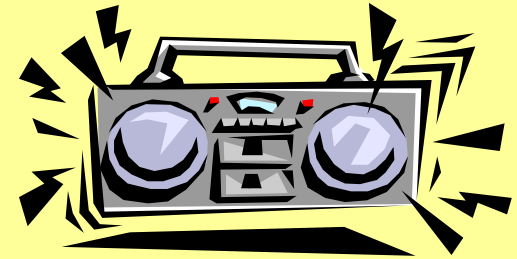
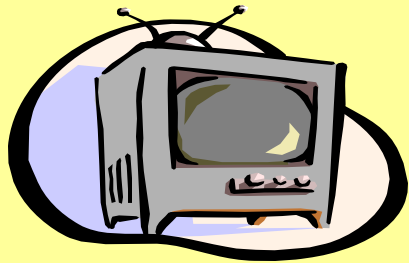


Final Rulemaking – Public Notification Revisions Chapter 109



Purpose of Revisions

- Strengthen public notice (PN) requirements for imminent threats and situations (known as Tier 1).
- Enhance existing planning requirements for both the Emergency Response Plan (ERP) and the Operation and Maintenance (O & M) Plan.
- Revise Tier 1 PN delivery requirements for community water systems.

NOTE: Revisions are more stringent than the federal PN rule.

Proposed Rulemaking

- Approved by the EQB on May 16, 2007.
- Published in the PA Bulletin on September 22, 2007.
- Included a 60-day public comment period.

Tier 1 PN Delivery Requirements

- Included a 12 month compliance period to give suppliers time to research and budget for delivery upgrades (i.e., autodialers).
- Clarified language that allows a water supplier to limit the distribution of PN if the situation is limited within the distribution system.
- Removed all references to population size and allow all community water suppliers the options of using all forms of direct delivery.

One Hour Reporting

- Expanded the definition of a chemical overfeed.
- Added a phrase to the “loss of positive pressure situations.”

Operation and Maintenance Plan

- Added a new requirement to include written procedures for repairing and replacing water mains.

Emergency Response Plan Communication Procedures and Contact Information

- Included key public officials and social service agencies within a water supplier's service area as additional contact groups.

Emergency Response Plan

- Added a new requirement to record the date of last update on the Emergency Response Plan.

Advisory Committee Review

- TAC reviewed the draft final rulemaking on June 24 and August 21, 2008.
- TAC's recommendations included the following:
 - Clarify the delivery requirements when an abbreviated notice is used.
 - Clarify when one-hour notification to DEP is triggered.
 - Clarify what is meant by a social service agency.
 - Clarify what is meant by a chemical overfeed.
- All of TAC's recommendations were incorporated.

Compliance Strategy

To implement the revisions, the Department intends to provide the following in early 2009:

- Outreach via newsletters and mailings
- Technical training
- Guidance:
 - Revised PN Handbook
 - New Guidance for Water Supply Warnings
 - New trigger levels for acute health effects
 - Revised O&M and ERP Plan templates

Summary

Final rulemaking language will improve the:

- **Tier 1 PN requirements.**
- **Planning requirements for Operation & Maintenance and Emergency Response plans.**
- **Delivery of Tier 1 public notices.**

Recommendation

- **The Department recommends that the EQB approve the final rulemaking package for the Public Notification Revisions.**