

RURAL matters



2011
Issue 1

The magazine of the Rural Community Assistance Partnership

**RCAP staff meet
in nation's capital**

**Regulating fluoride
and chromium-6
in drinking water**

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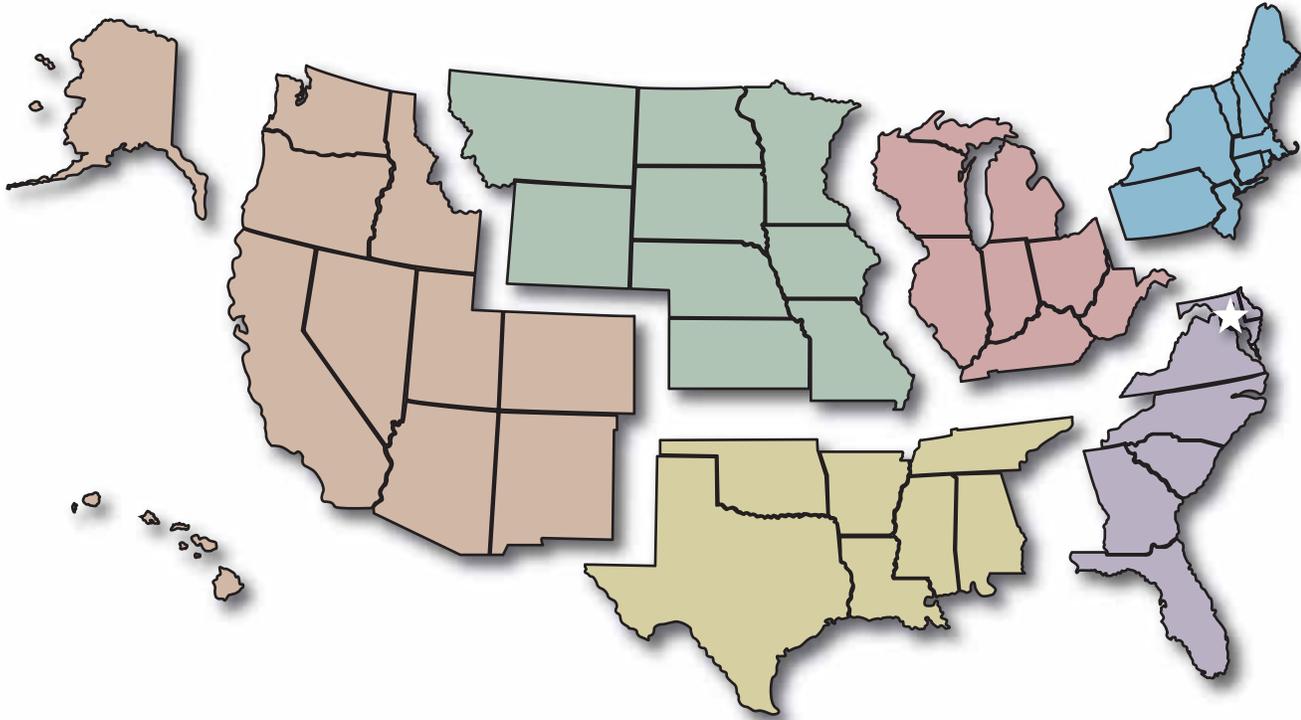
Rep. Frank Lucas on the EPA

Mapping Ground Water Rule
Requirements – Part 5





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Photo by Peggy Greb, USDA

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Photo by Peggy Greb, USDA

Improving the quality of life in rural communities

Photo by Catherine Murphy

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The magazine of the Rural Community Assistance Partnership

Rural Matters® (ISSN 1097-7619) is a bimonthly publication of the Rural Community Assistance Partnership, Inc.

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Publication of *Rural Matters*® is funded in part by the U.S. Department of Agriculture, the U.S. Environmental Protection Agency and the U.S. Department of Health and Human Services.

Opinions and ideas expressed in *Rural Matters*® are those of the authors and do not necessarily reflect those of the Rural Community Assistance Partnership, Inc., its affiliates, officers, or directors.

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Director's letter



Robert Stewart
RCAP Executive Director

Working for water and wastewater utilities means dealing with an ever-changing universe of laws, rules and regulations that impact every aspect of a utility's management and operations. Recently, you've probably noticed various stories on fluoride, hexavalent chromium, and perchlorate in drinking water. This issue of *Rural Matters* reports on emergent activity on fluoride and hexavalent chromium.

Periodically suggestions are made to regulate a new contaminant in drinking water, as EPA has now announced for perchlorate, or to revisit current regulations, as is the case for fluoride and hexavalent chromium. These actions can come about as the result of new studies concerning the contaminant's prevalence in drinking water; additional research on a contaminant's toxicity, or even a change in the political climate.

Considerable controversy arises over the cost of such regulations, the impact on drinking water customers, the efficacy of stricter standards, or even the relative costs of increased drinking water standards in relation to other activities to improve human health. From a national perspective, difficulties can arise when the EPA requires maximum contaminant levels (MCL) that are less than those required by individual states. For instance, in the case of chromium, California mandates a level not to exceed 50 parts per billion (ppb), while EPA has set the standard at 100 ppb. California established a perchlorate MCL of 6 ppb more than three years ago, while EPA in February initiated its process of considering a perchlorate MCL. This reverses a position taken by EPA not to regulate perchlorate that was made just over two years ago. Was the difference the accumulation of significant new data concerning the prevalence or toxicity of perchlorate in drinking water, or was it the result of something else?

During our current difficult economic times, such decisions carry even greater weight as we all struggle with decreasing resources available to address an ever-increasing array of public health issues. For small, rural communities, these issues are even more important than for urban areas because the costs of new regulations are spread over a much smaller customer base.

RCAP has worked to assist rural communities with utility, infrastructure, housing and other development needs for nearly 40 years. However, regardless of what regulations are adopted by state or federal legislatures or regulatory agencies, RCAP field staff are out in rural communities assisting them daily to comply with these requirements in an efficient and effective manner. As with most professionals in the utilities sector, we support decisions about water quality and public health that are made on the basis of non-partisan and proven scientific research, inevitably tempered with hard economic realities.

Our nation's rural communities are indispensable in supplying food, natural resources (such as timber, minerals, oil and natural gas), and other products and services for use domestically and for critical export earnings. To keep these incredibly productive sectors of our economy moving, we must continue to invest in the basic infrastructure needed in rural areas that will further support crucial economic growth and development. RCAP believes in directing a very modest level of additional support to rural communities that need help in constructing or refurbishing essential infrastructure and for complying with regulations directed at water and wastewater utilities. This investment is a miniscule amount compared to the improvements in public health and the overall economic productivity of the rural sector. ■

rural developments



News and resources from the Environmental Protection Agency

EPA analysis shows reduction in 2009 toxic chemical releases

Agency completes analysis on chemical disposal and release

WASHINGTON (EPA) – The U.S. Environmental Protection Agency (EPA) is releasing its annual national analysis of the Toxics Release Inventory (TRI), providing Americans with vital information about their communities. The TRI program publishes information on toxic chemical disposals and releases into the air, land and water, as well as information on waste-management and pollution-prevention activities in neighborhoods across the country. In 2009, 3.37 billion pounds of toxic chemicals were released into the environment, a 12 percent decrease from 2008. TRI was recently recognized by the Aspen Institute as one of the ten major ways that EPA has strengthened America.

“The Toxics Release Inventory is an important way to inform American communities about their local environmental

conditions. It plays a critical role in EPA’s efforts to hold polluters accountable and to acknowledge good corporate neighbors who put pollution-prevention efforts in place,” said EPA Administrator Lisa P. Jackson. “We will continue to make every effort to put accessible, meaningful information in the hands of the American people. Widespread public access to environmental information is fundamental to the work EPA does every day.”

This year, EPA is offering additional information in an effort to make the TRI data more meaningful and accessible to all communities. The TRI analysis now highlights toxic disposals and releases to large aquatic ecosystems, selected urban communities and tribal lands. In addition, portions of the analysis are available in Spanish for the first time.

The analysis, which includes data on approximately 650 chemicals from more than 20,000 facilities, found that total releases to air decreased 20 percent since 2008, while releases to surface water decreased 18 percent. Releases to land decreased 4 percent since 2008.

The analysis shows decreases in the releases of persistent, bioaccumulative and toxic chemicals including lead, dioxin, and mercury. Total disposal or other releases of mercury decreased 3 percent since 2008, while total disposal or other releases of both dioxin and lead decreased by 18 percent. The analysis also shows a 7 percent decrease in the number of facilities report-

ing to TRI from the previous year, continuing a trend from the past few years. Some of this decline may be attributed to the economic downturn; however, EPA plans to investigate why some facilities reported in 2008 but not 2009.

EPA added 16 chemicals to the TRI list of reportable chemicals in November 2010. These chemicals are reasonably anticipated to be human carcinogens and represent the largest chemical expansion of the program in a decade. Data on the new TRI chemicals will be reported by facilities on July 1, 2012.

Facilities must report their chemical disposals and releases by July 1 of each year. EPA made the 2009 preliminary TRI dataset available in July, the same month as the data were collected. This is the earliest release of TRI data to the public.

TRI was established in 1986 by the Emergency Planning and Community Right-to-Know Act (EPCRA) and later modified by the Pollution Prevention Act of 1990. Together, these laws require facilities in certain industries to report annually on releases, disposal and other waste-management activities related to these chemicals. TRI data are submitted annually to EPA and states by multiple industry sectors including manufacturing, metal mining, electric utilities, and commercial hazardous-waste facilities.

More information on the 2009 TRI analysis: www.epa.gov/tri



Photo courtesy of FEMA

EPA announces 2010 enforcement and compliance results

More than 1.4 billion pounds of harmful air, land, and water pollution to be reduced

WASHINGTON (EPA) – The U.S. Environmental Protection Agency has released its annual enforcement and compliance results, which include an enhanced mapping tool allowing the public to view detailed enforcement information for more than 4,500 U.S. facilities.

The mapping tool shows facilities and sites where civil and criminal enforcement actions were taken for alleged violations of U.S. environmental laws regulating air, water and land pollution. The tool also displays community-based activities like the locations of the environmental justice grants awarded in FY 2010 and the Environmental Justice Showcase Communities.

In fiscal year (FY) 2010, EPA took enforcement and compliance actions that required polluters to pay more than \$110 million in civil penalties and commit to spend an estimated \$12 billion on pollution controls, cleanup, and environmental projects that benefit communities. These actions, when completed, will reduce pollution by more than 1.4 billion pounds and protect businesses that comply with regulations by holding non-compliant businesses accountable when environmental laws are violated.

“At EPA, we are dedicated to aggressively go after pollution problems that make a difference in our communities through vigorous civil and criminal enforcement,” stated Cynthia Giles, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. “Our commitment to environmental enforcement is grounded in the knowledge that people not only desire, but expect, the protection of the water they drink, the air they breathe and the communities they call home.”

As a result of water cases concluded in FY 2010, EPA is ensuring that an estimated 1 billion pounds of water pollution per year will be reduced, eliminated or properly managed and investments in pollution control and environmental improvement projects from parties worth approximately \$8 billion will be made.

The release of the EPA’s enforcement and compliance results and the accompanying mapping tool are part of EPA’s commitment to transparency. They are intended to improve public access to data and provide the public with tools to demonstrate EPA’s efforts to protect human health and the environment in communities across the nation.

View the FY 2010 results at www.epa.gov/compliance/resources/reports/endofyear/eoy2010/index.html

Obama administration convenes environmental leaders at historic White House environmental justice forum

WASHINGTON (EPA) – Five Cabinet secretaries and senior officials from a wide range of federal agencies and offices participated in the first White House Forum on Environmental Justice on Dec. 15, 2010, illustrating the Obama administration’s commitment to ensuring all Americans have strong federal protection from environmental and health hazards.

More than 100 environmental justice leaders from across the country attended the day-long event, which featured White House Council on Environmental Quality Chair Nancy Sutley, EPA Administrator Lisa P. Jackson, Attorney General Eric Holder, Secretary of the Interior Ken Salazar, Secretary of Labor Hilda Solis, Secretary of Health and Human Services Kathleen Sebelius, and Secretary of Homeland Security Janet Napolitano.

“Low-income and minority communities often shoulder an unacceptable amount of pollution in this country, diminishing their

economic potential and threatening the health of millions of American families,” Sutley said. “The White House Forum underlines the commitment across the administration to integrating environmental justice into the missions of federal agencies and ensuring this really is a country of equal opportunity for all.”

“This administration has taken unprecedented steps to ensure that environmental protection reaches every community. We want to put an end to the days when public health and economic potential are harmed by disproportionate exposure to pollution,” Jackson said. “Our continued success relies on close collaboration with our federal partners and strong input from the groups and individuals engaged at the community level. This meeting is an important way to advance all of those goals.”

The forum highlighted initiatives underway across the federal government that will affect environmental justice in communities. Discussions centered on the Obama administration’s commitment to ensuring that communities overburdened by pollution – particularly minority, low-income and indigenous communities – have the opportunity to enjoy the health and economic benefits of a clean environment. The forum also provided an opportunity for environmental justice and community leaders and officials from state, local and tribal governments to engage in a conversation with administration officials about environmental justice. These leaders offered their vision for healthier and more sustainable communities during panel discussions throughout the day.

continued on next page

Photo courtesy of USDA



Panels focused on:

- How investments in the clean energy economy are expanding green job opportunities in environmental justice communities and beyond.
- How existing legal authorities are being used to more fully engage communities that have been left out and left behind.
- How the federal government is addressing environmental and health disparities in communities throughout the country.
- How low-income communities can work with federal, state and local governments to prepare for the environmental and health impacts of climate change.

On Sept. 22, 2010, Jackson and Sutley reconvened the Interagency Working Group on Environmental Justice for the first time in more than a decade. At a White House meeting attended by five Cabinet members, the administration recommitted to advancing the mandate of Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," which states that each agency, with the law as its guide, should make environmental justice part of its mission.

More information on the Interagency Working Group on Environmental Justice: www.epa.gov/environmentaljustice/interagency/index.html

EPA launches website to increase transparency of regulatory activity

WASHINGTON (EPA) – The U.S. Environmental Protection Agency (EPA) has launched a new website called Reg Stat that will enhance public understanding of its regulatory process and the number, type, and range of regulatory documents developed each year by the agency.

This new resource is part of EPA's continuing efforts to enhance the accessibility and transparency of its regulatory activities.

Reg Stat provides information on EPA documents published in the Federal Register between 2005 and 2009 and provides in-depth information on rulemakings likely to be of most interest to stakeholders – those rules signed by the EPA administrator that substantively amend the Code of Federal Regulations.

Users will be able to determine the number of rules signed by the administrator, how long it took to develop each rule, whether a rule underwent Executive Order 12866 regulatory review by the Office of Management and Budget (OMB) and the length of OMB review. Both summary graphics and searchable data tables are available.

An analysis of the data featured on Reg Stat shows that EPA publishes 1,700 to 1,900 documents in the Federal Register each year. The majority of the documents are notices, which provide general information of public interest such as meeting announcements. Approximately 7 percent, or about 100, of those documents are rules that amend the Code of Federal Regulations and require the administrator's signature; the average time to publish these rules is 974 days.

Users will be able to download and sort the data based on categories of interest. Information on Reg Stat will be updated annually.

More information on Reg Stat: www.epa.gov/regstat

EPA seeks comments on new web-based tool for accessing wastewater pollutant discharge information

The U.S. Environmental Protection Agency (EPA) has released a "beta" version of a new web-based tool that allows users to search and identify the amount, type, and location of wastewater pollutant discharges and the identity of the discharger.

This new tool supports EPA's Clean Water Act Action Plan, which seeks to improve transparency of information and public knowledge about pollutant releases that



Photo by Eurico Zimbres, via Wikimedia Commons

may cause water quality impairments. The plan can be viewed at www.epa.gov/oecaerth/civil/cwa/cwaenplan.html

EPA has designed the tool for two main audiences: members of the general public (concerned citizens, researchers), and technical users (National Pollutant Discharge Elimination System permit writers, watershed modelers, and regulatory agencies). The increased access to wastewater pollutant discharge data will allow for better transparency of wastewater pollutant discharges and enhanced utility of the data. Specifically, technical users of the new tool can enhance their development of NPDES permit effluent limits, improve their watershed pollution budget plans, and refine their modeling of watersheds.

The beta version of the tool can be accessed at www.epa.gov/pollutantdischarges

Control and mitigation of drinking water losses in distribution systems

EPA is releasing the Control and Mitigation of Drinking Water Losses in Distribution Systems guidance document. This guidance provides information on flexible tools and techniques that may help a public water system (PWS) tailor a program to meet its water-loss prevention needs and



maintain its infrastructure to deliver clean, safe drinking water to customers – often a significant challenge for the operator of PWSs and particularly for small water systems. A successful water-loss prevention program will help the PWS balance use of its resources to address the financial and personnel demands of economic restrictions, water availability, population and climate changes, regulatory requirements, operational costs and public and environmental stewardship.

Download electronic versions of the guidance document on the EPA website at http://water.epa.gov/type/drink/pws/smallsystems/upload/Water_Loss_Control_508_FINALDEc.pdf

Hard copies of the guidance are available by contacting the Water Resource Center at 202-566-1729 and identifying document number EPA 816-R-10-019. You may also contact the National Service Center for Environmental Publications at 800-490-9198.

Interim report evaluates combined heat and power technologies for wastewater treatment facilities

EPA is announcing the release of an interim report—“Evaluation of Combined Heat and Power Technologies for Wastewater Facilities”—which serves as a planning tool for wastewater professionals and provides an examination of commonly used and emerging combined heat and power (CHP) technologies for converting anaerobic digester gas to electrical power and process heat.

The report was developed by Columbus Water Works, under an assistance agreement awarded by EPA in support of its Columbus Biosolids Flow-Through Thermophilic Treatment (CBFT3) National Demonstration Project. It provides detailed technical information about existing technologies for producing heat and power from biogas including: internal combustion engines, gas turbines, microturbines, and fuel cells as well as other beneficial

uses for digester gas. The report includes detailed process descriptions and performance and cost data. It also addresses factors such as infrastructure requirements, digester gas treatment, and operational issues. The interim report includes four in-depth facility case studies from across the country that demonstrate successful biogas-to-energy projects.

View a copy of the report at <http://water.epa.gov/scitech/wastetech/publications.cfm>



New resource to help utilities enhance their resilience

The Association of State Drinking Water Administrators has released its “Water Emergency Roundtable – Outline for Discussion,” a community guide to dealing with and preparing for water outages.

The document describes a very basic how-to and step-by-step low-cost approach to hosting a one-day water conversation between the utility, its critical water users—hospitals and schools, industrial users—and first responders about what would, could, and should happen if the community suffered a water outage.

The guide answers questions about first responders, limited supplies, identifying an alternative water source, and expediting a return to service in the event of a water outage.

Members from EPA Region 5, the Evanston, Ill., Water Utility and the ASDWA Security Commission contributed to the document. ASDWA has designed the document for use by smaller drinking and wastewater utilities in an effort to enhance their resilience capabilities.

An online version of the document can be viewed and downloaded at on the ASDWA website at: <http://www.asdwa.org>

USDA-RD: Well done in your reporting, ARRA recipients!

The U.S. Department of Agriculture-Rural Development’s Office of Water and Environmental Programs recently announced that 100 percent of its American Recovery and Reinvestment Act (ARRA) loan and grant recipients had successfully completed their reporting requirements on *FederalReporting.gov* for the first quarter of fiscal year 2011. This was the first time complete reporting had occurred. All 881 projects reported on time, marking a successful effort to ensure accountability and transparency in how Recovery Act funds are being spent.

RCAP plays a critical role in helping communities comply with the reporting requirements through its personal assistance for ARRA recipient communities by RCAP Technical Assistance Providers. In addition, RCAP is ready to distribute a guidebook that takes small system staff or board members through the reporting process step-by-step. Details of the guide’s distribution will be published in the next issue of *Rural Matters*. These efforts will continue to keep compliance levels high so that recipient communities remain eligible for funding throughout the duration of their projects.

“Achieving a 100 percent reporting compliance rate for our Recovery Act recipients is a critical milestone and one that ensures that the American public is able to see the impact Recovery Act dollars are making across rural America,” said Jacqueline Ponti-Lazaruk, Assistant Administrator for Water and Environmental Programs. “This accomplishment was made possible with assistance from RD field staff and technical assistance providers, such as RCAP, who went the extra mile to reach out to our borrowers. Thank you for all of the hard work you do on behalf of rural communities across the nation.”



EPA and HHS announce new scientific assessments and actions on fluoride



Photo by Roger McLassus, via Wikimedia Commons, CC-BY-SA-3.0

In an effort to support good dental health, the U.S. Department of Health and Human Services (HHS) and the U.S. Environmental Protection Agency (EPA) announced steps ensuring that regulations on fluoride in drinking water continue to remain strong.

The updated recommendation is based on recent EPA and HHS scientific assessments to balance the benefits of preventing tooth decay while limiting any unwanted health effects. HHS's proposed recommendation of 0.7 milligrams of fluoride per liter of

water replaces the current recommended range of 0.7 to 1.2 milligrams. These scientific assessments will also guide EPA in making a determination of whether to lower the maximum amount of fluoride allowed in drinking water, which is set to prevent adverse health effects.

"The announcement today from HHS and EPA affirms that community water fluoridation at optimal levels is beneficial for preventing tooth decay," said David LaFrance, Executive Director of the American Water Works Association (AWWA).

"The proposed recommendations properly take into account new scientific data and recognize that people today have access to more sources of fluoride," LaFrance said.

According to HHS and EPA, the new actions will maximize the health benefits of water fluoridation, an important tool in the prevention of tooth decay, while reducing the possibility of children receiving too much fluoride. The Centers for Disease Control and Prevention named the fluoridation of drinking water one of the ten great public health achievements of the 20th century.

Dental fluorosis in the United States appears mostly in the very mild or mild form – as barely visible lacy white markings or spots on the enamel. The severe form of dental fluorosis, with staining and pitting of the tooth surface, is rare in the United States. Water is now one of several sources of fluoride. Other common sources include dental products such as toothpaste and mouth rinses, prescription fluoride supplements, and fluoride applied by dental professionals.

"One of water fluoridation's biggest advantages is that it benefits all residents of a community—at home, work, school or play," said HHS Assistant Secretary for Health Howard K. Koh, MD, MPH. "Today's announcement is part of our ongoing support of appropriate fluoridation for community water systems, and its effectiveness in preventing tooth decay throughout one's lifetime," Koh said.

The new EPA assessments of fluoride were undertaken in response to findings of the National Academies of Science (NAS). At EPA's request, NAS reviewed new data on fluoride in 2006 and issued a report recommending that EPA update its health and exposure assessments to take into account bone and dental effects and to consider all sources of fluoride. In addition to EPA's new assessments and the NAS report, HHS also considered current levels of tooth decay and dental fluorosis and fluid consumption across the United States.

“AWWA will carefully study the new recommendations and actively assist the water community in interpreting and responding to them. The Association is also committed to working with USEPA as it reviews the drinking water standard for fluoride in light of the latest scientific data,” said LaFrance. RCAP and AWWA have a memorandum of understanding for cooperation in various areas.

Comments regarding the EPA documents, *Fluoride: Dose-Response Analysis For Non-cancer Effects* and *Fluoride: Exposure and Relative Source Contribution Analysis* should be sent to EPA at FluorideScience@epa.gov. The documents can be found at http://water.epa.gov/action/advisories/drinking/fluoride_index.cfm

The notice of the proposed recommendation will be published in the Federal Register soon, and HHS will accept comments from the public and stakeholders on the proposed recommendation for 30 days at CWFcomments@cdc.gov. HHS is expecting to publish final guidance for community water fluoridation by spring 2011. You may view a prepublication version of the proposed recommendation at www.hhs.gov/news/press/2011pres/01/pre_pub_frn_fluoride.html

More information about the national drinking water regulations for fluoride: <http://water.epa.gov/drink/contaminants/basicinformation/fluoride.cfm>

Q&As on latest EPA actions on fluoride: http://water.epa.gov/lawsregs/rulesregs/regulatingcontaminants/sixyearreview/upload/2011_Fluoride_QuestionsAnswers.pdf

More information on EPA's fluoride assessment and to comment: http://water.epa.gov/action/advisories/drinking/fluoride_index.cfm

More information about community water fluoridation, information on tooth decay prevention and dental fluorosis: www.cdc.gov/fluoridation ■

Tests show notorious carcinogen is widespread in U.S. tap water

Hexavalent chromium, a known carcinogen, was found in the drinking water of 31 U.S. cities, according to a study by the nonprofit Environmental Working Group (EWG), which prompted the U.S. Environmental Protection Agency to announce new research on the chemical.

Brought into the national spotlight in the 2000 film “Erin Brockovitch,” hexavalent chromium—commonly referred to as chromium-6—has been linked to carcinogenic activity in studies with lab animals. Chromium-6 can be discharged from steel and pulp mills as well as metal-plating and leather-tanning facilities and can also pollute water through erosion of natural deposits, according to the study.

Laboratory tests commissioned by EWG found chromium-6 in the drinking water of 31 of 35 selected U.S. cities. The study found the highest levels of chromium in Norman, Okla.; Honolulu; and Riverside, Calif. California last year became the first state to propose a public health mandate for chromium-6 in drinking water of 0.06 parts per billion (ppb).

“Every single day, pregnant mothers in Norman, Oklahoma, school children in Madison, Wisconsin, and many other Americans are drinking water laced with this cancer-causing chemical,” said EWG senior scientist Rebecca Sutton, Ph.D.

The National Toxicology Program (NTP) of the U.S. Department of Health and Human Services has previously identified chromium-6 as increasing the risk of gastrointestinal tumors in animals. In October 2010, the EPA found that the chemi-

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cal in tap water poses a similar threat to humans, including liver and kidney damage, anemia and ulcers.

“Protecting public health is EPA’s top priority. As we continue to learn more about the potential risks of exposure to chromium-6, we will work closely with states and local officials to ensure the safety of America’s drinking water supply,” EPA Administrator Lisa P. Jackson said in a statement.

EWG’s investigation is the broadest publicly available survey of hexavalent chromium contamination of drinking water to date. The 31 cities shown to have chromium-polluted tap water draw from utilities that collectively serve more than 26 million people.

The EPA does not test specifically for chromium-6 but does require testing for total chromium, which includes chromium-6. Although the test does not distinguish the percentage of chromium-6 from other types of chromium, the EPA assumes that all samples are 100 percent chromium-6. The current EPA standard for total chromium is 100 ppb.

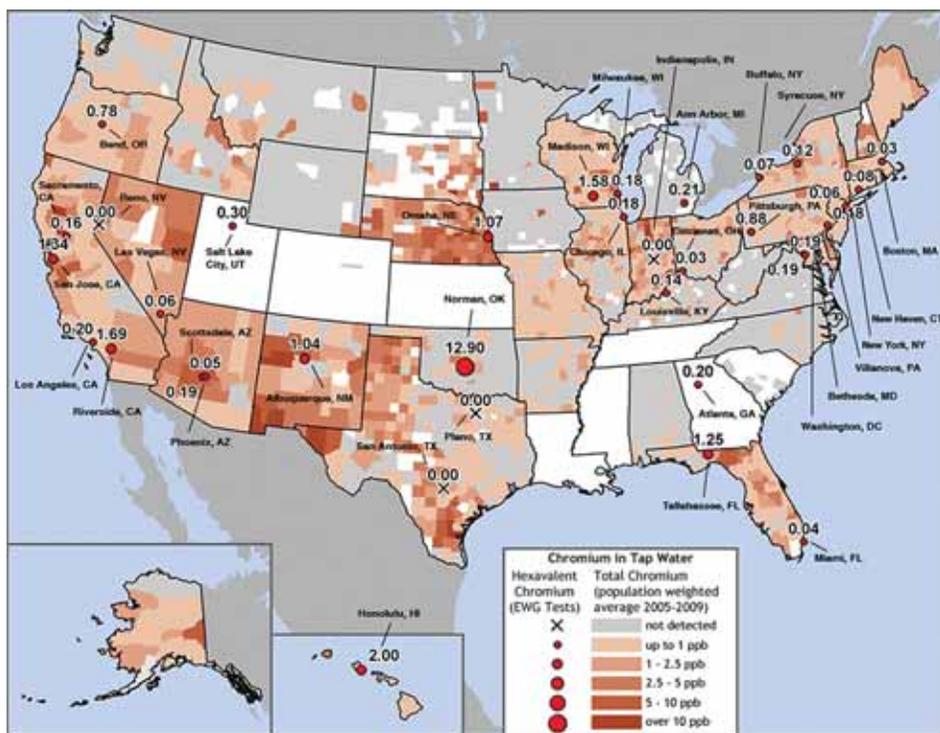
EPA’s latest data show that no public water systems are in violation of the standard. However, the science behind chromium-6 is evolving. The agency regularly re-evaluates drinking water standards and, based on new science on chromium-6, has already begun a rigorous and comprehensive review of its health effects.

In late December, EPA Administrator Lisa P. Jackson spoke about assessing the presence of chromium-6 in drinking water systems.

“EPA has already been working to review and incorporate the ground-breaking science referenced in [EWG’s] report,” Jackson said in a statement responding to the study. “However, as a mother and the head of EPA, I am still concerned about the prevalence of chromium-6 in our drinking water.”

Jackson announced enhanced monitoring guidance, which provides recommendations on where water systems should collect chromium-6 samples and how often they should be collected. The EPA also announced that it expects a human health assessment of chromium-6 to be finalized in 2011.

Chromium widely contaminates U.S. tap water



Red dots indicate EWG’s test sites and measured hexavalent chromium concentrations in parts per billion (ppb). Size of dot reflects the level found. Brown-shaded areas represent population-adjusted average concentrations of total chromium by county, calculated from EWG’s national tap water database (see Study Methodology).

Sources: EWG-commissioned testing for hexavalent chromium in tap water from 35 cities; EWG analysis of water utility testing data obtained from state water agencies (EWG 2009).

The EWG study also warned consumers that bottled water does not offer a lower risk of contamination from chromium-6, as there is no legal industry limit for the chemical.

The full EWG report can be viewed at <http://static.ewg.org/reports/2010/chrome6/html/executive-summary.html>

Information on the new EPA guidelines for chromium-6 can be read at <http://water.epa.gov/drink/info/chromium/guidance.cfm>

More information on chromium: <http://water.epa.gov/drink/info/chromium/index.cfm>

More information on the status of the ongoing risk assessment: http://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=221433 ■

RCAP holds national conference in Washington, D.C.

Training event held in conjunction with larger housing conference

Traversing the country and crossing oceans from Hawaii and Puerto Rico, RCAP staff gathered the week after Thanksgiving in Washington, D.C., for their annual national conference.

Held Nov. 30 to Dec. 2, 2010, the conference brought together more than 160 staff members from RCAP's six regional partners. Most of the participants were Technical Assistance Providers (TAPs) and their State and Regional Coordinators and Program Managers. Also in attendance were members of RCAP's board of directors, CEOs of RCAP regional partners, national office staff, and staff of RCAP's funders – the Environmental Protection Agency, the U.S. Department of Agriculture-Rural Development, and the Department of Health and Human Service's Office of Community Services.

RCAP held its conference jointly with the Housing Assistance Council's (HAC) National Rural Housing Conference, which is held biannually in Washington, D.C. The leaders of RCAP and HAC believed that RCAP staff who work in water and wastewater services and rural housing advocates and practitioners who attend HAC's conferences could benefit from learning and sharing ideas together at a common event.

Some of RCAP's regional partners also have extensive rural housing-assistance programs, and several staff members from RCAP who work in these programs attended the conference as well.

"RCAP has been returning to annual conferences, and these help to strengthen our identity as a unified national network," said

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RCAP Executive Director Robert Stewart. “This time, we also had the benefit of meeting with people from across the country who work in rural housing. One reason we decided to do this is because meaningful rural development requires not only safe and affordable water services but also decent and affordable housing opportunities. We wanted there to be an exchange of ideas across these sectors, which really must work hand-in-hand.”

There were more than 200 RCAP-related participants in the overall conference, whose total attendance was more than 800.

Extensive program

Even though there was a joint conference, each organization developed its own program, mainly a set of workshops. RCAP began its conference a day before the start of HAC’s conference, which allowed RCAP participants to come together as a homogeneous group and conduct its own business. The RCAP and HAC portions of the conference overlapped for almost two days. On these days, participants were allowed to attend each other’s workshops, and RCAP participants attended some of the larger plenary sessions organized by HAC, which could draw some bigger names as speakers from among the nation’s leaders in Washington.

Bennie Thompson, a Democratic Congressman from Missouri, was the keynote speaker at the plenary on the first day of the two organizations’ joint program. Later plenary sessions featured Undersecretary Dallas Tonsager and Secretary Tom Vilsack from the Department of Agriculture and Secretary Shaun Donovan from the

Department of Housing and Urban Development.

RCAP’s 22 workshops provided intense training and continuing education over three days, geared mostly to TAPs to help them build new skills and develop existing ones for their work in the field with small, rural communities.

The slate of workshops addressed a variety of topics in three tracks— Doing RCAP’s Work More Effectively; Management, Finance, and Administration; and Technical Issues—in 60- and 90-minute sessions. Workshop topics ranged from community-training techniques to decentralized wastewater management, and from effective strategies for knowledge retention when training community residents to a Q&A session with USDA-Rural Development staff.

“The workshops were designed to achieve a wide array of training goals. These included introducing new field staff to the RCAP mission, policies, procedures, and typical technical assistance activities. Some workshops provided a forum for RCAP staff to learn from and hold discussions with technical experts in cutting-edge water and wastewater issues,” said Joy Barrett, Director of Training and Technical Services. “The attendance at the workshops showed that we succeeded in creating a varied and engaging collection of topics.”

Comments about the workshops provided on the conference’s general evaluation form showed that the workshops on the introduction to water and wastewater treatment systems and the introduction to the RCAP network (for new TAPs) were among the most-liked and rated most valuable to participants in their work. The



Exceptional RCAP staff honored at conference

One of the key gatherings of all RCAP participants was a lunchtime banquet on the conference’s first day. The main purpose of the banquet was to honor staff members who had been nominated by their fellow regional staff and chosen to receive RCAP’s national awards. A total of nine staff members who work in four of RCAP’s regions received awards, which were given in five categories.

The honorees for RCAP’s staff awards, as well as an RCAP CEO who received an award from the Housing Assistance Council, will be announced and profiled in future issues of *Rural Matters* in 2011.

most popular workshop, according to the evaluations that were received, was the one on rate-setting tools. More than 50 participants came to the two-hour session that began earlier than usual at 8:00 a.m.

One participant wrote on an evaluation form that the workshop about what is important to USDA-Rural Development was most valuable because “it is always good to know from the funder directly what is expected.”

Workshops sponsored by HAC covered a wide range of topics, such as best practices in addressing rural homelessness, cutting-edge construction technologies, and how nonprofits are using social media on the web.

Greetings from funders

RCAP’s portion of the conference opened with a general session with RCAP participants. Stewart welcomed attendees with a history and overview of the organization and introduced representatives of RCAP’s funding agencies.

Jonathan Adelstein, Administrator of the U.S. Department of Agriculture (USDA) Rural Utilities Service, opened his remarks by saying it was “wonderful to be back with RCAP.” His mission area in the agency provides RCAP with annual support for its Technitrain program. He noted that his section in USDA shares the same goals and has the same mission as RCAP—to protect the environment and people’s health.

“RCAP and RUS will be partners for a long time,” he told RCAP staff.

Adelstein offered praise for the work of those present. “The work you do is so critical. We’re so proud to work with you on that,” he said, noting that technical assistance is a critical component of the delivery of the programs he oversees. “We are very impressed with the work RCAP does.”

Cynthia Dougherty, Director of the Environmental Protection Agency’s Office of Ground Water and Drinking Water, which provides funding for another RCAP program, spoke broadly during her remarks by

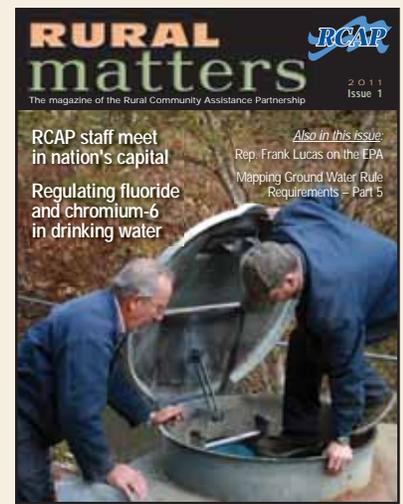
Cover photo

The photo on the cover of this issue of *Rural Matters* is one of the winners of RCAP’s national photo contest. In fall 2010, the RCAP national office held a photo contest to challenge RCAP staff across the country to “picture RCAP” – to illustrate their work or what RCAP does in photographs. Another purpose of the contest was to continue to encourage field staff of RCAP’s six regional partners to share stories from the communities they work with—in the form of photos instead of the traditional written case studies.

The contest culminated at RCAP’s national conference, where the winners were announced.

The cover photo was the winner in the people category, which invited entries showing the faces of RCAP work and communities or people doing things—RCAP staff or a community’s residents. It was taken by Kim Padgett, State Coordinator for Kentucky RCAP (part of WSOS Community Action Commission, the Great Lakes RCAP). Pictured are Carlos Phillips and Edward McBee, Fleming Neon, Ky.

Upcoming issues of *Rural Matters* in 2011 will feature the contest’s other winners.



saying that basic sanitation and safe drinking water are still critical issues. She said the same issues are true on a local level. “Sustainable drinking water and effective sanitation are critical to sustaining communities,” she explained.

Dougherty also spoke of EPA’s partnership with RCAP. Through their work together, the two can make a difference in communities.

“RCAP has really played an important role in improving the capacity of small and very small systems through technical assistance and capacity building,” she said. “We really appreciate RCAP’s hands-on expertise.”

A representative of another RCAP funder, Rafael Elizalde, from the Office of Community Services of the Department of Health and Human Services, brought greetings. He remarked that his office was the original supporter of RCAP.

At the opening of its conference, Elizalde said, “We encourage you on this occasion to smile, step back and enjoy your successes.”

Participants benefit from networking

Many RCAP staff members found the conference helpful to them in their daily work.

This was the first RCAP for Andy O’Neill, a Rural Development Specialist with Rural Community Assistance Corporation, the Western RCAP.

“I liked the interaction of the other RCAPs,” he said.

Denise Livingston started in her position as a Technical Assistance Provider for Midwest Assistance Program, the Midwest RCAP, just before the conference.

Livingston said she enjoyed meeting other people in similar positions around the country and hearing about the issues they are dealing with.

“It’s a great think-tank of ideas. Chances are what you are dealing with somebody else has dealt with, and they can give you input and guidance,” she said. ■

Conference website

Presentations and handouts from some of the conference’s workshops are available on the RCAP website at www.rcap.org/conference. That page has a link to the website of the Housing Assistance Council’s portion of the conference as well.

Legislative profile

Editor's note: In this installment of the occasional series of Legislative Profiles in Rural Matters, we hear the opinions of Rep. Frank Lucas directly. The Republican from Oklahoma's 3rd District is the new chairman of the House of Representatives Committee on Agriculture, and it is in that role that he provides this guest editorial in a Q&A format.

Rep. Frank Lucas on the agenda of the new House Agriculture Committee

Guest Editorial:

Q: As the incoming chairman of the Agriculture Committee, what will your priorities for rural America be over the next two years?

A: The first priority on the Agriculture Committee's agenda is aggressive oversight of the Environmental Protection Agency (EPA). It seems that every day the EPA is proposing a new regulation, facilitating new litigation, or allowing unelected bureaucrats to run wild across the

farms and ranches of America. Under the Obama administration, the EPA seems most interested in pursuing the extreme agenda of environmental groups with a blatant disregard for the economic impact it will have on our rural communities. It is the job of the Agriculture Committee to be an advocate for our farmers and ranchers and let them have a voice in the process.

We will also be preparing for the reauthorization of the Farm Bill in 2012. We have a lot of freshmen members sitting on the committee this Congress, and it is important that they are current on all the varied titles of the Farm Bill and that we start to build a strong working relationship.

The combination of the committee's oversight agenda and its preparation for the 2012 Farm Bill will provide an opportunity to prioritize programs that are working, change programs that are broken, and look at all of the programs as a whole to ensure efforts are not duplicated. The committee should take a serious look at streamlining programs so that resources are used more efficiently.

Q: What do you think is the most pressing issue facing rural America today?

A: One of the most significant issues facing American agriculture is the hostile

regulatory approach of the EPA. Every day the EPA seems to demonstrate how vastly disconnected it is to the folks who feed us. The agency doesn't seem to realize that rural America's economy is dependant on agriculture. It is the responsibility of the committee to shine a bright light on some of these regulations and show the real-world consequences of them.

Q: How do you hope to address that issue?

A: The committee will work with other committees of jurisdiction to formulate policy that comes up with tangible results, whether it's through small but real fixes, whether it's by shining a bright light on some of the things EPA is doing, or coming up with comprehensive legislation.

Q: How will you work to improve the economic state of rural America?

A: There are three items we can pursue to improve the health of real economies. One is to examine regulations that are increasing operational costs and discouraging job growth for our farmers, ranchers and small businesses. Two, the Farm Bill should provide our farmers and ranchers with the necessary tools to provide this country with an affordable and abundant food and fiber supply. Three, we need to open up



more markets for our producers through the many pending free trade agreements.

Q: On the legislative front, what changes can we expect between the 2012 Farm Bill and the most recent one?

A: The 2012 Farm Bill is shaping up to be a real challenge primarily because of the budget. In past years, it has been a different story. In 2002, Chairman [Larry] Combest [R-Texas] secured more than \$70 billion in additional funds. In 2008, Chairman [Collin] Peterson [D-Minn.] secured an additional \$8 billion, but most of that money was earmarked for priorities from Speaker [Nancy] Pelosi's [D-Calif.] office.

The best-case scenario for the 2012 Farm Bill is to keep the resources we have, but that may not be the case. During these tough fiscal times, every program will be on the table for examination.

Q: What other legislative priorities do you expect the Agriculture Committee will address in the 112th Congress, and what impact will they have on rural America?

A: In addition to oversight of the EPA and Farm Bill preparations, the committee will also exercise its jurisdiction over the [Dodd–Frank Wall Street Reform and Consumer Protection Act] that passed during the last Congress. The regulations from Dodd-Frank have the potential to impact every segment of the economy from farmers to manufacturers to real estate developers.

Q: In what ways do you think infrastructure development, especially water and wastewater, helps to improve the quality of life in rural communities?

A: The ability of small, rural communities to meet current and future needs for water and wastewater facilities has been a challenge for some time. The current economic downturn has stretched the ability of small communities to fund water systems, and significant investments are required to meet stringent and costly EPA regulations. One of the ways the Agriculture Com-



Lucas' roots firmly planted in Oklahoma

Rep. Frank Lucas is a fifth-generation Oklahoman whose family has lived and farmed in Oklahoma for more than 100 years. He was born in 1960 in Cheyenne, Okla., which had a population of 778 in the 2000 census. Lucas graduated from Oklahoma State University in 1982 with a degree in agricultural economics. He was first elected to the House of Representatives in a special election in 1994 and is currently serving his tenth term.

Lucas represents Oklahoma's 3rd Congressional District, which covers 32 counties in northern and western Oklahoma, stretching from the Oklahoma panhandle to parts of Tulsa, and from Yukon to Altus in the southwest. Lucas' district covers almost half the state and is one of the largest agricultural regions in the nation. Since being elected to Congress, Lucas has represented the interests of farmers.

Lucas serves as the Chairman of the House Committee on Agriculture and also serves on the Committees on Financial Services and Science, Space and Technology. He also serves as a member of the Republican Whip Team.

Prior to his election to Congress, Lucas served for five and a half years in the Oklahoma State House of Representatives. He and his wife have three children and one grandchild. The Lucas family belongs to the First Baptist Church in Cheyenne.

mittee has worked to address this issue is through targeted infrastructure programs to help those small communities with the greatest needs.

Q: EPA estimates that rural water systems will need to invest \$100 billion over the next 20 years to maintain and upgrade their water infrastructure. How can we best address these substantial water and wastewater infrastructure needs faced by rural communities, especially those with declining populations?

A: The rural economy requires a strong infrastructure, both for getting inputs to farming communities and taking produce back to our towns, cities, and ports. Communities with substantial infrastructure, including roads, water, and broadband connections are positioned to withstand economic shocks and recover as quickly as possible. Working with rural communi-

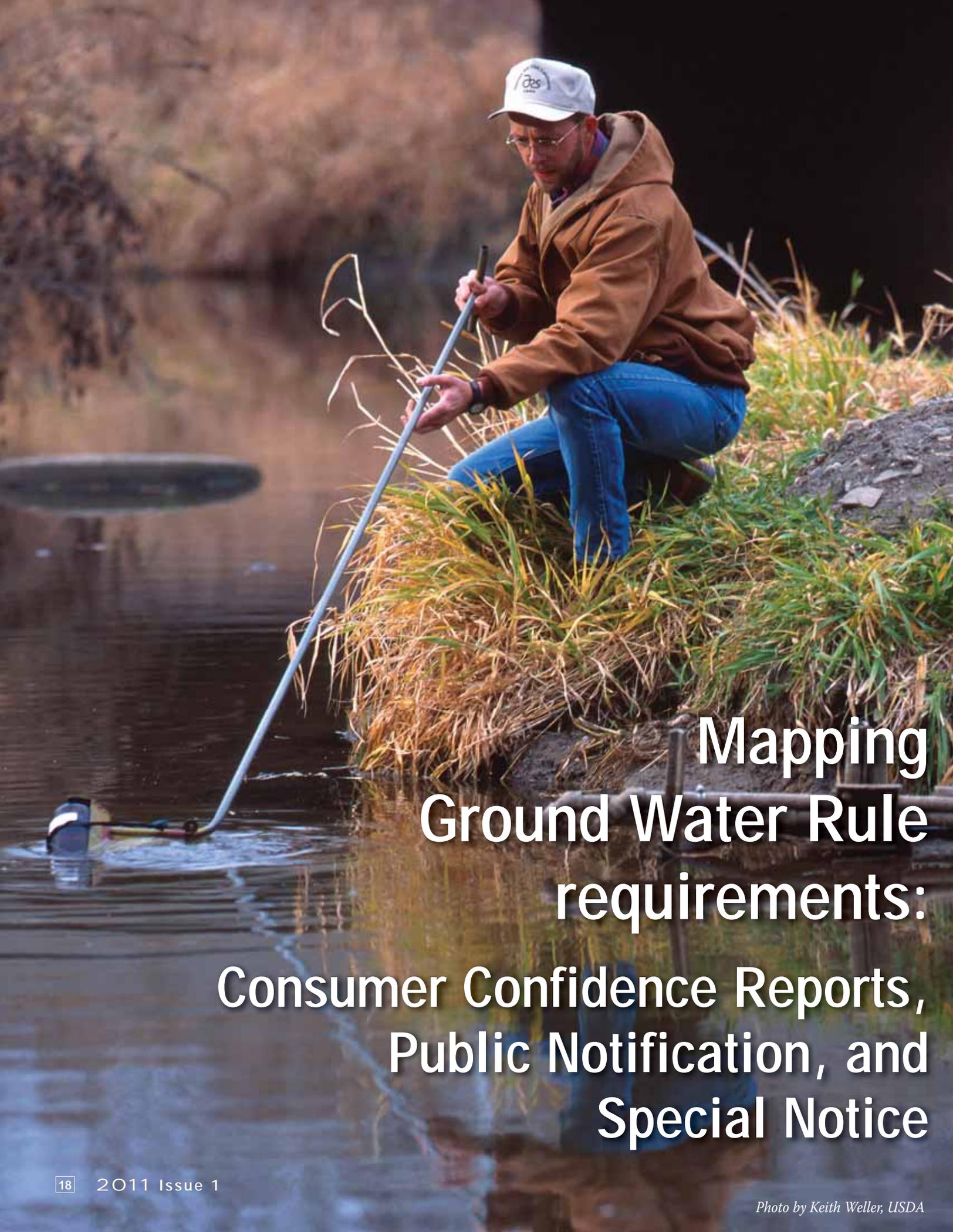
ties to address these very needs has been a priority of the Agriculture Committee and is critical to the vitality of the rural economy.

Q: On a more personal note, how has having grown up in a rural community impacted your decisions as a legislator?

A: I am a farmer who is a member of Congress, not a member of Congress who is a farmer. It is an important distinction because I have lived the real-world challenges that our farmers, ranchers and rural constituents face across the country.

I come from a fifth-generation farm family in western Oklahoma, and it has given me an appreciation for just how challenging agriculture can be. My purpose remains in Congress to be a strong voice for rural America and production agriculture. ■

Photos courtesy of Rep. Lucas' office



**Mapping
Ground Water Rule
requirements:
Consumer Confidence Reports,
Public Notification, and
Special Notice**

This is the fifth in a series of five articles by the U.S. Environmental Protection Agency (EPA), Office of Ground Water and Drinking Water (OGWDW) that summarize key components of the Ground Water Rule (GWR). As with all drinking water rules, please check with your primacy agency for specific, state-related requirements.

All five articles have been compiled into one booklet, which is available on the RCAP website at www.rcap.org/EPAGWRrequirements

Disclaimer: This article is not a rule and is not legally enforceable. As indicated by the use of non-mandatory language such as “may” and “should,” it does not impose any legally binding requirements. This article describes requirements under existing laws and regulations and does not replace any existing established laws or regulations.

Ground Water Rule Public Notification and Consumer Confidence Report requirements

The first four articles of this series focused on the other main requirements of the Ground Water Rule (GWR): source water monitoring; compliance monitoring; sanitary surveys and corrective action. This final article discusses the new requirements the GWR introduces regarding the Public Notification (PN) Rule, the Consumer Confidence Report (CCR) Rule and Special Notice.

continued on next page

An overview of this series of articles on the Ground Water Rule

The goal of this series of articles is to help ground water systems (GWSs) navigate their way through the Ground Water Rule (GWR) requirements.

- Article 1: Introduction to the rule
Some of the key elements of the rule were introduced. Find this article in *Rural Matters* 2010 issue 3, page 18 or at www.rcap.org/sites/default/files/rcap-files/RM/2010/May-June2010.pdf
- Article 2: Triggered and additional source water monitoring.
Find this article in *Rural Matters* 2010 issue 4, page 18 or at www.rcap.org/sites/default/files/rcap-files/RM/2010/issue4/RuralMatters-JulyAug2010-final.pdf
- Article 3: Compliance monitoring and assessment source water monitoring.
Find this article in *Rural Matters* 2010 issue 5, page 18 or at www.rcap.org/sites/default/files/rcap-files/RM/2010/RuralMatters-SepOct2010-final.pdf
- Article 4: Sanitary surveys and corrective action.
Find this article in *Rural Matters* 2010-2011 issue 6, page 16 or at www.rcap.org/sites/default/files/RuralMatters-NovDec2010-final.pdf
- ➔ Current article: Article 5: Ground Water Rule Public Notification and Consumer Confidence Report requirements for community and non-community water systems.

All five articles have been compiled into one booklet, which is available on the RCAP website at www.rcap.org/EPAGWRrequirements

GWR and Public Notification

The PN Rule specifies how water system operators are to inform consumers of any potential adverse health effects related to the drinking water being supplied to them and to identify steps that consumers can take to minimize negative health effects.

Public notification provisions have always been part of the Safe Drinking Water Act. The GWR has additional PN requirements that apply to all types of ground water systems (GWSs), including consecutive and wholesale systems.

Public notification is communicated via three tiers of delivery methods and timeframes depending on the severity of the violation or situation. A summary of the tiers and when GWSs might have to provide a notice under the GWR requirements is shown in Table 1.

As mentioned in the second article of the series, the GWR uses the wholesale and consecutive system relationship. This applies mainly to GWSs that do not pro-

vide 4-log treatment for viruses and must comply with the GWR triggered and additional source water monitoring requirements.

Under the GWR, consecutive systems are required to inform their wholesale system within 24 hours of any total coliform-positive (TC+) sample collected for Total Coliform Rule (TCR) monthly monitoring compliance. A wholesaler that is not conducting compliance monitoring must collect a triggered source water sample within 24 hours of learning of a TC+ sample either in the wholesaler's or consecutive system's distribution system.

If the triggered source water monitoring sample is fecal indicator-positive (FI+), the wholesaler is required to inform all of the consecutive systems that are provided ground water from that source. In turn, both the wholesalers and the consecutive systems that delivered finished water from the FI+ ground water source must notify their consumers via the Tier 1 and Special Notice. For an example of the PN require-

ments under the GWR and the wholesale and consecutive relationship, see Figure 1.

GWR and Consumer Confidence Report requirements

The Consumer Confidence Rule requires community water systems (CWSs) to provide consumer confidence reports (CCRs) to their customers. While the GWR does not require non-community water systems (NCWSs) to provide CCRs, they are required to issue special notice.

In general, community GWSs must deliver their CCR to their customers by July 1 of each year. The CCRs are based on the previous calendar-year data. This means that a CCR published in July reflects a system's status and data collected between January and December of the previous calendar year.

Community GWSs are required to include in the CCR any violations of treatment techniques, any failure to meet the GWR

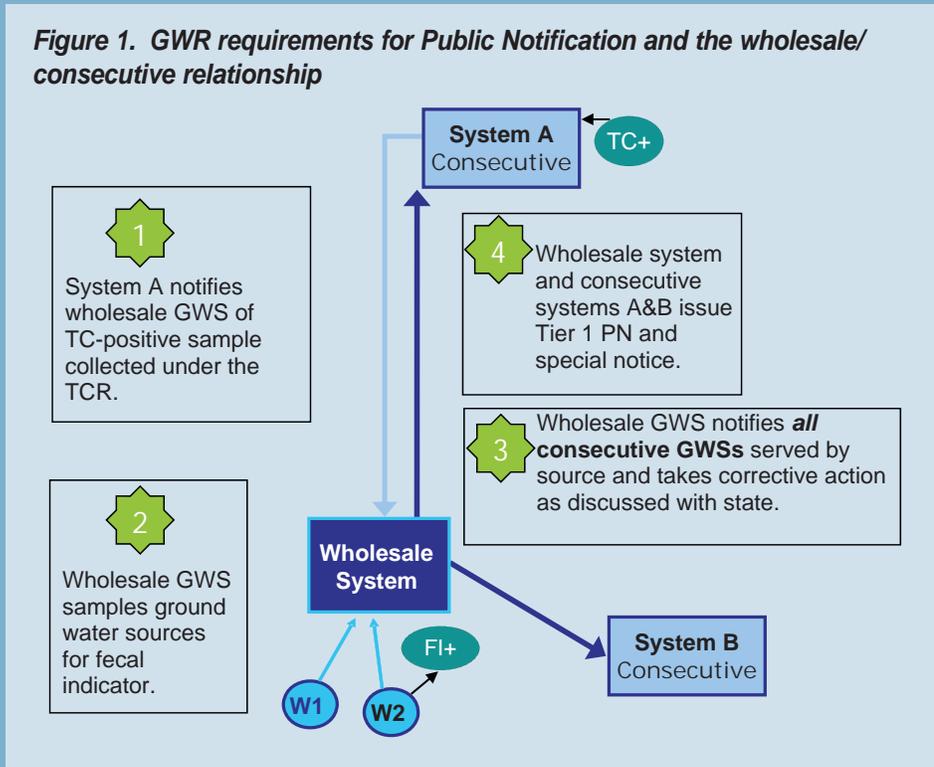
Photo by Scott Bauer, USDA



Table 1. Public Notification requirements under the Ground Water Rule

Tier	Action	GWR PN requirement
1	Notice as soon as practical but no later than 24 hours via radio, TV, hand delivery, posting or other state-approved media	Fecal indicator-positive source water sample
2	Notice as soon as practical but no later than 30 days via mail, direct delivery or other state-approved media. Repeat notice every three months until violation is resolved.	<ul style="list-style-type: none"> • Failure to complete a corrective action or being in compliance with state-approved schedule • Failure to maintain 4-log treatment of viruses
3	Notice within 12 months via mail, direct delivery or as part of the CCR (if provided no more than 12 months after the violation). Repeated annually for unresolved issues.	Failure to conduct required source water monitoring (triggered, additional or assessment) or compliance monitoring

Figure 1. GWR requirements for Public Notification and the wholesale/consecutive relationship



monitoring requirements, any fecal indicator-positive samples from source water monitoring results, and the range of the results for the chemical disinfectants and byproducts.

GWR treatment-technique violations are defined as failure to be in compliance with an approved corrective action plan (resulting from either a fecal indicator-positive sample or from a significant deficiency) and/or failure to maintain 4-log treatment of viruses for more than four hours. In the CCR, a GWS must provide an explanation of the treatment-technique violations, the length of the violation(s), any potential adverse health effects, and a description of the steps the public water system took to address the violation(s).

It is recommended that this information be presented in a table adjacent to the Water Quality Data table. See the revised Preparing Your Drinking Water Consumer Confidence Report (April 2010) for guidance (available at www.epa.gov/safewater/

ccr/pdfs/guideforwatersuppliersccr.pdf or by calling the Water Resource Center at 202-566-1729 or the National Service Center for Environmental Publications at 800-490-9198 and asking for EPA 816R09011). Failure to monitor includes all monitoring required under triggered, additional, or assessment source water monitoring as well as compliance monitoring. All positive results from source water monitoring results as well as the range of the results for the chemical disinfectants and byproducts must be included in the Water Quality Data table in the CCR.

If you are reporting fecal indicator-positive sample results under the GWR:

- list the MCL and MCLG as zero for *E. coli*
- list “TT” in the column for MCL and “N/A” (not applicable) in the column for MCLG for enterococci or coliphage
- enter the number of positive samples for the year in the column for MCL

and zero in the column for MCLG for total coliform bacteria.

A summary of the CCR and Special Notice requirements for CWSs and NCWSs is shown in Table 2 (on page 22).

GWR & Special Notice requirements

Special Notice is a new type of notice introduced by the GWR. Special Notice is required for both community and non-community GWSs. A CWS is required to issue a Special Notice for any FI+ source water sample and all uncorrected significant deficiencies. CWSs must comply with the Special Notice requirement by including this information in their CCR. Unresolved significant deficiencies must be included in the CCR every year that a significant deficiency goes unaddressed or corrected.

Special notices prepared by community GWSs to address FI+ samples must include:

- source of fecal contamination (if known)
- date(s) of the positive sample(s)
- whether the source of contamination has been addressed and the date of such action
- state-approved corrective action plan schedule if the fecal contamination has not been addressed
- potential health-effects language as indicated by the rule

NCWSs are required to do Special Notices only if they have uncorrected significant deficiencies. However, since NCWSs are not required to publish yearly CCRs, they will need to inform the public in a manner approved by the state. The non-community GWS must continue to notify the

continued on next page

public annually until the significant deficiency has been corrected. Special Notices prepared by non-community GWSs to address uncorrected significant deficiencies must include:

- nature of the significant deficiency
- date the significant deficiency was identified by the state
- description of state-approved plan
- schedule for correction of the significant deficiency, including interim measures, progress to date, and any interim measures completed
- information in the appropriate language(s) regarding the importance of the notice for GWSs with a large community of non-English speaking consumers

Please check with your state or primacy agency to ensure that your notices meet their requirements.

Table 2. CCR and Special Notice requirements for CWS & NCWS

<i>Community water systems</i>	
CCR	Special Notice*
<ul style="list-style-type: none"> • All fecal indicator-positive samples from source water monitoring • Range of results from chemical disinfectants • Special Notice* 	<ul style="list-style-type: none"> • Uncorrected significant deficiencies • FI+ source water sample (until corrective action is complete) <p>*CWS can include Special Notices in their CCR</p>
<i>Non-community water systems</i>	
CCR	Special Notice**
No CCR requirements	<ul style="list-style-type: none"> • Uncorrected significant deficiencies <p>** State-approved method annually until significant deficiency addressed.</p>

Training opportunities

EPA has concluded its workshops and webcast trainings on the GWR at this time. However, there still may be trainings sponsored by your state, EPA Region, or technical assistance providers. Contact

your EPA Region or state for more information on workshops or trainings that might be conducted near you. For more information on the GWR, visit the GWR homepage at www.epa.gov/safewater/disinfection/gwr ■

Frequently asked questions

- Q:** Does a FI+ source water sample result require a confirmation sample before Tier 1 Public Notification?
- A:** No. Every FI+ source water sample result (whether from triggered, additional, or assessment monitoring) requires Tier 1 public notification.
- Q:** If a consecutive system collects a TC+ sample, does it need to notify the wholesaler?
- A:** Yes. If a consecutive GWS learns of a TC+ in the distribution system, it is required to inform the wholesaler under the GWR. Failure to notify the wholesaler within 24 hours is a violation requiring Tier 3 PN.
- Q:** Will the CCRiWriter and the PNiwriter address GWR requirements?
- A:** Yes, EPA has updated these tools to reflect GWR requirements.



Photo by Keith Welter, USDA

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