

V. (Interim) Enhanced Surface Water Treatment Rule (ESWTR)
Proposed Rule, 59 FR 38832-38858 (July 29, 1994)

A. FEDERAL REGISTER NOTICES

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ESWTR-PRO
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A. FEDERAL REGISTER NOTICES

1. Proposed Rules

1. Federal Register: U.S. Environmental Protection Agency. National Primary Drinking Water Regulations: Enhanced Surface Water Treatment Requirements. Proposed Rule. Vol. 59, No. 145. July 29, 1994. 38832-38858.
2. Federal Register: U.S. Environmental Protection Agency. National Primary Drinking Water Regulations: Enhanced Surface Water Treatment Requirements. Extension of Public Comment Period. Vol. 61, No. 104. May 29, 1996. 26857-26858.

2. Other Federal Register Notices Cited in the Proposal
 1. Federal Register: U.S. Environmental Protection Agency. Drinking Water; National Primary Drinking Water Regulations; Filtration, Disinfection; Turbidity; Giardia lamblia; Viruses; Legionella, and Heterotrophic Bacteria; Final Rule. Part II. Vol. 54, No. 124. June 29, 1989. 27486-27541. (See SWTR IX-A1.1).
 2. Federal Register: U.S. Environmental Protection Agency. Drinking Water; National Primary Drinking Water Regulations; Total Coliforms; Final Rule. Part III. Vol. 54, No. 124. June 29, 1989. 27544-27568. (See TC VIII-A1.1; also VIII-A 2.3 - Corrections and Technical Amendments).
 3. Federal Register: U.S. Environmental Protection Agency. Priority List of Substances Which May Require Regulation Under the SDWA. Vol. 56., No. 9. January 14, 1991. 1470-1474. (See 2-DWPL A.1).
 4. Federal Register: Environmental Protection Agency. National Primary Drinking Water Regulations; Total Coliforms; Partial Stay of Certain Provision of Final Rule. Vol. 56, No. 10, Jan. 15, 1991. 1556-1557. (See TC, IX-A1: Stay of Variance)
 5. Federal Register: U.S. Environmental Protection Agency. Establishment and Open Meeting of the Negotiated Rulemaking Advisory Committee for Disinfection By-Products. Vol. 57, No. 220. November 13, 1992. p. 53866. (See D/DBP NOI I-A1.2).
 6. Federal Register: U.S. Environmental Protection Agency. Executive Order 12866 of September 30, 1993: Regulatory Planning and Review. Vol. 58, No. 190. October 4, 1993. 51735-51744.

7. Federal Register: U.S. Environmental Protection Agency. National Primary Drinking Water Regulations: Monitoring Requirements for Public Drinking Water Supplies: Cryptosporidium, Giardia, Viruses, Disinfection By-Products, Water Treatment Plant Data and Other Information Requirements. Proposed Rule. Vol. 59, No. 28. February 10, 1994. 6332-6444. (See ICR III-A1.1)
8. Federal Register: U.S. Environmental Protection Agency. Drinking Water; National Primary Drinking Water Regulations: Disinfectants and Disinfection By-Products and Enhanced Surface Water Treatment. Announcement of Public Meeting Dates and Locations. Vol. 59, No. 196. October 12, 1994. p. 51522.

B. REFERENCES CITED IN THE FEDERAL REGISTER

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3. AWWA. American Water Works Association (1993). Officers & Committee Directory. AWWA, Denver. 2 pp.
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2 pp.
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19. EPA. Environmental Protection Agency (1989). Cross-Connection Control Manual. EPA 570/9-89-007. Washington, D.C. 51 pp. NTIS PB91-145490.
20. EPA. Environmental Protection Agency (1991a). Guidance Manual for Compliance With the Filtration and Disinfection Requirements for Public Water Systems Using Surface water Sources. Washington, D.C. 583 pp. (See II-D, IX-J3.4)
21. EPA. Environmental Protection Agency (1991b). Manual of Small Public Water Supply Systems. EPA 570/9-91-003. Washington, D.C. 218 pp. NTIS PB92-117936.
22. EPA. Environmental Protection Agency (1991c). Manual of Individual and Non-Public Water Supply Systems. EPA 570/9-91-004. Washington, D.C. 188 pp. NTIS PB92-117944.
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C. REGULATORY IMPACT ANALYSIS

1. U.S. EPA. Environmental Protection Agency. Regulatory Impact Analysis for the National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule. May 25, 1994. 106 pp.
2. U.S. EPA. Environmental Protection Agency. Information Collection Request for the National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment Rule. May 18, 1994. 24 pp.
3. U.S. Environmental Protection Agency, Office of Drinking Water. Regulatory Impact Analysis: Benefits and Costs of Final Surface Water Treatment Rule. Feb. 17, 1989. 70 pp. (See SWTR, IX-H1.1)

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D. NATIONAL DRINKING WATER ADVISORY COUNCIL (NDWAC)

1. Minutes

- a. U.S. EPA. Meeting Minutes of the National Drinking Water Advisory Council. May 6-7, 1993. EPA 810/R-93-003. 39 pp. (See ICR III-F1.a)
- b. U.S. EPA. Meeting Minutes of the National Drinking Water Advisory Council. December 2-3, 1993. 40 pp. (See ICR III-F1.b)

2. Transcript

- a. U.S. EPA. 1993. Transcript of Proceedings of the National Drinking Water Advisory Council. May 6-7, 1993. El Paso, TX. Keith and Miller Reporters. 442 pp. (See ICR III-F2.a)
- b. U.S. EPA. 1993. Transcript of Proceedings of the National Drinking Water Advisory Council. December 2-3, 1993. Washington, D.C. Heritage Reporting Corp. 426 pp. (See ICR III-F2.b)

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E. OMB REVIEW

1. Pre-Proposal

1. July 15, 1994. Memorandum from T. Grubbs, Drinking Water Standards Division, to Record. OIRA Input to Proposed D/DBP and Interim ESWTR. Office of Water. 2 pp. + 2 attach. (130 pp.) (See D/DBP-PRO, VI-K1.1)

F. BACKGROUND DOCUMENTATION*

1. February 9-10, 1993 Meeting (See ICR III-H-7)
 - A. Advance mailing for the February 9-10 meeting.
4 pp.
 - B. Draft February 9-10 Meeting Summary. 13 pp.
 - C. Final February 9-10 Meeting Summary. 12 pp. + 12 att. (53 pp.).
 - a. Agenda
 - b. Participant list
 - c. Technologies Working Group: preliminary regulatory impact analysis
 - d. Evaluation of capital cost estimate used in technologies and costs for control of DBPs, draft of December 1992
 - e. Outline of options and sub options for Disinfectants/Disinfection by-products rule
 - f. Projected DBPs - option A
 - g. Proposed enhanced surface water treatment rule
 - h. Draft WICC position: national primary drinking water regulations
 - i. Discussion: option "X"
 - j. Comparison of reproductive effects with MCLGs
 - k. Overview of available information on the toxicity of drinking water disinfectants and their by-products
 - l. Percent of household income for water

See ICR III-H for additional background documentation from the regulation negotiation process.

2. February 24-25, 1993 Meeting (See ICR III-H-8)
 - A. Advance mailing for the February 24-25 meeting.
4 pp.
 - B. Draft February 24-25 Meeting Summary. 11 pp.
 - C. Final February 24-25 Meeting Summary.
11 pp. + 6 att. (32 pp.).
 - a. Agenda
 - b. Participant list
 - c. Technologies Working Group: preliminary impact analysis
 - d. National costs v predicted DBP levels
 - e. "Strawman" elements of D/DBP regulation
 - f. Hypothetical risk reduction analysis for all large surface water systems

3. March 18-19 1993 Meeting (See ICR III-H-9)
 - A. Advance mailing for the March 18-19 meeting. 2 pp.
 - B. Draft March 18-19 Meeting Summary. 12 pp.
 - C. Final March 18-19 Meeting Summary. 11 pp. + 15 att. (112 pp.)
 - a. Agenda
 - b. Participant list
 - c. DBP Technologies Working Group: regulatory impact analysis (3/18/93)
 - d. Draft summary of draft D/DBP & ESWTR rule elements (3/11/93)
 - e. Draft D/DBP rule language: Section 141.2 - Definitions (3/11/93)
 - f. Draft ESTWR elements - revisions to the surface water treatment rule (3/11/93)
 - g. Option X: Phase II Disinfectant/Disinfectant by-products regulation
 - h. Phase II D/DBP implementation (3/18/83 draft)
 - i. Second Stage Option: 40/30/2 by 1/02 for surface water PWS > 10,000

- j. Proposed resolution to assure that drinking water remains affordable for low-income households.
- k. Summary of epidemiologic studies of drinking and cancer and reproductive/developmental outcomes - Alceon, 3/17/93
- l. American Water Works Association: Evaluation of DBP research needs
- m. National Rural Water Association: Proposal to limit regulation of systems with fewer than 10,000 customers to an MCL of 100 ug/l for total THMS
- n. Sample signature document
- o. Proposed time frame of draft D/DBP and ESTWR requirements

4. May 12-13, 1993 Meeting (See ICR III-H-10)

- A. Advance mailing for the May 12-13 meeting. 2 pp. + 4 att. (8 pp.).
- B. Draft May 12-13 Meeting Summary. 12 pp. + 1 att. (200 pp.)
- C. Final May 12-13 Meeting Summary. 12 pp. + 8 att. (39 pp.).
 - a. Agenda
 - b. Participant list
 - c. Description of remaining issues
 - d. DBP Technologies Working Group: regulatory impact analysis (5/12/93)
 - e. DBP cost summary (excluding ESTWR costs)
 - f. AWWARF research proposal requesting federal funds for DBP research
 - g. Letter signed by participants requesting \$4 million federal funds for DPB research in FYs 94-98
 - h. List of materials prepared for distribution at 5/12-13 meeting (see 10D)

5. June 22-23, 1993 Meeting (See ICR III-H-11)
 - A. Advance mailing for the June 22-23 meeting.
 1. May 25, 1993. Memorandum from Gail Bingham, Resolve, to DBP Advisory Committee re: Follow-up to May 12-13 meeting. 2 pp. + 2 att. (4 pp).
 2. Jun. 15, 1993. Memorandum from Gail Bingham, Resolve, to DBP Advisory Committee re: June 22-23 meeting. 2 pp. + 8 att. (262 pp).
 3. May 26, 1993. Draft Enhanced Surface Water Treatment Rule language. 12 pp.
 4. May 26, 1993. Draft D/DBP Rule language. 57 pp.
 5. May 26, 1993. Draft Information Collection Rule language. 82 pp.
 - B. Draft June 22-23 Meeting Summary. 9 pp. + 1 att. (1p).
 - C. Final June 22-23 Meeting Summary. 1 p.
6. Ratification (See ICR III-H-12)
 - A. Follow-up mailing sent July 8, 1993. 2 pp.+ 5 att. (547 pp.)
 - a. Draft summary of June 22-23 meeting
 - b. Revised agreement document
 - c. Cover memo from Stig Regli and Tom Grubbs
 - d. Revised ESWTR
 - e. Revised ICR rule and preamble
 - f. Revised DBP rule and preamble

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- B. Follow-up mailing sent September 13, 1993. 3 pp. + 4 att. (363 pp.)
 - a. Revised drafts of ICR rule & preamble language
 - b. Revised draft of D/DBP rule and
 - c. Revised draft of Enhanced surface water treatment rule
 - d. Revised draft of D/DBP preamble (9/7/93)

- C. Follow-up mailing sent December 2, 1993. 2 pp. + 3 att. (416 pp.).
 - a. Final draft of ICR rule and preamble
 - b. Memo from Regli describing changes since September draft
 - c. Signature document

- D. Jan. 28, 1994. Memorandum from Gail Bingham, Resolve, to Reg Neg Committee. Re: ESWTR. [Att.: Draft ESWTR Preamble]. 2 pp. + 1 att. (127 pp). (see VI-I.1)

- E. May 12, 1994. The Last Errata Sheet/ Signature Time. Memorandum from Stig Regli to Reg Neg Committee. 90 pp. (see VI-I.3)

V-G1 - Log of Comments*
Enhanced Surface Water Treatment Rule - Proposed Rule
(in Docket files "ESWTR-PRO, V-G1." precedes each of the following log numbers)

<u>Log #</u>	<u>Date Rcvd</u>	<u>Date of LetterName</u>	<u>Organization Represented</u>	<u>Street Address</u>	<u>City / State</u>	<u>Zip</u>	<u>Total #Pgs</u>	<u>#Att.</u>	
01	08/12/94	08/08/94	Robert Smerko	The Chlorine Institute	2001 L St., NW	Washington, D.C.	20036	1	0
02	08/29/94	08/08/94	Rob Shirley	Certified Operator	9417 Petit Ct.	Ventura, CA	93004	3	0
03	10/06/94	09/13/94	Carl McMorran	Bangor Water District	P.O. Box 804	Bangor, ME	04402	5	0
04	10/31/94	10/24/94	Louis Ferrara	Oneida County Dept. of Health	800 Park Ave.	Utica, NY	13501	1	0
05	12/27/94	12/23/94	George Fulton	First District Water Dept.	12 New Canaan Ave. P.O. Box 27	Norwalk, CT	06852	4	0
06	01/17/95	01/05/95	Raymond Pelletier	U.S. Dept. of Energy	EH-23	Washington, DC	20585	8	0
07	02/22/95	02/13/95	Bruce Kuebler	City of Los Angeles Dept. of Water & Power	Box 111	Los Angeles, CA	90051	2	0
08	03/15/95	02/08/95	Joanna Musisca	Student	875 G Harrison Ave.	Columbus, OH	43215	1	0
09	04/17/95	04/10/95	David Lambillotte	LMD Laboratories, Inc.	2792 Loker Ave.,W. Suite 103	Carlsbad, CA	92008	1	0
10	07/17/95	07/10/95	Jean Barrett	Coalition to Preserve Open Reservoirs	3355 Floyd Terrace	Los Angeles, CA	90068	4	0
11	10/03/95	09/28/95	John Sullivan	AWWA - Government Affairs	1401 New York Ave., NW, Suite 640	Washington, DC	20005	11	11
12	02/28/96	02/01/96	Lorraine Welsch	Citizen	39 Cambria Rd.	Syosset, NY	11791	1	0
13	04/16/96	04/05/96	Charles Spencer	Illinois Farm Bureau	P.O. Box 2901	Bloomington, IL	61702	2	0
14	05/17/96	05/09/96	Kenneth Lynn	Union Electric	P.O. Box 149	St. Louis, MO	63166	3	0
15	05/24/96	05/03/96	James Wood	Citizen	3 Avenue L	Matamoras, PA	18336	3	21
16	06/03/96	05/29/96	Michael Logston	American Backflow Prevention Association	301 Tarrow Rd.	College Station, TX	77843	2	1
17	06/03/96	05/28/96	James K. Cleland	MI Dept. of Envir. Quality	P.O. Box 30473	Lansing, MI	48909	4	0
18	06/05/96	05/29/96	Julius Ciaccia, Jr.	Cleveland Dept. of Public Util.	1201 Lakeside Ave.	Cleveland, OH	44114	6	0

* Hand-delivered or postmarked by August 30, 1996.

<u>Log #</u>	<u>Date Rcvd</u>	<u>Date of LetterName</u>	<u>Organization Represented</u>	<u>Street Address</u>	<u>City / State</u>	<u>Zip</u>	<u>Total #Pgs</u>	<u>#Att.</u>	
19	07/10/96	07/16/96	David P. Spath	CA Dept. of Health Services	P.O. Box 942732	Sacramento, CA	94234	7	3
20	08/26/96	08/19/96	Ralph Gelvin PE	KS Dpt. of Health & Environment	Forbes Field, Bldg 283	Topeka, KS	66620	3	0
21	08/30/96	08/30/96	John H. Sullivan	American Water Works Assoc. AWWA	1401 NY Ave, NW Ste. 640	Washington, DC	20005	43	53
22	08/30/96	08/30/96	Diane VanDe Hei	Assoc. of Met. Water Agencies (AMWA)	1717 K St. NW Ste. 801	Washington, DC	20036	1	4
23	08/30/96	08/27/96	David L. Crandell	Akron Water Supply	1570 Ravenna Rd.	Kent, OH	44240	1	1
24	08/30/96	08/29/96	Thomas E. Werner	Suffolk Dpt. of Public Utilities	PO Box 2368	Suffolk, VA	23432	2	0
25	08/30/96	08/30/96	G. Robert House, Jr.	Water Treatment					
26	08/30/96	08/30/96	Sarah Clark, P.E.	City of Austin	PO Box 1088	Austin, TX	78767	4	7
27	08/30/96	08/30/96	Dr. Robert G. Smerko	Chlorine Institute	2001 L. St, N.W.	Washington, DC	20036	13	7
28	08/30/96	08/30/96	Ron Freeman	City of Amarillo	PO Box 1971	Amarillo, TX	79186	2	0
29	08/30/96	08/29/96	Robert Hollander	City of Phoenix	200 W. Washington 9 th FL	Phoenix, AZ	85003	8	0
30	08/30/96	08/29/96	Kumar Kishinchand	City of Philadelphia	ARA Tower@Rdg.Ctr. Philadelphia, PA 1101 Market Street		19107	12	0
31	08/30/96	08/28/96	David Y. Terry	MA Dept. of Envir. Protection	1 Winter St.	Boston, MA	02108	3	3
32	08/30/96	08/30/96	Joel A. Miele	NYC Dept. of Envir. Protection	59-17 Junction Blvd.	Corona, NY	11368	7	0
33	08/30/96	08/29/96	Rob Sabados for the Cryptosporidium Community	ACT UP GOLDEN GATE	519 Castro St. #93	San Francisco, CA	94114	8	18
34	08/30/96	08/29/96	Stephen K. Hall	Assoc. of CA Water Agencies (ACWA)	910 K St., Ste. 250	Sacramento, CA	95814	5	0
35	08/30/96	08/28/96	Thomas Schrempp	Water District No. 1, Johnson Co.	7601 Holliday Dr.	Kansas City, KS	66106	1	0
36	08/30/96	08/29/96	Jack DeMarco	City of Cincinnati - Water Works	5651 Kellogg Ave.	Cincinnati, OH	45228	5	3
37	08/30/96	08/29/96	Thomas Atherholt	NJ Dept. of Environ. Protection	CN 409-401 E State St.	Trenton, NJ	08625	9	3
37	12/27/94	12/20/94	Joseph T. Domazet, Jr.	Fairfax Co. Water Authority	8560 Arlington Blvd	Merrifield, VA	22116	13	2

* Hand-delivered or postmarked by August 30, 1996.

V-G2 - Log of Late Comments*
 Enhanced Surface Treatment Rule - Proposed Rule
 (in Docket files " ESWTR-PRO, V-G2." precedes each of the following log numbers)

<u>Log #</u>	<u>Date Rcvd</u>	<u>Date of LetterName</u>	<u>Organization Represented</u>	<u>Street Address</u>	<u>City / State</u>	<u>Zip</u>	<u>#Pgs</u>	<u>#Att.</u>
1	09/06/96	09/05/96	Paul Johnson	IN Dept. of Envir. Management	100 N Senate Ave. PO Indianapolis, IN Box 6015	46206	3	0

* *Hand-delivered or postmarked after August 30, 1996.*