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

Technical Guidance Coordinator
Department of Environmental Protection
Policy Office
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Re: DEP ID: 394-2125-004

**Public Water Supply Manual – Part II: Community Water System
Design Standards (Draft Technical Guidance)**

Dear Sir/Madam:

The Pennsylvania Municipal Authorities Association (“PMAA”) appreciates the opportunity to provide comments to DEP regarding the above-referenced Draft Technical Guidance: Public Water Supply Manual – Part II: Community Water System Design Standards (“Manual”).

By way of background, PMAA is an association that represents the interests of over 700 municipal authorities in Pennsylvania, and these PMAA member municipal authorities collectively provide water, sewer, stormwater, waste management and other services to over five 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 member municipal authorities, who are stewards of the environment, strive to provide the highest quality services to their customers and ratepayers. Many of PMAA member municipal authorities, in providing such services throughout the Commonwealth of Pennsylvania, may be impacted by DEP’s Manual.

1. **Alternate Designs and Adequacy of Water Supply**

The Manual sets forth numerous design standards for public water systems that DEP finds to be acceptable. However, the Manual also notes that other designs may be approved by DEP if the applicant demonstrates an alternate design providing “adequate and reliable quantity and quality of water to the public.” What guidance can an applicant rely upon to demonstrate to DEP that an alternate design provides adequate and reliable quantity

and quality of water? Does DEP anticipate approving exemptions to the new design standards?

2. **Application of New Design Standards to Existing Systems**

To the extent that the Manual sets forth new design standards not currently used by public water systems, DEP should clarify how it believes that such standards apply to existing systems, if at all, particularly if such systems are fully compliant with current design standards and any applicable regulatory requirements.

3. **Retroactive Application of New Design Standards**

Does DEP believe that the Manual's new design standards should be applied retroactively to existing public water systems? PMAA's position is that such standards should not be applied retroactively unless, for example, a specific regulatory requirement exists compelling such retroactive application.

4. **Operation and Maintenance Plans**

The Manual references operations and maintenance plans required of public water systems. It appears that the document relied upon by DEP is Document 383-3110-111, entitled "Public Water Supply Manual – Part V Operations and Maintenance (Sections 1 & 2). The effective date of this Manual is November 1, 1997. Are there any subsequent guidance and/or procedures that a public water system should be aware of which is or will be relied upon by DEP in evaluating operations and maintenance plans for surface water systems, and large and small groundwater systems?

5. **Clarification of "Major Modification" in Table 1.1**

Table 1.1 provides that any "addition or modification to treat for an MCL" is considered to be a major modification. This provision requires clarification, because in its current form, it would seem that **any** action taken by a public water system to treat for an MCL, whether *de minimis* or not, would be considered a major modification. Given the current status of PFAS regulations, does the Department anticipate that any initiative undertaken by a public water system to address a PFAS MCL, such as the use of GAC, would be considered a major modification?

6. **Clarification on "Substantial Work" for Construction Permits**

With respect to construction and operation permits under Section 1.0.3, it appears that a construction permit will be approved for a period of two years unless substantial work is initiated. Please provide clarity on DEP's current position as to what constitutes "substantial work," and whether the initiation of such substantial work extends the approval period of the construction permit.

7. **Comprehensive Engineer's Report (Section 1.1.3.1)**

A comprehensive engineer's report (Section 1.1.3.1) is required to be prepared when construction or modification of a water system is proposed. The report is

required to include information regarding capital improvements for future needs and services. For clarification purposes only, does this requirement pertain to any known, planned extensions in the future which have already been approved by the public water system?

8. **Impact of Existing Treatment Facilities**

The engineer's report also requires the identification of existing treatment facilities and/or municipal sewage treatment works which may affect the operation of the water supply system or which may affect the quality of the sources. It will be helpful if DEP provides additional guidance on what it means by "may affect the operation" and "may affect the quality of the sources?" Does this mean that the public water supplier has to address every treatment system upstream of its facility? What specific information does DEP believe should be provided to meet the specific report requirement?

9. **Sizing and Capacity (Table 2.1)**

In addressing sizing and capacity, the Manual (Table 2.1) notes that the minimum design capacity "shall exceed the maximum 50-year projected daily demand of the system." Given likely issues with the age of equipment and the reliability of a 50-year projection, it is respectfully submitted that 50 years is an inappropriately longer time period than what should be required here. PMAA recommends a more reasonable time frame for sizing and capacity determinations.

10. **Security and Cybersecurity Criteria (Section 2.12)**

PMAA appreciates the Manual's reference to security and cybersecurity issues (Section 2.12). Other than the sources cited in the Manual, what criteria does DEP anticipate using to review the security monitoring proposed by the public water system, or will such monitoring be left to the discretion of the public water system?

PMAA appreciates the opportunity to submit comments to DEP. If you have any questions, please contact the undersigned.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: _____

STEVEN A. HANN

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