

US EPA ARCHIVE DOCUMENT

## Public Comment Received by U.S. EPA by Electronic Mail on September 5, 2000

TO: Miguel Del Toral, Water Division or Kristina Heinemann  
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FROM: Mike Keegan, Analyst  
DATE: August 28, 2000  
SUBJECT: Comments on the draft Final Project Agreement and SDWA Variance

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The Safe Drinking Water Act's variance provision is of great interest the over 20,000 small rural water systems that are member of the National Rural Water Association. I am writing to inquire to the process of granting variances in the hope of better understanding the administrative and legal processes surrounding variances for small systems.

According to U.S. EPA Region 5 Order, "DRAFT VARIANCE UNDER SECTION 1415(A)(3), THE CITY OF COLUMBUS" [page 6] the City of Columbus is granted a variance by EPA if:

(A) As a precautionary measure the City will consult with the EPA and U.S. EPA Region 5 prior to making any treatment change.

(B) As a precautionary measure, at the time the City identifies a treatment change, the City will increase the frequency of tap monitoring for lead and copper and those optimal water quality parameters designated by the EPA. If specified by the EPA, additional monitoring may be required for other water parameters, beginning at the time the City identifies a treatment change.

(C) If the lead levels begin to rise the City will consult with U.S. EPA and EPA, and take immediate steps to reverse that trend, and if necessary install the additional treatment technology to stop the elevation.

Apparently this exceptional process is less expensive for water systems than EPA's prescribed regulatory requirement to begin sampling lead service lines and replace those lines where sampling indicates a level more than the action level. (40 C.F.R. Section 141.84). This would likely be a preferred compliance option for many water systems under the Lead and Copper Rule. However this exception has only been provided to Columbus. Could you please explain why this process should only be available in the City of Columbus and not in the other approximately 60,000 community water systems required to comply with the Lead and Copper Rule. Why is Columbus' water system unique in the fact that this process would "provide better public health protection, and keep lead levels at consumer's taps at least as low as the National Primary Drinking Water Regulations," (page 7), but not in other (or every) community water systems? If this process results in "better public health protection," why is this option not available under EPA's best available treatment listings?

Thank you for your assistance and please call me with any questions.

National Rural Water Association

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