



# The Authorities

PENNSYLVANIA MUNICIPAL AUTHORITIES ASSOCIATION

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Environmental Quality Board  
P. O. Box 8477  
Harrisburg, PA 17105-8477

April 18, 2016

## Re: Comments on the Proposed Disinfection Requirements Rule Updates to Chapter 109

To the Members of the EQB:

The Pennsylvania Municipal Authorities Association (PMAA) represents over 300 municipal authorities across the Commonwealth providing drinking water to millions of Pennsylvania citizens. Based on our members' input and feedback, we submit the following comments on the proposed changes to the Disinfection Requirements Rule of the safe drinking water regulations:

1. No direct public health issue exists that the proposed rule is addressing.

The justification noted in the Preamble that waterborne disease outbreaks, specifically Legionella, are caused by water distribution system deficiencies is not valid. This is a premise plumbing problem as noted by testifier, Dr. Jennifer Clancy, Corona Environmental Consulting - *Comments on Legionella & Legionnaires Disease and Microbiological Water Quality in the Distribution System and Premise Plumbing: Legionnaires' Disease*.

In addition, because no known health risk has been clearly identified in the proposed rule, requiring water utilities to issue a Tier 2 public notification if 0.2 mg/L is not met will erode public/customer confidence in the quality of their drinking water and the trust in their water utility.
2. Cost/Benefit - No clearly defined or proven public health benefit is identified in the rule and the costs to comply are significantly underestimated.
3. The proposed rule creates potential health problems.

Disinfection-by-products (DBPs) will likely increase at some utilities by raising the minimum distribution disinfection residual to 0.2 mg/L (as noted by testifiers, Tim Bartrand and Jeff Rosen, Corona Environmental Consulting - *DBPs, HPCs and a shared goal of Optimized Distribution Systems*). These known carcinogens threaten public health. Setting the distribution disinfection residual to 0.1 mg/L will allow utilities to assess the impacts to DBPs.
4. Taste and odor complaints will likely increase if the minimum distribution disinfection residual is set at 0.2 mg/L.
5. Due to all of the reasons noted above, the minimum distribution system disinfection residual should be set at 0.1 mg/L from 0.2 mg/L in the proposed rule (also recommended by the Small Water Systems Technical Assistance Center Advisory (TAC) board).
6. In order for the proposed rule to be properly vetted throughout the regulatory process, the Comment and Response document should be provided to the Department's advisory committees (in particular, the TAC board) when a draft-final regulation is presented for their input.

On behalf of our members, we thank the Department for providing the various opportunities for water utilities to comment on the proposed rule thus far, and we look forward to future participation in this effort. Thank you for your consideration.

Sincerely,

Jennifer L. Case

Governmental Relations Liaison