

EPA Regulatory Update

Nevada Rural Water Association Annual Conference

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Topics

- EPA Funding
- Technical Assistance Grants
- EPA Region 9 Re-Org
- Enforcement Targeting Tool
- Regulatory Update
 - Reduction of Lead in Drinking Water Act
 - Unregulated Contaminant Monitoring Rule 3
 - Revised Total Coliform Rule



President's FY15 Budget

FY 2015

**EPA Budget in
Brief**

- A request only; must still go through Congress.
- Total budget request of \$7.89 billion
 - = \$309.9M less than FY14 budget
- \$757 million for DWSRF
 - = \$150M less than FY14
- But...



President's FY15 Budget (cont.)

- \$109.7M for PWSS grants
 - “...includes an additional \$7.7M to augment state and tribal efforts in meeting existing drinking water regulations and to prepare for implementation of new regulations, including the Revised Total Coliform Rule.”



EPA Technical Assistance Grants

EPA Training & Technical Assistance Grants to Assist Small Systems and Private Well Owners

- Total of \$12.7 million competitive award
- Recipients of awards:
 - National RWA (\$4.5M) & Rural Community Assistance Partnership (RCAP) (\$4.5M): small public water systems TA
 - University of North Carolina at Chapel Hill (\$2M): financial / managerial capacity of small public water systems
 - National RWA (\$1.4M): wastewater systems
 - RCAP (\$300K): private drinking water wells



EPA Region 9 New Enforcement Division

- On February 11, 2013, RA Jared Blumenfeld and Enforcement Division Director Kathleen Johnson welcomed staff and managers into the new division.



Enforcement Targeting Tool

- More of this information will be posted on the public website ECHO.
- The existing version
 - Cross-media – very limited functions for SDWA information.
 - Indicates whether facility has “significant violations” (on priority list)

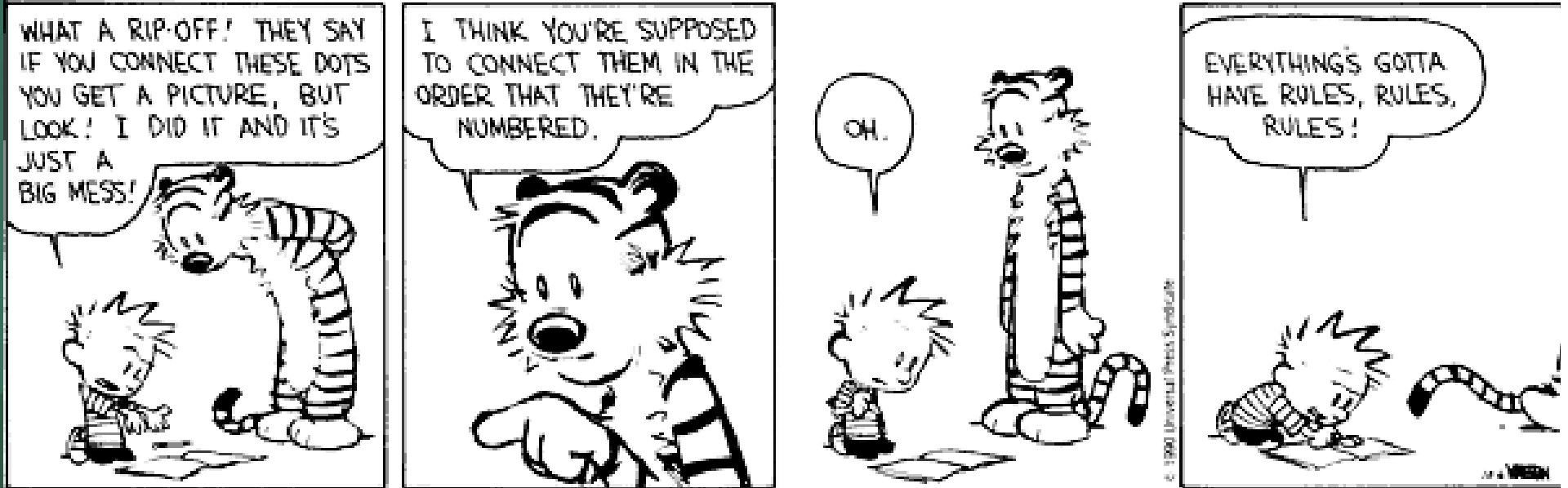


Enforcement Targeting Tool (cont.)

- The new version (cont.)
 - For each PWS, the violation points:
 - Accrued
 - Addressed
 - Returned to compliance
 - Remaining uncorrected
 - Will not include the ETT scores themselves



Regulatory Update



Reduction of Lead in Drinking Water Act of 2011

- Main objectives
 - Lowers maximum lead content in plumbing products from 8.0% to 0.25%
 - Establishes a statutory method for the calculation of lead content
- Exemptions
 - Plumbing materials used exclusively for non-potable services
 - Fill and shower valves, service saddles or water distribution main gate valves that are 2 inches in diameter or larger
- Effective Date: January 4, 2014

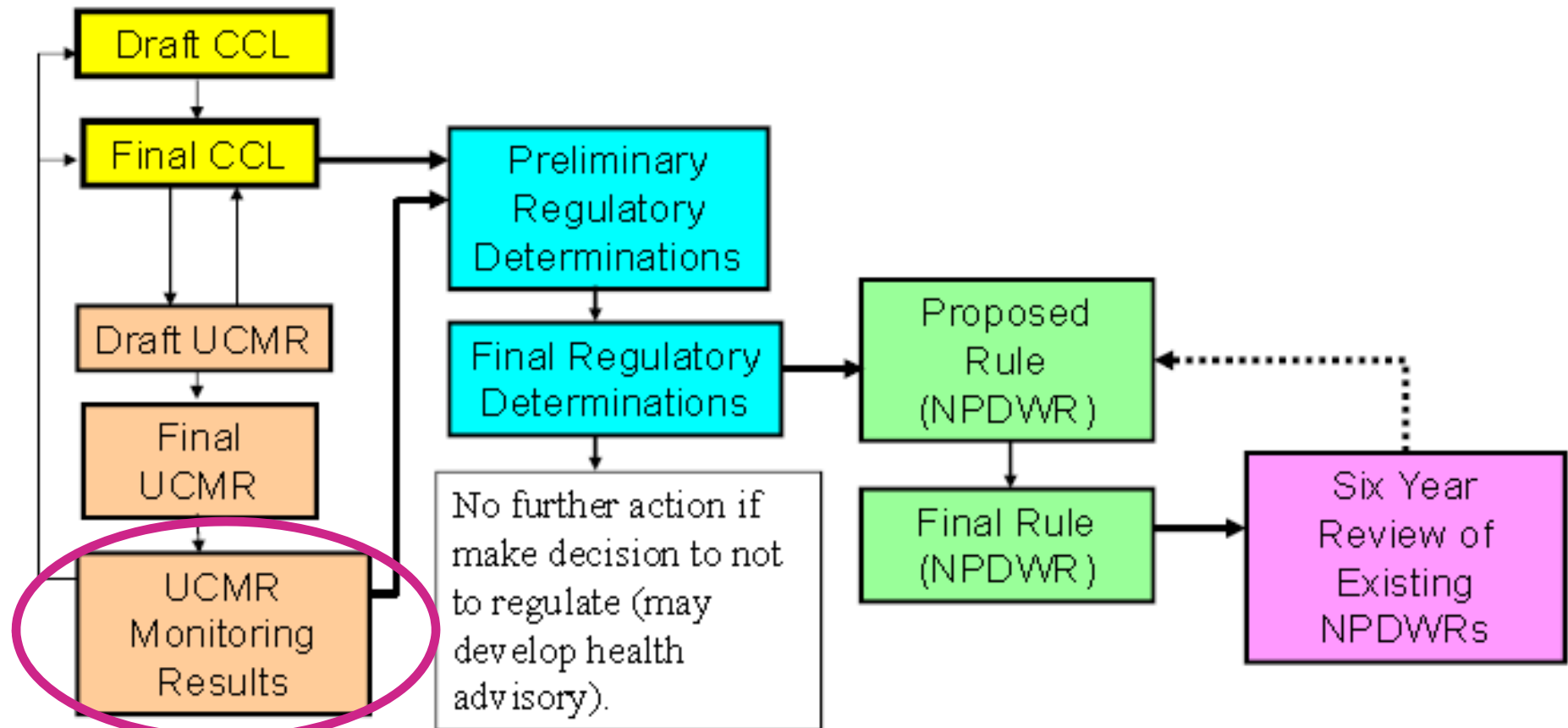


Unregulated Contaminant Monitoring Rule 3 (UCMR3)

- Monitoring Cycle: 2013-2015
- 28 chemicals and 2 pathogens
- List includes:
 - Hormones, perfluorinated compounds, VOCs, metals, 1,4-dioxane, chlorate, hexavalent chromium, and pathogens



EPA Regulatory Process



At each stage, need increased specificity and confidence in the type of supporting data used (e.g. health and occurrence).

UCMR3 (cont.)

- First results released recently
- Many detections for strontium, chlorate, vanadium, chromium/Cr6, molybdenum (42-98% detects)
- Perfluoro compounds; hormones; VOCs (including 1,2,3 TCP); pesticides rarely or not detected



Excerpts from UCMR3 Data Posted on the EPA Website

Contaminant	MRL (µg/L)	Ref Conc (µg/L)	Ref Conc based on a Cancer Endpoint (Y/N)	EPA Reference(s)
1,2,3-trichloropropane	0.03	0.0004-0.04	Y	2013 Edition of the Health Advisories Table

Contaminant	MRL	Ref Conc	Total no. of results	No. of results > MRL	No. of results > Ref Conc
1,2,3-trichloropropane	0.03	0.0004 / 0.042	3958	44	44 / 362

Revised Total Coliform Rule (RTCR)

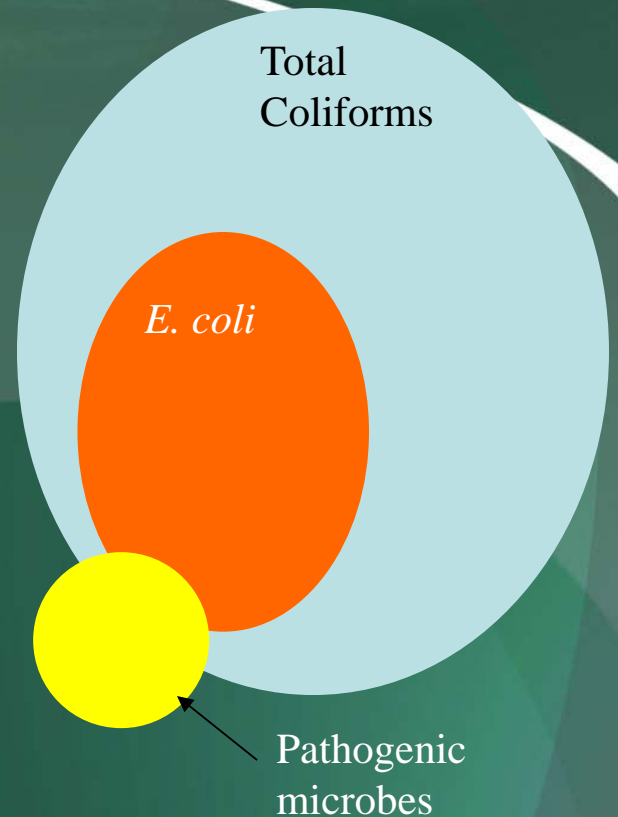
- Compliance date: April 1, 2016
- Background information
 - Result of initial “6-Year Review” of DW regs required under 1996 SDWA Amendments
 - Federal Advisory Committee (FAC) established
 - Most of FAC’s recommendations followed



RTCR (cont.)

Some Key TCR Revisions:

- Use *E. coli* for acute fecal MCL determination
 - Eliminate the use of “fecal coliform bacteria” test
- Make detection of “total coliform bacteria” a trigger, not MCL violation
 - Corrective action / treatment technique required
 - No public notice for TC positives
- Change the monitoring frequencies and criteria for different systems and sources





Revised Total Coliform Rule: A Quick Reference Guide



Overview of the Rule

Title*	Revised Total Coliform Rule (RTCR) 78 FR 10269, February 13, 2013, Vol. 78, No. 30
Purpose	Increase public health protection through the reduction of potential pathways of entry for fecal contamination into distribution systems.
General Description	The RTCR establishes a maximum contaminant level (MCL) for <i>E. coli</i> and uses <i>E. coli</i> and total coliforms to initiate a "find and fix" approach to address fecal contamination that could enter into the distribution system. It requires public water systems (PWSs) to perform assessments to identify sanitary defects and subsequently take action to correct them.
Utilities Covered	The RTCR applies to all PWSs.

* This document provides a summary of federal drinking water requirements; to ensure full compliance, please consult the federal regulations at 40 CFR 141 and any approved state requirements.

Public Health Benefits

Implementation of the RTCR will result in:

- ▶ A decrease in the pathways by which fecal contamination can enter the drinking water distribution system.
- ▶ Reduction in fecal contamination should reduce the potential risk from all waterborne pathogens including bacteria, viruses, parasitic protozoa, and their associated illnesses.

Critical Deadlines and Requirements

For Public Water Systems

<u>Before</u> April 1, 2016	<ul style="list-style-type: none"> ▶ PWSs must develop a written sample siting plan that identifies the system's sample collection schedule and all sample sites, including sites for routine and repeat monitoring. ▶ PWSs monitoring quarterly or annually must also identify additional routine monitoring sites in their sample siting plans. ▶ Sample siting plans are subject to state review and revision.
<u>Beginning</u> April 1, 2016	PWSs must comply with the RTCR requirements unless the state selects an earlier implementation date.

For State Drinking Water Agencies

By	State submits final primary program revision package to the EPA Region, including:
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RTCR – What if You Get a TC+?

- Level 1 Assessment triggered by
 - >5% TC positive for 40+ samples / month
 - 2+ TC positive for <40 samples / month
 - Failure to take all repeats as required
- Level 1 Assessment components
 - Self-assessment
 - Report to primacy agency within 30 days
 - Should identify sanitary defects (if any), corrective actions and timetable



RTCR – What if You Find Worse?

- Level 2 Assessment triggered by
 - *E.coli* MCL violation
 - *E.coli* monitoring violation
 - Second Level 1 trigger within 12 months
- Level 2 Assessment more extensive
 - State or 3rd party assessment
 - Report to primacy agency within 30 days
 - Should identify sanitary defects (if any), corrective actions and timetable



Some Key Differences Between TCR and RTCR

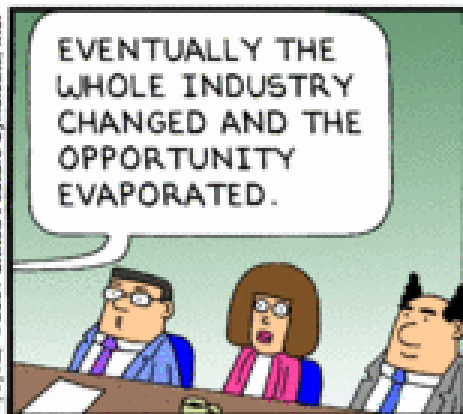
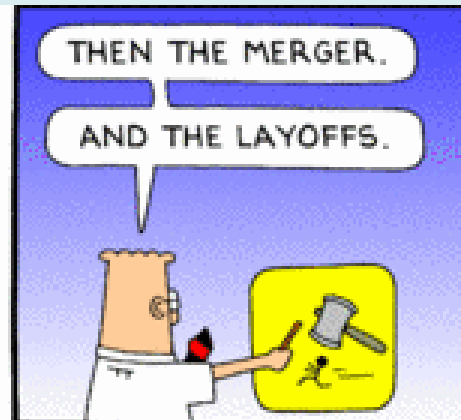
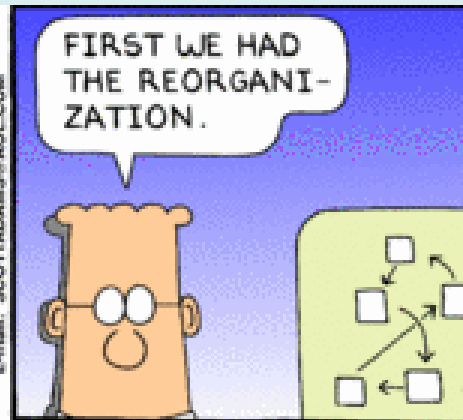
- All systems - 3 repeat samples for every TC+ routine sample
- All systems - develop a written sample siting plan by March 31, 2016.
 - Routine, repeat, and GWR (if applicable) sampling sites must be reflected in the plan.



RTCR Key Differences – Seasonal Systems

- All seasonal PWSs must demonstrate (certify) completion of a State-approved start up procedure
- Baseline monitoring is monthly. (Monitoring can be reduced.)
- **State may exempt seasonal system from some requirements if the entire distribution system remains pressurized** during entire period that system is not operating





Questions?

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