

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6132-7]

Review of Monitoring Requirements for Chemical Contaminants in Drinking Water

AGENCY: Environmental Protection Agency.

ACTION: Notice of review of monitoring requirements.

SUMMARY: Under the Safe Drinking Water Act (SDWA), as amended in 1996, the Environmental Protection Agency (EPA) is, by August 6, 1998, and after consultation with public health experts, representatives of the general public, and officials of State and local governments, to review the monitoring requirements for not fewer than twelve contaminants, and promulgate any necessary modifications. EPA has, with the assistance of a number of States and in consultation with the public and others, conducted an extensive review of monitoring requirements for 64 contaminants as part of its chemical monitoring revisions (CMR) effort. EPA published an Advance Notice of Proposed Rulemaking (ANPRM) (62 FR 36100, July 3, 1997) that described a number of possible changes to the current monitoring requirements for these chemicals and solicited public input. The Agency received considerable new data in response, and, on initial review, these data do not appear to simply confirm and provide additional support for the revisions discussed in the ANPRM. EPA is completing its analysis of these new data, and at this time has not identified any necessary revisions to the monitoring requirements for twelve of the chemical contaminants. Before publishing this document the Agency consulted with numerous stakeholders representing state public health and environmental departments, drinking water utilities, environmental organizations, and public health service representatives.

FOR FURTHER INFORMATION CONTACT: For information on the activities related to this document, contact: Ed Thomas, U.S. EPA at (202) 260-0910 or E-mail to thomas.edwin@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA first regulated chemicals in drinking water in 1975 by establishing maximum contaminant levels and sampling requirements for fifteen contaminants. Thereafter, EPA revised the standards for these chemicals and established new standards for other chemicals in a series of drinking water regulations in 1987,

1991 and 1992. In the course of developing these regulations, EPA established a Standard Monitoring Framework that was intended to provide a uniform structure for monitoring requirements for current and subsequent drinking water regulations; the Framework is currently in effect. Because of concerns expressed that the Framework was too prescriptive in some areas and too complex, EPA and a number of States began to discuss ways to reduce unnecessary monitoring requirements and to use chemical monitoring resources more efficiently. This activity was referred to as Chemical Monitoring Reform. During this effort, EPA also sought input from outside organizations through public forums. EPA gathered one of the largest collections of sampling data then available, representing thousands of public water systems. In addition, several States volunteered compilations of their sampling results for organic chemicals. While recognizing the shortcomings of these data (which include the fact that they may not be representative of the nation), EPA believed that the data indicated that relatively few systems are contaminated and therefore revisions to the Standard Monitoring Framework should be considered.

CMR was based on six concepts: (1) some systems are not sampling at the appropriate time of year or with sufficient frequency to detect significant levels of contamination; (2) the percentage of systems that are contaminated is very low; (3) public resources should be focused more on the systems that are contaminated or at risk of contamination; (4) because of their first hand knowledge, States are best able to determine which systems are at risk of contamination and when sampling is most likely to detect contamination; (5) source water protection measures should be expanded; and (6) current monitoring requirements should be streamlined. Thus under the CMR approach, monitoring requirements would be consolidated, "at risk" systems would be targeted for increased sampling, and sampling would occur when systems were most vulnerable to contamination. The objective was to both strengthen public health protection and reduce unnecessary monitoring.

While EPA was developing the CMR approach, Congress enacted the 1996 amendments to the SDWA. These amendments reflected a number of the issues being addressed in the CMR, and in particular, source water protection. The amendments authorized States with a Source Water Assessment Program

approved by EPA to tailor monitoring requirements for public water systems that had completed their source water assessment under the State program. Prior to these amendments, the CMR was envisioned as a free standing initiative for monitoring revision and burden reduction. In response to the statutory changes, EPA proceeded with separate but related activities: Development of Alternative Monitoring Guidelines associated with source water protection (which were published on August 5, 1997) and the CMR.

In July 1997, EPA provided public notice of its plan to propose a revision of the monitoring requirements based on the CMR. In the ANPRM, EPA described in detail the sampling data it had gathered as well as data from a number of States and other sources, and the possible changes to the current requirements. The Agency sought public comment on the CMR approach and, recognizing that the data used to develop the new approach for monitoring were limited in scope, solicited additional sampling data.

In response to the ANPRM, commenters identified 17 potential data sources. EPA has completed an initial review of these data sets and presented a summary of that review at a stakeholders meeting on April 6, 1998 in Washington, D.C. On the basis of its initial review and consultation with stakeholders representing state drinking water departments, health advisory departments, water utilities, environmental organizations, and public health representatives, EPA is not able to say that the new data are simply supplementary data that support and confirm the possible changes to the monitoring requirements set forth in the ANPRM. For that reason, EPA believes it is inappropriate to proceed with the ANPRM until it has completed its analysis of the new data. Stakeholders at the April 6 meeting agreed with this approach.

Thus, EPA has completed an extensive review of the current monitoring requirements for 64 chemical contaminants in drinking water which covers the 12 contaminants referred to in section 1445(a)(1)(D). At this time, EPA has not identified any necessary modifications to those monitoring requirements for twelve contaminants.

J. Charles Fox,

Acting Assistant Administrator, Office of Water.

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