

Executive Summary

NATIONAL DRINKING WATER ADVISORY COUNCIL MEETING HELD JULY 25, 1997 IN WASHINGTON, D.C. AT EPA HEADQUARTERS

Background

The National Drinking Water Advisory Council (NDWAC) met by conference call on Friday, July 25, 1997, to discuss the results of the Consumer Confidence Working Group report that was presented by Council members, Susan Seacrest, Maurice Arel and Diana Neidle. All members of the Council were present on the call. The Council chose to review the Draft Consumer Confidence Regulations (Attached) by section, dealing with the issues posed by the Working Group as they appeared in the draft. The following is a result of the meeting:

CONTENT OF REPORTS - §141.153

RECOMMENDATION 1 - Information on Source of Water Purveyed (§141.153(b)(2))

Council member Diane Kiesling proposed the language written as (2): "Each report must include information readily available to the operator regarding sources of contamination which may have an impact on the quality of the source water" be struck from the draft. Motion was seconded by Jim Cleland and carried with three opposing votes, Jim Tripp, Paul Nannis and Diana Neidle.

RECOMMENDATION 2 - Level of Detected Contaminants (§141.153(d)(2)(iii)(D))

The Council considered simultaneously the language offered in Issue 1 "Each report must contain relevant information to provide customers with an accurate picture of the highest level of contaminants they may have been exposed to during the year" and Issue 2 "The highest test result used to determine compliance with the National Primary Drinking Water Regulation." The Council recommended the following language to become (D) of this Section instead of what was offered as Issue 2: "**When the number to be reported is a system-wide average and 10% or more of the population is exposed to levels that exceeds the MCL, then the report should provide information on the magnitude and location of the level of the exposure.**" This motion carried.

As part of this recommendation, the Council does not accept the language in Issue 1.

RECOMMENDATION 3 - Health Effects Language (§141.153(d)(2)(v))

The Council took up Issue 3, "The statute provides that the Administrator may require health effects language for no more than 3 regulated contaminants detected at levels below the MCL." Of the three options proposed by the Working Group, the motion was made by Wally Bishop and seconded by Diane Kiesling to recommend Option 1: **No specific requirement.** That motion carried with three opposing votes, Jim Tripp, Diana Neidle and Paul Nannis.

RECOMMENDATION 4 - Monitoring for Radon (§141.153(d)(vi)(4)(iii))

The Council discussed Issue 4 to accept as (iii) "**an explanation of the significance of the results**" as opposed to "canned language" from EPA in the appendix describing the health effects of radon. A motion to accept this proposed language was made by Susan Seacrest and seconded by Wally Bishop. The motion carried with two opposed, Jim Tripp and Diana Neidle, with Paul Nannis abstaining.

RECOMMENDATION 5 - Additional Monitoring (§141.153)(d)(vi)(5))

A motion by Jim Cleland and seconded by Will VanDeValk to change a word in the following language "If the system has performed any additional monitoring which includes that contaminants for which a regulation has been proposed or a health advisory has been issued are present in the finished water the report ~~must~~ **may** include." The motion carried with one opposing vote by Diana Neidle.

RECOMMENDATION 6 - Additional Information (§141.153)(g)(1))

A motion was made to make a change to (1) under this Section: "The reports ~~must~~ **may** contain a brief explanation regarding contaminants which may reasonably be expected to be found in drinking water including bottled water." This motion carried with six opposing votes from Nina McClelland, Susan Seacrest, Maurice Arel, Jim Tripp, Diana Neidle and Wally Bishop. Nina McClelland stated she will file a minority report on this issue.

A motion was made by Will VanDeValk and seconded to add the word "wildlife" to the end of (ii) and a second change to the same sentence was put forth by John Scheltens and seconded to change the word "feedlots" to now read "*Biological contaminants*, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, and ~~feedlots~~ **agricultural livestock operations and wildlife**." This motion carried unanimously.

Another motion to change in (iii), first sentence, "In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water ~~set~~ **provided** by public water systems . . ." was made and accepted unanimously.

With all three motions accepted and incorporated, a motion was made by Jim Tripp and seconded by Diana Neidle to accept all of (g) as amended. The recommendation carried with six opposing votes from Diane Kiesling, Nina McClelland, Patrick Banegas, Susan Seacrest, Tom Yohe and Jim Cleland.

REQUIRED HEALTH INFORMATION (§141.154)

RECOMMENDATION 7 - Required Health Information (141.154)(a)

A motion (on Issue 5) by Wally Bishop and seconded by Diane Kiesling to accept the language as written was passed with four opposing votes from Susan Seacrest, Diana Neidle, Jim Tripp and Paul Nannis. The language recommended reads, (a) "All reports must prominently display the following language: Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk for infections. These people should seek advice from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by cryptosporidium are available from the Safe Drinking Water Hotline (800-426-4791)."

RECOMMENDATION 8 - Special Primacy Requirements (§142.16(f)(2))

A motion on Issue 7 (actually Issue 6) by Wally Bishop and seconded by Susan Seacrest to accept the language written as (2) "Each state that has primary enforcement responsibility must make reports submitted to the States in compliance with §141.156(b) available to the public upon request or maintain a list of telephone numbers for operators of community water systems" was carried with three opposing votes from Diane Kiesling, Patrick Banegas and Jim Cleland.

I certify that, to the best of my knowledge, the foregoing minutes of complete and accurate.

L.D. McMullen, Chair, National Drinking
Water Advisory Council

Date

Charlene E. Shaw, Designated Federal Officer
National Drinking Water Advisory Council

Date