

Pennsylvania Department of Environmental Protection

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**Rachel Carson State Office Building**

**P.O. Box 8467**

**Harrisburg, PA 17105-8467**

July 15, 2008

**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 June 24, 2008 to review the Department of Environmental Protection (DEP) final revisions to Chapter 109, the Safe Drinking Water Act regulations. We understand DEP is making these revisions as part of a general update to address a number of primacy issues related to regulatory requirements for total coliform, organic compounds, arsenic, lead and copper. In addition, we understand these revisions are also intended to finalize the requirements for electronic reporting. We support the revisions to the regulations and expect DEP to move forward with submitting these regulatory revisions to the Environmental Quality Board for promulgation as final. However, we ask that DEP take the following comments and concerns into account in finalizing this regulatory language:

1. Page 4, Section 301(3)(iv)(I) and (II) – We recognize that this language is needed to achieve primacy. However, we feel this language is cumbersome and unfair to small systems. We recommend that this language be referred back to the Environmental Protection Agency for review and revision by the national Total Coliform Rule workgroup.
2. Page 27, Section 701(a)(11)(i) – Accuracy of Data – A water supplier can not be held responsible for data collection and analysis efforts completed by an environmental laboratory. Therefore, we suggest revising this section as follows:

“The water supplier is responsible for complying with the monitoring requirements including ensuring appropriate samples are collected at the right location at the right time. The environmental laboratory, or another approved third party, is responsible for the submittal and reporting of data generated at the correct time as defined in Section 109.303.”

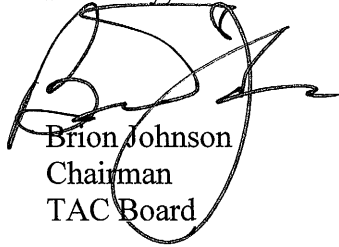
We also suggest changing the header for this section to “Reporting of Data”.

3. Page 28, Section 701(j)(6) – Insert the wording “or another approved third party” after “accredited laboratory.”

4. Page 30, Section 810 (b) – Add “action level exceedance” as another condition that would require the environmental laboratory to report the results to a water supplier within one hour of completing the sample analyses.

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

Mr. Dana Aunkst

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July 15, 2008

bcc: TAC Board Members  
Lisa Daniels  
Marylou Barton  
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