


**STATEMENT BY INDEPENDENT LEGAL COUNSEL
FOR PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

I hereby certify, pursuant to my authority as Chief Counsel for the Pennsylvania Department of Environmental Protection (department) and in accordance with the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq., and 40 CFR 142.12 (c)(1)(iii), that in my opinion the laws and regulations of the Commonwealth of Pennsylvania to carry out the program revision set forth in the Primacy Application Package for the Long-term 2 Enhanced Surface Water Treatment Rule submitted by the Pennsylvania Department of Environmental Protection have been duly adopted and are enforceable. The specific authorities provided are contained in statutes and regulations that are lawfully adopted at the time this Statement is signed and are fully effective. The regulations described in the documentation have been duly promulgated under the authority of Section 4 of the Pennsylvania Safe Drinking Water Act, 35 P.S. § 721.4, which grants the Environmental Quality Board (EQB) the authority to adopt rules and regulations governing the provision of drinking water to the public, and Section 1920-A of The Administrative Code of 1929, as amended, 71 P.S. § 510-20, which grants the EQB the authority to adopt rules and regulations of the Department. The amendments to the department's regulations at 25 Pa. Code Chapter 109 to incorporate the Long-term 2 Enhanced Surface Water Treatment Rule became effective on December 26, 2009, the date they were published in the Pennsylvania Bulletin.



Susan Shinkman
Chief Counsel
Department of Environmental Protection
Commonwealth of Pennsylvania

DATE: 1/21/10

