



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

**FEB 28 2013**

OFFICE OF WATER

William L. Kovacs  
Senior Vice President, Environment, Technology & Regulatory Affairs  
U.S. Chamber of Commerce  
1615 H Street, NW  
Washington, DC 20062

Dear Mr. Kovacs:

This is the response to your September 18, 2012, Information Quality Guidelines (IQG) Request for Correction (RFC 12004)<sup>1</sup>. In this letter, you requested correction of information developed and relied upon by the Environmental Protection Agency to support its determination to regulate perchlorate under the Safe Drinking Water Act (SDWA) and that the EPA withdraws the regulatory determination. The EPA's determination to regulate perchlorate is an interim step in the process that leads towards a final drinking water standard. Because the regulatory determination is not the end of a decision process and because the issues you raised with regard to the occurrence data also are integral to the development of the proposed drinking water standard for perchlorate, the EPA has chosen to use a parallel process to address several of the data issues that you have raised<sup>2</sup>. Specifically, the EPA will further evaluate available information on the occurrence of perchlorate in public water systems, including data provided in your RFC, to inform the Agency's Health Risk Reduction and Cost Analysis (HRRCA) for the proposed rule. We will reassess the first Unregulated Contaminant Monitoring Rule (UCMR1) data and more recent perchlorate occurrence studies (such as those from California Department of Public Health to which you refer) as part of this analysis. In that context, the EPA will carefully consider your comments and will provide an explanation of how we addressed these issues as a part of the proposed rule. The EPA will make this evaluation of the occurrence of perchlorate in public water systems available for review and comment at the time we propose the National Primary Drinking Water Regulation for perchlorate. You will have an opportunity to review and comment upon the EPA's updated analysis at that time.

The EPA is, however, responding to one aspect of the RFC here. Specifically, your letter suggests that source water monitoring data under the UCMR 1 do not comply with data quality guidelines because they were not collected by accepted methods. UCMR1 allows alternative source water sampling points if the State uses source water monitoring as a more stringent monitoring requirement (64 FR 50570). Notwithstanding the fact that some public water systems with source-water positives did not also collect samples at the entry point to the distribution system, as provided for in UCMR1, the EPA believes that

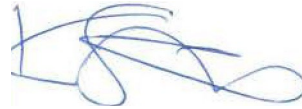
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<sup>1</sup> RFC 12004, September 2012 <<http://epa.gov/quality/informationguidelines/documents/12004.pdf>>

<sup>2</sup> *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (October 2002); Section 8.5 (page 32) <[http://epa.gov/quality/informationguidelines/documents/EPA\\_InfoQualityGuidelines.pdf](http://epa.gov/quality/informationguidelines/documents/EPA_InfoQualityGuidelines.pdf)>

the source water results serve as an indicator of likely perchlorate occurrence in drinking water. Furthermore, the OMB's Government Wide Information Quality Guidelines emphasize that the quality of information should be commensurate with the use to which the information will be put<sup>3</sup>. The EPA continues to conclude that the data were appropriate for use in the context of the regulatory determination for perchlorate. If you are not satisfied with this response relating to the appropriateness of the quality of the UCMR I data addressed in the prior paragraph, you may submit a Request for Reconsideration (RFR). The EPA requests that any such RFR be submitted within 90 days of the date of the EPA's response. If you choose to submit an RFR, please send a written request to the EPA Information Quality Guidelines Processing Staff via mail (Information Quality Guidelines Processing Staff, Mail Code 281 IR, U.S. EPA, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460); electronic mail, [quality@epa.gov](mailto:quality@epa.gov); or fax, (202) 565-2441. Additional information about how to submit a RFR can be found on the EPA IQG website ([www.epa.gov/quality/informationguidelines](http://www.epa.gov/quality/informationguidelines)).

Sincerely,



**Cyner**

Acting Assistant Administrator

cc: Malcolm D. Jackson, Assistant Administrator and Chief Information Officer,  
Office of Environmental Information

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<sup>3</sup> *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (October 2002); Section 1 (page 3) <  
[http://epa.gov/quality/informationguidelines/documents/EPA\\_InfoQualityGuidelines.pdf](http://epa.gov/quality/informationguidelines/documents/EPA_InfoQualityGuidelines.pdf)>