



January 12, 2026

VIA E-FILING@www.ahs.dep.pa.gov/eComment

Environmental Quality Board
PO Box 8477
Harrisburg, PA 17105-8477

Re: Comments to the Proposed Rulemaking – Safe Drinking Water Revised Consumer Confidence Report Rule

TO WHOM IT MAY CONCERN:

The Pennsylvania Municipal Authorities Association (PMAA) appreciates the opportunity to provide comments to the Pennsylvania Environmental Quality Board's (EQB) proposed rulemaking entitled *Safe Drinking Water Revised Consumer Confidence Report Rule*, which was published in the Pennsylvania Bulletin on December 13, 2025. PMAA is an association that represents the interests of nearly 700 municipal authorities in Pennsylvania, which collectively provide water, sewer, stormwater, waste management and other services to over six million Pennsylvania citizens. Founded in 1941, the mission of PMAA is to assist authorities in providing services that protect and enhance the environment, promote economic vitality, and further the general welfare of the Commonwealth and its citizens. PMAA and its members, who are stewards of the environment, strive to provide the highest quality service to their customers and ratepayers. Many of PMAA's members provide drinking water services throughout the Commonwealth of Pennsylvania and may be impacted by EQB's ultimate decision on the aforementioned proposed rulemaking.

PMAA supports the overarching goals of the proposed rulemaking. We agree that Consumer Confidence Reports (CCRs) are an important public education tool and recognize the value of providing consumers with accessible information and plain language explanations about their drinking water.

We appreciate the Department of Environmental Protection's (DEP's) efforts to align Chapter 109 with updated federal Safe Drinking Water Act requirements. Because these revisions are intended to align state regulations to existing federal drinking water rules, our members generally should not face significant new compliance obligations beyond updating documentation, procedures, and reporting practices. Therefore, the comments below focus on implementation clarity and the potential for unintended consequences.

CCR preparation changes:

Authorities will need to update how they prepare and distribute their annual (or biannual) CCRs. These changes may require adjustments to reporting processes and customer outreach as well as implementation of new internal processes for data tracking, review and approval schedules, and governing body coordination.

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The proposed revisions elevate narrative CCR sections, including contaminant summaries and explanatory text, to a level of regulatory importance comparable to the contaminant table. However, the proposal does not clearly define how narrative disclosures should align with tabular data, particularly in cases where no regulatory violation has occurred. Without additional guidance, this dual-track disclosure framework risks inconsistent messaging and public confusion.

DEP should clarify the relationship between contaminant tables and narrative sections and provide standardized guidance or safe-harbor language to support consistent, accurate communication.

Biannual CCR reporting requirement:

The proposed requirement to issue CCRs on a biannual basis, rather than annually, represents a significant increase in administrative effort with limited corresponding benefit to consumers. In practice, this change would result in duplicative reporting rather than the delivery of meaningful new information.

A biannual CCR reporting schedule does not align with how drinking water monitoring is conducted. While some parameters are sampled frequently, many are sampled quarterly or less often, and results are often not finalized in time to be included in a second CCR. For parameters sampled annually, triennially, or on five-year cycles, no new data would be available at all, resulting in the same information being repeated across multiple reports. As a result, biannual CCRs would either be incomplete or duplicative and would provide little additional value to consumers.

Taken together, we do not believe the benefits of biannual CCR issuance outweigh the additional effort required by water systems or the challenges associated with data availability and timing. From a practical standpoint, the biannual requirement does not capture enough new or actionable information to meaningfully enhance consumer understanding of drinking water quality.

Given the extensive existing notification framework including Tier 1, Tier 2, and Tier 3 public notice requirements we do not believe that biannual CCR issuance is warranted. These existing mechanisms already ensure timely and appropriate communication of both acute and chronic risks, making the proposed increase in CCR frequency unnecessary and redundant.

DEP should clarify that the biannual CCR requirement may be satisfied through a supplemental or abbreviated report that updates only new or changed information, consistent with the Environmental Protection Agency's (EPA's) intent to improve timeliness without duplicative reporting.

Enhanced notification and communication expectations:

The proposed rule incorporates provisions related to lead action level exceedances and aligns CCR content with public notice requirements for such exceedances. Authorities will need to ensure that their public communication plans are current, particularly with respect to lead action level exceedances and other violations.

Tier 1 notices are typically associated with acute, short-term health risks that require immediate consumer action. By contrast, lead exposure presents a chronic health risk associated with long-term exposure and often reflects site-specific distribution system or premise plumbing conditions, rather than sudden changes in source water quality. We request clarification on how DEP intends to contextualize Tier 1 lead notices to avoid public misunderstanding and whether standardized language or templates will be provided to distinguish chronic exposure risks from acute emergencies. Without additional guidance, these changes may result in disproportionate public alarm and inconsistent messaging among systems.

We understand EPA's rationale for elevating lead notifications to Tier 1; however, without state-provided

context and standard messaging, the Tier 1 framework risks miscommunication and unintended consequences.

Tier 3 notices for reporting failures:

Under the proposed rule, failure to properly report results may trigger public notice requirements. While we support transparency, administrative or clerical reporting errors may become public disclosures that are misconstrued as water quality issues. Even when no health risk exists, the resulting optics could risk public confidence.

Expanded CCR disclosure requirements for UCMR results:

The proposed rule requires inclusion of Unregulated Contaminant Monitoring Rule (UCMR) results in CCRs. UCMR contaminants are, by definition, unregulated. They have no established MCLs, do not require treatment, and are monitored solely for data collection and future regulatory evaluation. Although UCMR monitoring is unregulated, reporting them now resembles that of regulated contaminants, which may shift public perception.

Including UCMR results in CCRs creates a risk that customers will misinterpret detections as violations or health threats. Such misunderstandings could lead to unnecessary alarm and unrealistic expectations regarding treatment obligations.

UCMR sampling occurs on a five-year cycle, meaning a single detection may be repeated across multiple reporting periods without new sampling data. UCMR detections may be taken out of context by third parties. Authorities should anticipate increased customer inquiries, media attention, and engagement from elected officials.

To support consistent messaging, DEP should provide standardized narrative language with safe-harbor options, plain-language explanations, health advisory vs. regulatory limit distinctions, and context regarding sampling frequency, data limitations, and uncertainty.

Electronic delivery:

We support allowing electronic delivery of CCRs as this flexibility could reduce mailing and distribution costs for authorities.

Once again, PMAA is appreciative of the opportunity to comment on the proposed rulemaking and looks forward to working with the Commonwealth toward a final rule that serves all Pennsylvanians. Please also note that PMAA signed the comment letter of the Water Utility Council of PA-AWWA.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jennie Shade". The signature is stylized, with a large, looping initial "J" and a long, horizontal flourish extending to the right.

Jennie Shade
Senior Director of Government Relations