

# National Drinking Water Advisory Council

## Proposed Guidance For 6-Year Review Of NPDWRs

### Background

#### SDWA Requirements

The Safe Drinking Water Act (SDWA), as amended in 1996, requires the United States Environmental Protection Agency (EPA) to publish a list of contaminants and make decisions on those contaminants that will require regulatory action; in addition, the EPA must periodically review existing National Primary Drinking Water Regulations (NPDWRs) and, if appropriate, revise them. This recommendation is in reference to the latter requirement, known as the Agency's Six-Year Review of National Primary Drinking Water Regulations. Section 1412(b)(9) of the SDWA, states, "The Administrator shall, not less often than every 6 years, review and revise, as appropriate, each national primary drinking water regulation promulgated under this title. Any revision of a national primary drinking water regulation shall be promulgated in accordance with this section, except that each revision shall maintain, or provide for greater, protection of the health of persons." NDWAC recognizes and endorses the principal of 6-year reviews and the principal of providing equal or greater health protection in the revision of EPA's regulations.

#### Task of the Working Group

The Working Group on CCL and 6-Year Review was formed to make recommendations to the National Drinking Water Advisory Council regarding specific provisions of the SDWA addressing regulatory determinations from the CCL and the review and revision of existing regulations. The first task of the Working Group was to provide recommendations on a protocol for making regulatory determinations from current and future CCLs. The recommendations of the Working Group on a protocol for making regulatory determinations were provided to NDWAC in June 2000.

The second task of the Working Group was to produce a guidance document describing the process and strategy for reviewing existing NPDWRs. The attached "Recommended Guidance for Review of Existing National Primary Drinking Water Regulations" encompasses the recommendations of this Working Group. It provides the guidelines and tools needed to conduct standardized, systematic review of NPDWRs during this and subsequent six-year cycles.

#### Outcome

The Working Group has developed a guidance for review of existing NPDWRs. SDWA Section 1412(b)(9) served as the basis for the guidance development. Following are key recommendations in this regard.

Under the defined scope of review, EPA should:

- During the first six-year cycle, revisit data on which previous regulatory decisions were made, effectively identifying data gaps that need to be filled;
- In future six-year review cycles, assume that existing regulations are adequate, except where more current, reliable data are available;
- For the second and subsequent review cycles, group regulated contaminants for review, in order to achieve some efficiencies in the review process;
- Rely on data available to the Agency in a timeframe that allows the Agency sufficient time for the review process;

- Identify areas where significant data gaps exist and initiate activities to fill those gaps for subsequent review rounds; and
- Require sound, scientific methods to carry out a review leading to a revision.

In addition, EPA plans to apply the basic principles of risk management in order to make the most protective and cost-effective decisions possible.

The WG made additional recommendations within the subject Guidance.

### **Recommendation**

It is recommended that the guidance and recommendations developed by the Working Group on CCL and 6-Year Review be used by EPA for conducting reviews of existing NPDWRs.

### **Attachments:**

1. Recommended Guidance for Review of Existing National Primary Drinking Water Regulations, National Drinking Water Advisory Council, November, 2000.