

# REGULATORY UPDATE

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## SAFE DRINKING WATER ACT FINAL M/DBP REGULATIONS PUBLISHED

The final Stage 2 DBP Rule and Long-term (2) Enhanced Surface Water Treatment Rule were published in January 2006. Publication of the final rules sets into motion schedules for developing monitoring plans, conducting one-year of intensive monitoring for DBPs under the Initial Distribution System Evaluation (IDSE) requirements and conducting two-years of source water monitoring for *Cryptosporidium*.

USEPA has or will be publishing numerous guidance manuals to support the implementation of these two new regulations. Copies of the guidance manuals are (or will be) available at the following websites:

### STAGE 2 DBP RULE

<http://www.epa.gov/safewater/disinfection/stage2/compliance.html>

### LONG-TERM (2) ESWTR

<http://www.epa.gov/safewater/disinfection/lt2/compliance.html>

## LEAD AND COPPER RULE (LCR)

On March 10, 2006, the National Drinking Water Advisory Council (NDWAC) held a conference call to discuss public education issues under the LCR. The NDWAC submitted recommendations to USEPA that addressed:

- Consumer Confidence Report text when a utility detects lead during compliance monitoring;
- modifications to public notification materials and allowing flexibility in the language; and
- flexibility in methods of delivering public education materials.

USEPA intends to include the NDWAC recommendations together with other LCR changes in a proposal expected this spring.

## GAO RELEASES REPORT ON LCR IMPLEMENTATION

The Government Accountability Office (GAO) released a

report in January 2006 urging USEPA to make improvements to the LCR and to address the problems of lead in drinking water at schools and child care facilities. The report, *EPA Should Strengthen Ongoing Efforts to Ensure That Consumers Are Protected from Lead Contamination*, recommends that USEPA:

- improve data on key aspects of lead rule implementation;
- strengthen certain regulatory requirements and oversight; and
- evaluate problem of lead in drinking water at schools and childcare facilities.

GAO states USEPA should collect and analyze data on the impact of lead service line replacement, collect information on the nature and extent of modified sampling arrangements within combined distribution systems and collect information about differences in the reporting practices and corrective actions authorized by the states, and evaluate existing standards for in-line and endpoint plumbing devices to determine if the standards are sufficiently protective to minimize potential lead contamination.

## CLEAN WATER ACT

### WET WEATHER ISSUES

In December 2005, USEPA proposed a peak flows policy (based on a proposal from the National Association of Clean Water Agencies (NACWA) and the Natural Resources Defense Council (NRDC)) for 30 days of public comments. NACWA and NRDC continue to work with USEPA to develop a final peak flows policy.

Over the last several years, USEPA has indicated once the peak flows policy (or National Blending Policy as it was previously labeled) was final the Agency would then focus on the Sanitary Sewer Overflow (SSO) rule. The draft SSO rule was developed at the end of the Clinton Administration but was never proposed for public comment.