Proposed RTCR Development Update and Issues for Discussion

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Overview of Presentation

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4. Definitions
5. Biofilm Variance
6. Seasonal Systems
7. Reduced and Repeat Monitoring
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Background and Progress

- AIP includes detailed recommendations for many RTCR elements
- We are currently drafting proposed rule language, preamble language, and supporting documents
- Consultations and review with HHS, SAB and NDWAC this spring
- Proposed rule by 2010

Background and Progress (cont'd.)

- Today we will discuss issues and possible inconsistencies encountered during rule development
- EPA/State workgroup will also be addressing these and other issues during proposal development
- The Agency plans to solicit public comment on the proposed rule and certain specific topics where needed

Linkages to Other Rules

- SWTR and Stage 1 DBPR - no problems identified or anticipated
  - Collection of disinfectant residual samples at same time/location as TC samples to demonstrate detectable residual and MRDL compliance, respectively
- Existing TCR - will need to determine when the requirements will no longer be effective and which requirements to keep
  - Monitoring will switch to RTCR 3 years after promulgation
  - May need to keep requirements for reporting/ recordkeeping and compliance

Linkages to Other Rules (cont.)

- GWR – Issue to be resolved
  - Repeat monitoring at the entry point to the distribution system (EPDS) (to be discussed later)
- Airline Drinking Water Rule will be finalized later this year
  - Ensure consistency in microbial monitoring requirements

MCLGs/MCLs

- MCLG
  - Remove MCLG for TC (includes FC and EC)
  - Add MCLG for EC (zero)
- MCL
  - Remove MCLs for TC and FC
  - Add MCL for EC
- Questions to consider:
  - Is there a need for any changes in Best Available Treatment (BAT) language
  - Transition at 3 years following promulgation – is there an issue with MCL enforcement?

Biofilm Variance

- TCR has a provision that stayed the TC MCL for systems that demonstrated to the State "…that the violation…is due to a persistent growth of total coliforms in the distribution system…"
- Question to be considered:
  - Is this provision still needed?
    - TC MCL is being replaced by a treatment technique that requires assessment and corrective action after trigger
  - A variance from a treatment technique may not be appropriate

Definitions

- AIP included definitions for clean compliance history, sanitary defect, seasonal system
  - Will request comment on:
    - Conditions that should or should not be included
    - Anything else?
- Other terms to define?
  - EPA/State workgroup may identify additional terms to define

Seasonal Systems

AIP recommends that seasonal systems on quarterly or annual monitoring have:

- an approved startup plan
- a monitoring plan that includes sampling during period of highest demand or highest vulnerability

- Question to be considered:
  - Type of guidance or implementation support needed?

Reduced Monitoring

Systems must meet specific objective criteria to qualify for and remain on reduced monitoring

- AIP recommends that State primacy application indicate if and how it will allow reduced monitoring

- Questions to be considered:
  - How will systems demonstrate compliance with ongoing requirements?
  - Which criteria may require guidance for states to implement (e.g., continuous disinfection, equivalent enhancements)?

Repeat Monitoring

- Systems collect 3 repeat samples after a TC+
  - GWR triggered monitoring requires sampling at the source
- AIP allows GW systems to propose repeat sampling locations that differentiate potential source water and DS contamination (by sampling at EPDS)
- Questions to be considered:
  - Is there a difference between the sample taken under this allowance and triggered GWR monitoring for systems with < 4-log virus treatment?
  - What does EPDS monitoring by systems with 4-log virus treatment inform?

Triggers and Assessments

- Questions on Assessment Triggers
  - When does the clock start for the assessment? Assume it is as soon as the utilities receive notice of the trigger.
- Questions on Assessments
  - How will assessment elements be developed?
    - Basic in EPA guidance but specific to State and system-type?
  - How will states review and determine adequacy? What should be included in the primacy application?

Sanitary Surveys

- States shall perform a special RTCR monitoring evaluation during each sanitary survey to determine whether the system is on an appropriate monitoring schedule
  - What will States look at beyond the objective AIP criteria for reduced or increased monitoring?
  - Will the sanitary survey guidance manual need to be modified, or other guidance prepared?

Transition

- AIP calls for systems to continue with same monitoring frequency that was used for TCR
- States will review the system monitoring frequency at the first sanitary survey conducted after the RTCR compliance effective date
- Questions to be considered:
  - Any issues?
  - Any specific issues for comment solicitation?

Questions on Other Issues

- Consecutive systems
  - Are there issues that need to be addressed in the RTCR?
- Monitoring plans
  - AIP suggests a primacy requirement to describe how they will review them to determine adequacy
  - How will states evaluate system SOP for determining alternate repeat sampling sites?
  - Is guidance necessary?

To Be Addressed Later Today

- Public notification and CCR language
- Analytical methods

Summary of Questions

1. Transition at 3 years following promulgation – is there an issue with MCL enforcement?
2. How should repeat monitoring at the entry point to the distribution system be handled?
   - What is the difference between this sample and triggered GWR monitoring for systems with < 4-log virus treatment?
   - What does EPDS monitoring by systems with 4-log virus treatment inform?
3. Is there a need for any changes in Best Available Treatment (BAT) language
4. Is the biofilm variance still needed?

Summary of Questions (2)

5. When does the clock start for the assessment?
6. How will assessment elements be developed?
7. How will states review and determine the adequacy of the assessments?
8. What will States look at during the sanitary survey monitoring evaluation beyond the objective AIP criteria for reduced or increased monitoring?

Summary of Questions (3)

9. Will the sanitary survey guidance manual need to be modified, or other guidance prepared?
10. Are there additional transition issues other than those presented today?
11. Are there consecutive system issues that need to be addressed in the RTCR?
12. How will states evaluate system SOPs for determining alternate repeat sampling sites? Is guidance necessary?