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December 12, 2007

Small Systems Technical Assistance Center Advisory Board

717-787-5017

Mr. Dana Aunkst
Director
Bureau of Water Standards and Facility Regulation
P.O. Box 8467
Harrisburg, PA 17105-8467

Dear Mr. Aunkst:

The Small Systems Technical Assistance Center Advisory Board (TAC Board) met on November 13, 2007 to review the Department of Environmental Protection (DEP) revisions to Chapter 109, the Safe Drinking Water Act regulations related to new federal requirements for Enhanced Treatment for Cryptosporidium. We support the revisions to the regulations, but have the following concerns that need to be addressed:

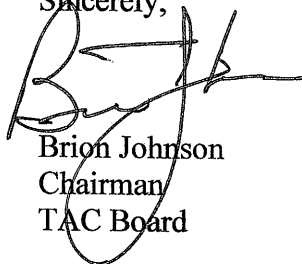
- Add clarification to title for Subchapter L to indicate these provisions apply only to surface water systems.
- We support DEP's adding the wording "influencing the well" to the federal provisions covered in Section 1202(a)(4)(iv) adding.
- We agree that DEP approval of alternative methodologies must be based on EPA research. We support the wording added by DEP to the federal provisions captured in Section 1202(a)(5).
- DEP needs to insure that monitoring schedules are consistently sent to all public water systems in a timely manner.
- The schedule for the submittal of laboratory results needs to be modified to account for the fact that samples may have to be sent to a certified laboratory that is located in another state. We also suggest promoting an initiative to increase the number of in-state labs that can do this work.
- Section 1202(p), multiple sources is very confusing. Our main concern is how emergency sources are handled. We suggest adding at the end of the sentence in this section, "will apply unless sampling under Section 1202(f) has been completed." Regarding systems with multiple sources, to avoid a situation where sufficient data is not available to establish a bin classification for a particular source, we suggest that adequate monitoring should be conducted on all sources.



- Add definition of “Bin” to the section on definitions. We understand “bin” to be synonymous with “category.”
- Add “on a case by case basis within an agreed upon timeframe” to section 1203(m)(5).
- A consistent methodology for “challenge testing or piloting” is needed, unless the proposed system/technology has already gone through extensive testing at the national level. We strongly suggest that this testing only be required if the proposed technology has not been extensively tested nationally under similar conditions.
- Incorporate the EPA tables “Microbial Toolbox Summary” and “Reporting Requirements” into an Appendix to regulations.
- Change “may consider” in section 1204(g)(2)(iii) to “will accept”. This is in reference to alternative validation requirements.
- There is a need in section 1205 to account for delays and violations caused by the certified laboratory when the public water system has collected the samples within appropriate timeframes. Sufficient time needs to be allowed for analysis and submittal of lab results. The operator or system owner should not be held accountable for conditions outside of their control.
- Eliminate provisions in section 1205(l) allowing DEP to require public water systems to report additional information.

Thank you for the opportunity to comment. If you have any questions concerning these comments, please don't hesitate to contact me at (717)-783-6798.

Sincerely,



Brion Johnson
Chairman
TAC Board