



**American Water Works
Association**

The Authoritative Resource on Safe Water®

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Regulatory Alert

TO: All Utilities

FROM: AWWA Government Affairs

DATE: August 10, 2010

Who: U.S. Environmental Protection Agency

What: Revised Total Coliform Rule (RTCR)

When: Comments are due on or before September 13, 2010

The American Water Works Association (AWWA) Government Affairs Office requests that utility members carefully review EPA's proposed Revisions to the Total Coliform Rule (75 *Federal Register* 40925, 7/14/10) and associated guidance (<http://www.epa.gov/safewater/disinfection/tcr/regulation.html#tcr1989>). EPA will update this website soon to include the *Draft Assessment and Correction Guidance Manual*. This guidance is critical to assist utilities in conducting the required assessments and correcting any deficiencies (if any are found), and will provide additional detail that will assist you in evaluating the proposed rule.

The proposed revisions eliminate the total coliform MCL and public notice based solely on total coliform occurrence. These changes (and others) are based on the Total Coliform Rule and Distribution System Advisory Committee Agreement in Principle (TCRDSAC AIP), to which AWWA is a signatory organization. AWWA believes the TCRDSAC AIP principles provide a sound basis for public health protection. These core principles include:

- Providing appropriate public notification for true public health risks.
- Utilizing indicators with a proven track record, to do what they are best suited for.
- Improving utilization of state resources.
- Providing separate approaches addressing the unique characteristics of different types and sizes of systems.

The AIP is available at
http://www.epa.gov/safewater/disinfection/tcr/pdfs/tcrdsac/agreementinprinciple_tcrdsac_2008-09-18.pdf .

AWWA will be preparing detailed comments to assist EPA in finalizing a RTCR that reflects the above principles. AWWA asks that individual members also review and submit comments to EPA on the RTCR. AWWA recommends members emphasize:

- EPA should closely adhere to the TCRDSAC AIP framework in finalizing the RTCR.
- The RTCR framework appropriately focuses public notice in instances when a water system is not managing its system appropriately. This regulatory approach is much clearer and more appropriate than public notice based on total coliform positive samples alone.
- Sanitary defects are tangible problems in the system's construction or operation that have immediate impacts on the sanitary condition of the distributed water as recognized by the TCR monitoring (see page 6 of TCRDSAC AIP for recommended definition).
- Appropriately qualified internal utility staff members should conduct Level 2 Assessments when possible.
- EPA and WaterRF should be applauded for committing to the research necessary to support future risk management actions for which there are not adequate information at present to support federal decision making (e.g., guidance or regulations for distribution system facility operation and maintenance practices, cross-connection control, and other topics identified by the TCRDSAC).

There are many state-specific nuances to TCR implementation and substantial state discretion in implementing the RTCR. AWWA recommends that individual utilities and sections begin to work with their primacy agency immediately to advance broad support for RTCR framework recommended by the TCRDSAC and its timely implementation.

Questions regarding the RTCR can be directed to Steve Via at (202) 326-6130 or svia@awwa.org.

Comments on RTCR should be directed to:

Water Docket
Environmental Protection Agency
Mail Code: 4101T
1200 Pennsylvania Ave., NW.
Washington, DC 20460

Attention: Docket ID No. EPA-HQ-OW-2008-0878

Comments can be submitted electronically through
www.regulations.gov using the above Docket ID: