

Safe Drinking Water Act , CCL and Perchlorate



Technical Support Project Meeting

June 4, 2002

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Contaminant Identification and Selection Under the SDWA

z 1974 Safe Drinking Water Act (SDWA)

à But few contaminants regulated

z 1986 Amendments to the SDWA

à EPA to regulate 83 contaminants by 1989;

à Regulate 25 contaminants every 3 years.

z Congress, EPA, Stakeholders had concerns regarding the 1986 law:

à Statutory deadlines; water systems encountered difficulty in timely compliance, financial capacity;

à Requirement to regulate 25 contaminants every 3 years without regard for real health risk reduction

Contaminant Identification and Selection Under the SDWA

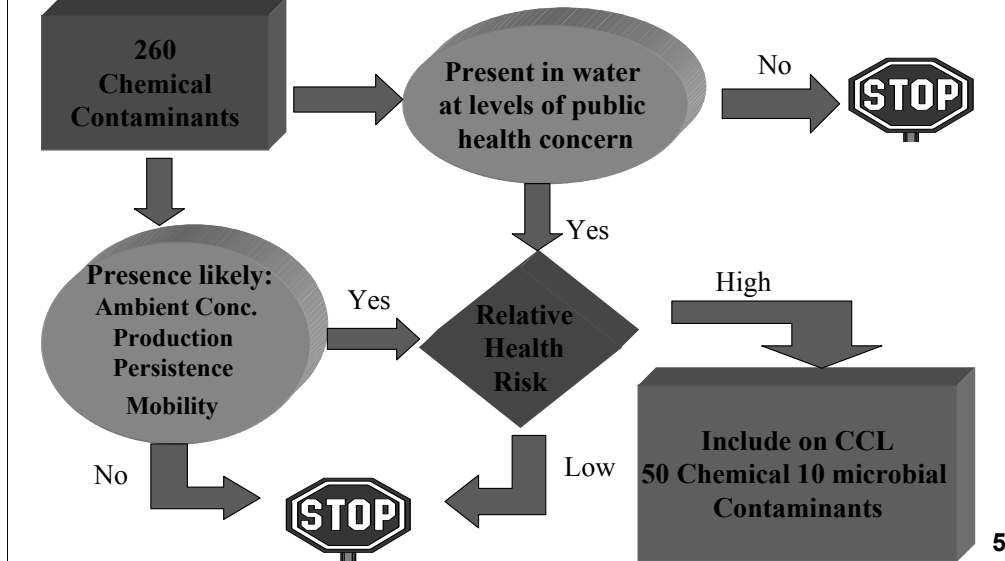
z 1996 Amendments to the SDWA

- à Required EPA to publish a list of contaminants “known or anticipated to occur in public drinking water systems and which may require regulation” : Contaminant Candidate List (CCL)
- à Within 18 months of SDWA (2/98) and every 5 years
- à Broad consultation with stakeholders, National Drinking Water Advisory Council (NDWAC), and Science Advisory Board and public comment

Process of CCL Development: Listing Best Candidates

- z From various data bases, EPA pared down list of likely candidate contaminants to 260**
- z Further evaluated risk to public health, by exposure and health effect and quality of data**
- z Selected best candidates: 60**

CCL Chemical Screening Criteria



Listing: Contaminant Candidate Selection under SDWA

- z **Draft contaminant candidate list (CCL)
Published on Oct. 6, 1997**
 - à Solicited comment on approach, contaminants, data needs categories, inclusion of perchlorate
 - à Public comment indicated overall support for list, *inclusion of perchlorate to the final CCL*
 - à Proposed changes reviewed by NDWAC and its work group on contaminant selection
- z **Final CCL published on March 2, 1998**
 - à Contains 50 chemicals and 10 microbiologicals

Contaminant Candidate List (CCL)

z Functions of the CCL:

à Source for determinations to regulate or not for at least 5 contaminants within 3 1/2 years after listing (originally due August 2001)

à **Is not the list of chemicals to regulate, but a starting point.**

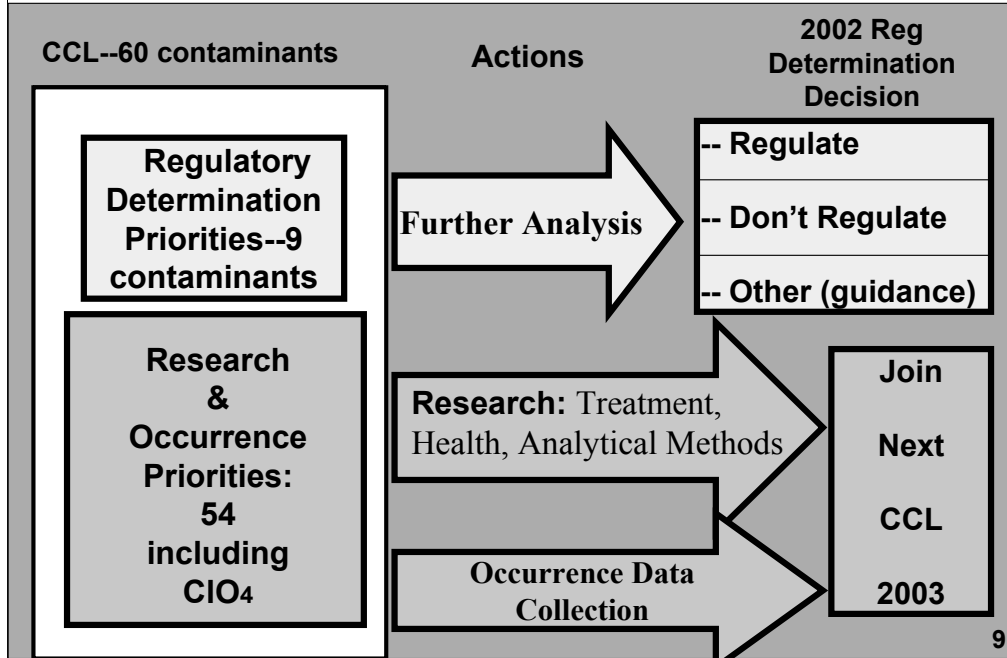
à Focus and prioritize research agenda for contaminants with data gaps. Dismiss or issue guidance for contaminants which do not require regulation

à Be the source for selection of contaminants for unregulated contaminant monitoring regulation (UCMR) finalized in 1999

Post Listing: Regulation Determination

- z Determination to Regulate contaminant based on S 1412(b)(1)**
 - à May have adverse health effect
 - à Substantial likelihood of occurrence at frequency and level of public health concern
 - à Regulation represents a meaningful opportunity for health risk reduction in public water systems

CCL and Next Steps



SDWA Criteria for Determination to Regulate



Where do we get the data?

Occurrence

*UCMR--2,800 large
800 small*

*CA/other state
monitoring*

*AWWSC Study
400 wells 16 states*

Superfund Sites

DOD study

*AWWARF targeted;
non-targeted*

Health Effects

*NCEA
Risk
Characterization*

*Other Human,
Animal, and
Epidemiological
Studies*

Analytical Methods

CA DHS

*Analytical
Industry*

*IPSC
Collaborative
Work*

Treatment Technologies

*Superfund Pilot
and Full Scale*

Air Force

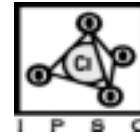
*Academic,
Industry
Research*

*EPA/ E. Valley
Water District/
AWWARF
research*

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Office of Water Perspectives on Perchlorate

- z Receives individual attention w/o specific statutory requirements in SDWA.**
- z Research and occurrence a priority for the OGWDW.**
- z EPA is very engaged in the 24 member IPSC**
 - ⇒ Interagency Perchlorate Steering Committee.**
 - Ensures exchange of information to support decision making**



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2nd Bullett: note we are in process of developing short and longer term research plans on health, treatment, and analytical methods

Regulatory and Policy Agenda for Perchlorate

- z Research continues; Determination to Regulation/not regulate is not made for this cycle of the CCL

- z Perchlorate is included in the final Unregulated Contaminant Monitoring list and occurrence data are coming in from other sources as well

- z EPA may issue *Health Advisory* as a guidance in the interim, before occurrence, treatment, analytical method, cost are available and a determination to regulate can be made.

EPA Health Advisory Program

- z Not federally enforceable.
- z Technical guidance to assist State, Tribal, and local officials responsible for protection of public health.
- z Subject to change as new information becomes available.

EPA Health Advisory Program

z SDWA General Authority:

à “The Administrator may publish health advisories (HA), which are not regulations, or take other appropriate actions for contaminants not subject to any national primary drinking water regulation.”

z Health Advisories

à Represent an estimate of acceptable drinking water levels for chemical substances based on health effects information. It is not an enforceable standard but a technical guidance to Federal State and local officials.

EPA Health Advisory Program

z **One-day HA:**

à The concentration of a chemical in drinking water that is not expected to cause any adverse noncarcinogenic effects for up to one day of exposure

z **Ten-day HA:**

à The concentration of a chemical in drinking water that is not expected to cause any adverse noncarcinogenic effects for up to ten days of exposure

z **Lifetime HA:**

à The concentration of a chemical in drinking water that is not expected to cause any adverse noncarcinogenic effects for a lifetime of exposure

Next Steps

n **Near Term:**

- à Peer review report will be issued by this Fall
- à IRIS (Integrated Risk Information System) will meet to develop RfD by winter/spring
- à Possibly develop a Health Advisory

n **Longer Term (1 to 2 years):**

- à As data gaps filled, perchlorate moves to the regulatory determination priority category. EPA may make "off-cycle" regulatory determination when data become available -- rather than wait until next CCL regulatory determination in 2006

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