

Authorization to Initiate Rule Revisions for adoption of the Revised Total Coliform Rule

RULE REVISIONS OF R309-100, R309-105, R309-110, R309-200, R309-210, R309-211, R309-215, R309-220, R309-225

This packet contains the necessary changes to R309-100, R309-105, R309-110, R309-200, R309-210, R309-211, R309-215, R309-220, and R309-225 to adopt the Revised Total Coliform Rule.

Cost Estimates:

Along with the final rule language, EPA presented the estimated increase in annual cost nationwide with the new requirements. They estimate nationwide there will be an increase of \$14,000,000 with the basic requirements and with an implementation plan of monthly monitoring it would be \$30,000,000 nationwide. Utah is a 1% State, as such the increase projected from the national estimate for **Utah would be, \$140,000 and \$300,000**, respectively. The costs are estimated to be incurred 90% by public water systems and 10% by the state primacy program. It is important to note this cost estimate also includes the cost of fixing sanitary defects (significant deficiencies) found in the system infra-structure.

The only difference between the final rule language and the alternate (monthly sampling for everyone) is whether to require monthly samples for all non-transient and transient non-community systems.

Stringency: Division staff propose the Drinking Water Board adopt the RTCR option to require monthly monitoring for all public water systems for each month of operation based on the population served.

Discussion:

RTCR requirements:

Like the 1989 federal TCR, allows for reduced monitoring frequencies for community systems to quarterly and non-community systems to annual. The Drinking Water Board rejected the reduced options in the 1989 TCR.

All seasonal systems (72% 347 of 479 of Utah transient non-community systems), under both options, must sample monthly as a default unless the Division conducts an evaluation as to when it is most vulnerable to contamination and assigns the quarterly sample to be taken within that window of time. **The Division does not have the**

resources to evaluate the most vulnerable time nor track that level of specificity in monitoring.

Systems initially eligible for quarterly monitoring, who have violations must be changed to a monthly frequency until conditions are met and reported allowing them back to a quarterly frequency. This creates a yo-yo effect on monitoring frequencies and confusion on what frequency a system has to sample at. **The Division does not have the resources for tracking and adjusting the schedules in this manner.**

The current requirement for additional samples the next month has been eliminated for systems who sample monthly. **We can eliminate tracking of these samples if all systems are on a monthly schedule.**

The last 3 waterborne disease outbreaks have occurred at non-community systems (scout and girls camps). These systems are currently sampling quarterly.

Staff Recommendation:

1. The Staff recommends the Drinking Water Board authorize staff to proceed with adopting rules and an implementation strategy to require total coliform samples for all public water systems with the sample number based on the population served and the frequency based on each month of operation.
2. The Staff recommends the Drinking Water Board authorizes staff to proceed with the filing for substantive changes to R309-100, R309-105, R309-110, R309-200, R309-210, R309-211, R309-215, R309-220, and R309-225 with the Division of Administrative Rules for rule adoption.