

SYNOPSIS

Proposed Amendments to the Rules for Safe Drinking Water, Chapter 391-3-5

The proposed amendments to the Rules for Safe Drinking Water would amend provisions of eight Rules under Chapter 391-3-5, and add **Rule 391-3-5-.55**, Revised Total Coliform Rule, to incorporate the requirements of EPA's 2013 Revised Total Coliform Rule and maintain state primacy over public drinking water systems.

Purpose: The Federal Safe Drinking Water Act requires States to adopt new or revised federal regulations in order to maintain primacy (primary enforcement authority) over public drinking water systems. EPD is proposing amendments to the Rules for Safe Drinking Water based on EPA's 2013 Revised Total Coliform Rule to meet primacy requirements.

Main Features: EPD proposes amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, to incorporate all of the various provisions included in the Revised Total Coliform Rule rulemaking that correlate to specific language in eight Rules in this Chapter. In addition, a new Rule 391-3-5-.55 is proposed to incorporate the language of the Revised Total Coliform Rule, 40 CFR Part 141, Subpart Y. Corrections to formatting and typographical errors are also proposed, including updates in paragraph numbering in Rules 391-3-5-.06, -.27 and -.52.

RULES FOR SAFE DRINKING WATER, CHAPTER 391-3-5

391-3-5-.02, "Definitions. Amended" is being amended to add five new definitions associated with the Revised TCR set forth in 40 CFR Part 141, Subpart A, § 141.2, and to revise the terminology used in various Rule references (substituting "Rule" for "Section").

391-3-5-.06, "Source of Water Supply. Amended" is being amended to correct the numbering of subparagraph (1)(e).

391-3-5-.09, "Water Treatment Facilities. Amended" is being amended to incorporate language in paragraph (q) from the Revised TCR provisions relating to analytical and monitoring requirements set forth in 40 CFR Part 141, Subpart H, § 141.74; to correct typographical errors and to add a clarifying phrase in paragraph (1)(b); and to correct the terminology used for various Rule references.

391-3-5-.18, "Primary Maximum Contaminant Levels for Drinking Water. Amended." is being amended to incorporate language in paragraph (4) from the Revised TCR provisions relating to maximum contaminant levels (MCLs) for microbiological contaminants set forth in 40 CFR Part 141, Subpart G, § 141.63; to add a reference in paragraph (8) to the Revised TCR MCL goals for microbiological contaminants set forth in 40 CFR Part 141 Subpart F, § 141.52; to correct the "Primary MCLs for Turbidity" paragraph numbering from (2) to (3); and to move and renumber a subparagraph of text in paragraph (7). In addition, a formatting error in two tables is being corrected, and the terminology used in various Rule and paragraph references is being revised.

391-3-5-.23, "Coliform Sampling. Amended" is being amended to incorporate language in paragraph (8) from the Revised TCR provisions relating to coliform sampling set forth in 40 CFR

Part 141, Subpart C, § 141.21; to renumber paragraph (3)(b); and to revise the terminology and format used to cross reference various rules or rule paragraphs.

391-3-5-.24, “Disinfection Byproducts Sampling, Analytical and Other Requirements. Amended” is being amended to revise the title of this Rule to “Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors Sampling, Analytical and Other Requirements”; to incorporate language in paragraph (5) from the Revised TCR provisions relating to routine monitoring for disinfectant residuals set forth in 40 CFR Part 141, Subpart L, § 141.132; and to revise the terminology and format used to cross reference various rules, rule paragraphs and CFR sections.

391-3-5-.27, “Monitoring Frequency and Analytical Methods for Radioactivity in Community Water Systems. Amended” is being amended to correct the numbering of subparagraph (2)(d).

391-3-5-.33, “Variances and Exemptions. Amended” is being amended to incorporate the provisions of the Revised TCR relating to variances and exemptions set forth in 40 CFR Part 141, Subpart A, § 141.4.

391-3-5-.41, “Consumer Confidence Reports. Amended” is being amended to remove two incorrect references to 40 CFR Part 141 Subpart O, Appendices B and C; to revise the format used for various CFR references; and to update paragraph numbering. The requirements of the Revised TCR regarding report contents, set forth in 40 CFR Part 141, Subpart O, § 141.153, are already incorporated by reference in this Rule.

391-3-5-.52, “Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR)” is being amended to correct the numbering of paragraphs (18) through (22).

391-3-5-.54, “Ground Water Rule” is being amended to incorporate language in paragraph (3) from the Revised TCR provisions relating to ground water source microbial monitoring and analytical methods set forth in 40 CFR Part 141, Subpart S, § 141.402; to correct language in paragraphs (3)(b) through (3)(g) to ensure consistency with 40 CFR §§ 141.402 (b) - (e), (g) and (h); and to incorporate language in paragraph (6)(b)4. from the Revised TCR provisions regarding reporting and recordkeeping for ground water systems set forth in 40 CFR Part 141, Subpart S, § 141.405. In addition, revisions in the terminology and format used to cross reference various rules, rule paragraphs and CFR sections have been incorporated.

391-3-5-.55, “Revised Total Coliform Rule” is proposed as a new rule to incorporate the requirements of the Revised Total Coliform Rule, as set forth in 40 CFR Part 141, Subpart Y, §§ 141.851-141.861. Those requirements relate to analytical methods and laboratory certification, monitoring and assessment, violations, and reporting and recordkeeping.

STATEMENT OF RATIONALE
Proposed Amendments to the Rules for Safe Drinking Water, Chapter 391-3-5

The amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, are proposed to address the requirements of EPA's 2013 Revised Total Coliform Rule. The Federal Safe Drinking Water Act, 40 CFR Part 142, requires States to adopt new or revised federal regulations in order to maintain primacy (primary enforcement authority) over public drinking water systems. The proposed amendments are designed to incorporate the requirements of the Revised Total Coliform Rule, and will ensure that Georgia maintains its primacy over public drinking water systems.

The Total Coliform Rule (TCR), a National Primary Drinking Water Regulation, was published in 1989 and became effective in 1990. The purpose of the TCR is to protect public health by ensuring the integrity of the drinking water distribution system and monitoring for the presence of microbial contamination. On February 13, 2013, EPA published a Revised TCR. The Revised TCR requires public water systems that are vulnerable to microbial contamination to identify and fix problems. All public water systems and primacy agencies must comply with Revised TCR requirements by April 1, 2016.