

**Documentation of Review of the
West Virginia Department of Health and Human Resources
Final Revised Total Coliform Regulations for
Public Notice and Consumer Confidence Report Rules only
December 7, 2015**

The West Virginia Department of Health and Human Resources adopted the Revised Total Coliform Regulations (RTCR) effective April 1, 2015. (See §64-3-10 Adoption of Federal Regulations). The Federal changes to the RTCR include provisions related to public notification (PN) and consumer confidence reports (CCR). This review was conducted of the final rule and portions of the primacy package submitted to EPA Region III on September 30, 2015.

Due to the adoption by reference of the PN and CCR rules when promulgated by EPA, the West Virginia regulations are automatically revised and updated with the adoption of the RTCR. Therefore, there is no need for the April 1, 2015 regulations to specifically mention these revisions. The Crosswalk submitted with the primacy package refers to the adoption by reference and does not identify any provisions which are different than the Federal Rules.

West Virginia's rules remain consistent with and no less stringent than the Federal rules.

Prepared by Patti Kay Wisniewski, CCR and PN Rule Lead, Drinking Water Branch, US EPA Region III

**Documentation of Review of the
West Virginia Department of Health and Human Resources
Final Revised Total Coliform Regulations
January 12, 2016**

Background:

The West Virginia Department of Health and Human Resources (WVDHHR) adopted the Revised Total Coliform Rule (RTCR) effective April 1, 2015. A final primacy package was submitted to EPA Region III on September 30, 2015.

West Virginia's final primacy package for the RTCR was declared complete and final on December 7, 2015.

Provisions related to West Virginia's public notification (PN) and consumer confidence reports (CCR) were reviewed by Patti Kay Wisniewski. The Office of Regional Counsel reviewed West Virginia's final primacy package submission.

Findings:

1. This review covers the Revised Total Coliform Rule.
2. WVDHHR is adopting the majority of the Federal regulation by reference.
3. WVDHHR is not adopting regulations for any reduced monitoring provisions.
4. Level 1 assessments will be conducted by a certified operator employed by the Public Water System.
5. Level 2 assessments will be conducted by WVDHHR staff.

West Virginia's rule is consistent with and no less stringent than the Federal rule.

Review conducted by Kelly Moran, RTCR Rule Lead, Drinking Water Branch, US EPA Region III