling systems purchasing finished water are not required to conduct monitoring for chemical contaminants, provided the selling system conducts the monitoring and results are at or below Maximum Contaminant Levels.

Additional amendments

This proposed rulemaking also includes an amendment to require Tier 3 public notification for failure to report results of total coliform and *E. coli* monitoring. This amendment is required under the Federal revised total coliform rule. The amendment was inadvertently missed in the Department’s rulemaking published at 46 Pa.B. 6005, which was developed to incorporate the Federal revised total coliform rule.

Advisory committee review

The Public Water System Technical Assistance Center (PWS-TAC) Board reviewed the draft proposed rulemaking on February 20, 2025. The PWS-TAC Board recommended proposed § 109.701(a)(4)(ii) (relating to reporting and recordkeeping) be modified to replace “learns” with “becomes aware.” This change was not made in the proposed rulemaking because: the text as presented to the PWS-TAC Board matches the language in the Federal LCRR; the Department believes the requested change does not change the meaning of § 109.701(a)(4)(ii); and the phrase “learns of” is currently used repeatedly throughout Chapter 109. The PWS-TAC Board had no other comments on the CCR, lead and copper, or other clarifying amendments included in this proposed rulemaking.

The PWS-TAC Board letter also addresses the PFAS National Primary Drinking Water Regulation published by the EPA at 89 FR 32532 (April 26, 2024). The PWS-TAC Board reviewed a draft version of this proposed rulemaking which incorporated the PFAS National Primary Drinking Water Regulation along with the CCR, lead and copper, and other proposed amendments. Due to ongoing litigation relating to the PFAS National Primary Drinking Water Regulation, the initial draft proposed rulemaking was revised to remove those PFAS provisions, which may be considered in a separate rulemaking at a later date depending on the outcome of the PFAS National Primary Drinking Water Regulation litigation.

As noted, the Department must adopt all new and revised National Primary Drinking Water Regulations to retain primary enforcement responsibility for public water systems in this Commonwealth under the Federal Safe Drinking Water Act. In accordance with the National Primary Drinking Water Regulations at 40 CFR 142.12 (relating to revision of State programs), the Department is required to revise its regulations and submit a request to revise the Department’s primary enforcement responsibility for public water systems in Pennsylvania under the Federal Safe Drinking Water Act (a primacy revision request) within 2 years of the publication date of new or revised National Primary Drinking Water Regulations unless the EPA

has approved an extension request meeting the criteria, including a schedule, specified in 40 CFR 142.12. Therefore, to meet the Federal deadlines and avoid confusion caused by overlapping State and Federal implementation requirements, the Department intends to promulgate this proposed rulemaking before the 2027 compliance dates for the revised Federal CCR rule.

E. Summary of Proposed Rulemaking

§ 109.408. Tier 1 public notice—categories, timing and delivery of notice

Subsection (a) is proposed to be amended to add a lead 90th percentile compliance value above the action level as a situation that requires Tier 1 public notification.

§ 109.410. Tier 3 public notice—categories, timing and delivery of notice

Subsection (a) is proposed to be amended to add Tier 3 public notification requirements for failure to report results of total coliform and *E. coli* monitoring as required under the Federal revised total coliform rule, and for lead or copper reporting violations.

§ 109.416. CCR requirements

The opening paragraph is proposed to be amended to add the new requirement for systems serving 100,000 or more persons to develop and update a plan for providing assistance to consumers with limited English proficiency.

Paragraph (1) is proposed to be amended to add that the definition of “consumer” as established by the EPA is incorporated by reference.

Paragraph (2) is proposed to be amended to update a cross-reference.

Paragraph (3) is proposed to be amended to require a summary paragraph at the beginning of the CCR, as established in 40 CFR 141.156 (relating to summary of report contents) and incorporated by reference.

Paragraph (4)(i) is proposed to be amended to match the revised Federal CCR rule (40 CFR 141.155 (relating to report delivery, reporting, and recordkeeping)), specifying additional delivery options for CCRs, including paper and electronic delivery options.

Proposed paragraph (4)(i)(A)—(D) clarifies acceptable methods of direct delivery, as provided in the revised Federal CCR rule.

Proposed paragraph (4)(i.1)(A)—(C) specifies requirements for electronic delivery on a website.

Proposed subparagraph (4)(i.2) describes instructions for providing paper copies upon request.

Proposed subparagraph (4)(i.3) describes the required time frame for access to publicly-posted reports.

Paragraph (4)(ii) is proposed to be reserved.

Paragraph (4)(iii) is proposed to be amended to update a cross-reference.

Paragraph (4)(iv) is proposed to be amended to update the time frame for submission of the CCR delivery certification to the Department.

Paragraph (4)(vi) is proposed to be amended regarding systems making reasonable efforts for requests of accommodation.

Paragraph (4)(vii) is proposed to be amended to decrease the population-served requirement to post the report on a website.

Proposed paragraph (4)(ix) describes the requirement to develop a plan for providing translation assistance to persons with limited English proficiency and also includes submission and annual report delivery certification requirements to the Department.

Proposed paragraph (4)(x)(A) describes the annual due date to deliver the reports along with the time frame of data that should be included.

Proposed paragraph (4)(x)(B) describes which public water systems, by population served, are required to issue the report biannually and provides the due date for the second report.

Proposed paragraph (4)(x)(C) describes the content of the 6-month update, which would be required to be included with the second report if a system qualifies as having to send a second report under paragraph (4)(x)(B).

Proposed paragraph (4)(x)(C)(I) describes a requirement for the 6-month update to include a short description of the update and the biannual delivery requirement.

Proposed paragraph (4)(x)(C)(II) describes the information that must be included in the 6-month update if a community water system has a Maximum Contaminant Level, Maximum Residual Disinfectant Level or treatment technique violation during the first 6 months of a year.

Proposed paragraph (4)(x)(C)(III) describes what must be included in the 6-month update for any violation other than the violations described in paragraph (4)(x)(C)(II).

Proposed paragraph (4)(x)(C)(IV) describes what must be included in the 6-month update if the system exceeded the lead action level between January 1 and June 30.

Proposed paragraph (4)(x)(C)(V) describes reporting requirements for unregulated contaminants that were not included in the original report for the year.

§ 109.701. Reporting and recordkeeping

Proposed subsection (a)(4)(ii) adds the requirement that public water systems must provide a copy of the Tier 1 public notification to the EPA Administrator and to the Department within 24 hours after the public water system learns of a 90th percentile compliance value that exceeds the lead action level, to be consistent with the Federal LCRR. Current language in subsection (a)(4) is moved to proposed subparagraph (i). In addition, a nonsubstantive amendment is proposed to clarify the heading of subsection (a)(4).

Subsection (g)(2)(ii) is proposed to be amended to correct a typographical error.

§ 109.1003. Monitoring requirements

Subsection (a)(1) is proposed to be amended to delete “for each entry point” because the following subparagraphs are proposed to be amended to specify the appropriate location for compliance monitoring.

Subsection (a)(1)(i) is proposed to be amended to specify that the coliform compliance monitoring location for bulk haulers is each carrier vehicle, which is consistent with a distribution location as required by the Federal revised total coliform rule. The carrier vehicles are the distribution locations under the control of the public water system. Each entry point would remain the monitoring location for bottled, vended and retail water systems.

Subsections (a)(1)(ii), (iii), (iv) and (v) are proposed to be amended to specify that the compliance monitoring location for turbidity, volatile synthetic organic chemicals (VOC), synthetic organic chemicals (SOC) and inorganic chemicals is each entry point.

Subsection (a)(1)(iii)(A) is proposed to be amended to clarify that bottled, vended, retail and bulk hauling systems purchasing finished water are not required to conduct monitoring for VOCs provided the selling system conducts the monitoring, even if the selling system is on a reduced monitoring frequency. This is consistent with the monitoring requirements in Subchapter C (relating to monitoring requirements) for other public water systems that purchase finished water.

Subsection (a)(1)(iv)(A)(I) is proposed to be amended to clarify that bottled, vended, retail and bulk hauling systems purchasing finished water are not required to conduct monitoring for SOCs provided the selling system conducts the monitoring, even if the selling system is on a reduced monitoring frequency. This is consistent with the monitoring requirements in Subchapter C for other public water systems that purchase finished water.

Subsection (a)(1)(v)(B) is proposed to be amended to clarify that bottled, vended, retail and bulk hauling systems purchasing finished water are not required to conduct monitoring for inorganic chemicals provided the selling system conducts the monitoring, even if the selling system is on a reduced monitoring frequency. This is consistent with the monitoring requirements in Subchapter C for other public water systems that purchase finished water.

Subsection (a)(1)(vi) is proposed to be amended to clarify that operational monitoring for fluoride is conducted at each entry point.

Subsection (a)(1)(vii) is proposed to be amended to clarify that the compliance monitoring location for radiological parameters is each entry point and that bottled, vended, retail and bulk hauling systems purchasing finished water are not required to conduct monitoring for radiological parameters provided the selling system conducts the monitoring, even if the selling system is on a reduced monitoring frequency. This is consistent with the monitoring requirements in Subchapter C for other public water systems that purchase finished water.

Subsection (a)(1)(ix) and (x) is proposed to be amended to clarify that the compliance monitoring location for total trihalomethanes, the five haloacetic acids defined in § 109.1 (relating to definitions) and chlorine dioxide is each entry point.

Subsection (a)(1)(xii) is proposed to be amended to clarify that the compliance monitoring location for bromate is each entry point.

Subsection (a)(1)(xv) is proposed to be amended to clarify that the compliance monitoring location for PFAS is each entry point and that compliance monitoring for PFAS must be conducted according to this subparagraph.

Subsection (b)(1)(ii) and (iii) is proposed to be amended and added, respectively, to update the definition of “entry point” for a bulk hauling water system to be the point at which water is dispensed into the carrier vehicle instead of the carrier vehicle. As defined in § 109.1, an “entry point” is a “point acceptable to the Department at which finished water representative of each source enters the distribution system.” The carrier vehicle for a bulk water hauler is equivalent to the distribution system for other public water systems; therefore, the entry point should be the point at which the water enters the carrier vehicle, which is representative of the treated source water filling each carrier vehicle. However, coliform monitoring required under subsection (a)(1)(i) is still conducted from each carrier vehicle to ensure the microbial quality of water from each carrier vehicle meets standards. This definition of “entry point” for bulk hauling water systems is also consistent with the location of the entry point for bottled, vended and retail water systems as the point at which water is dispensed into a container.

§ 109.1009. System operational requirements

Subsection (c) is proposed to be amended to clarify that a disinfectant residual acceptable to the Department needs to be maintained in each carrier vehicle for bulk water haulers.

F. Benefits, Costs and Compliance

Benefits

Benefits of CCR revisions

According to the EPA, the benefits of the revised Federal CCR rule are hard to quantify due to the uncertainty of how many people read CCRs and how the changes will affect their actions and health. For these reasons, the EPA did not attempt to quantify how the revised Federal CCR rule will change the ability of community water systems to meet health-based standards or what reductions in morbidity or mortality will result. The EPA did, however, describe the types of benefits the revisions could generate. The EPA noted in the preamble to the revised Federal CCR rule that it will better inform the public because community water systems will be required to: increase the frequency of CCR delivery for community water systems serving 10,000 or more persons; improve the methods of CCR delivery; increase accessibility for consumers with Limited English Proficiency; improve the clarity of CCRs; and include additional health-relevant information.

According to the EPA in the preamble to the revised Federal CCR rule:

All these changes will lead to a more informed public. A more informed consumer is better equipped to make decisions about their health. ... The EPA anticipates the primary benefit of [these revisions] will be an improvement to public health protection. The revised rule will ensure consumers in all communities have accurate, timely, and accessible drinking water data. This will allow consumers to make educated decisions regarding any potential health risks pertaining to the quality, treatment, and management of their drinking water supply.

See 89 FR 45980, 46003.

Benefits of additional amendments

For the proposed amendments to incorporate Tier 1 public notification and CCR provisions revised under the Federal LCRR, and the Tier 3 public notification revision under the Federal revised total coliform rule, the Department expects benefits similar to those for the CCR amendments previously described because a more informed public is better equipped to make decisions about their water consumption. Specifically for the Tier 1 public notification requirement for lead action level exceedances, there is an added benefit of customers being informed of the health effects of lead and possible corrective actions that can be taken within 24 hours as opposed to 60 days under current requirements. For the proposed amendments to clarify and ensure monitoring requirements are consistent for entry points at bottled, vended, retail and bulk hauling water systems that purchase water, benefits may include some cost savings by these businesses if they have been conducting more than the minimum required testing.

Compliance costs

Compliance costs of CCRs

For the revised Federal CCR rule, the EPA estimates the Nationwide total annual cost to community water systems at \$15,904,355. There are approximately 50,000 community water systems Nationwide, of which 1,867 (3.734%) are located in this Commonwealth. Multiplying the EPA's National costs estimate of \$15,904,355 by 3.734% yields a cost estimate for all community water systems in this Commonwealth of \$593,869 annually, or \$318 per community water system per year. Of the 1,867 community water systems in this Commonwealth, 146 community water systems serve 10,000 or more customers and will have to issue the report biannually. This requirement was included in the cost estimate. In addition to costs to community water systems, the EPA estimated costs to the 57 primacy agencies at \$3,862,749 annually, an average of \$67,768 per year for each primacy agency. Costs to primacy agencies include work towards updating compliance and reporting programs for tracking CCR compliance and reporting, training staff and water systems, taking enforcement actions and reporting to the EPA.

Compliance costs associated with additional amendments

The Department does not expect notable compliance costs associated with the proposed amendments to: incorporate public notification and CCR provisions revised under the Federal LCRR; clarify and ensure monitoring requirements are consistent for entry points at bottled, vended, retail and bulk hauling water systems that purchase water; and require Tier 3 public notification for failure to report results of total coliform and *E. coli* monitoring.

Compliance assistance plan

The Department's Safe Drinking Water Program has established a network of regional and Central Office training staff that are responsible for identifying and addressing training needs. The target audiences for training include regulated public water systems and Department Safe Drinking Water Program staff.

In addition to this network of training staff, the Department's Bureau of Safe Drinking Water has staff dedicated to providing training and technical outreach support services to public water system owners and operators. The Department's website also provides timely and useful information for drinking water and wastewater treatment system operators.

Paperwork requirements

No new forms are required for implementation of this proposed rulemaking.

G. Pollution Prevention

The Pollution Prevention Act of 1990, 42 U.S.C. §§ 13101—13109, established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the

reduction or elimination of pollution at its source, through the substitution of environmentally-friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

H. *Sunset Review*

The Board is not establishing a sunset date for these regulations, since they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on **DATE**, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC), and to the chairperson of the Environmental and Natural Resource Protection Committee of the House of Representatives and the chairperson of the Environmental Resources and Energy Committee of the Senate. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations, or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor.

J. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding the proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by **DATE**.

Comments may be submitted to the Board online, by e-mail, by mail or express mail as follows. Comments submitted by facsimile will not be accepted.

Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt.

Comments may also be submitted to the Board by mail or express mail. Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

JESSICA SHIRLEY,
Chairperson