UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND WATERSHEDS

October 27, 2011

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255

Dear Ms. Wilson:

While representatives from the Region 10 office of the Environmental Protection Agency are not able to attend any of the negotiated rulemaking meetings, we wanted to take this opportunity to relay comments on proposed revisions to the Idaho Rules for Public Drinking Water Systems, 58.01.08 - Docket No. 58-0108-1101. Please note, we did not review any of the sections that address facility and design standards since facility and design standards are outside of EPA's purview.

If you have any questions pertaining to these enclosed comments, please feel free to contact me at marshall.wendy@epa.gov or (206) 553-1890.

Sincerely,

Wendy Marshall

Wendy Marshall
Environmental Scientist
Drinking Water Unit

cc: Mike Piechowski, DEQ

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EPA Region 10 Comments on Revisions to the Idaho Rules for Public Drinking Water Systems, 58.01.08
Docket No. 58-0108-1101

1. Page 9 – The definitions of GAC10 and GAC20 at 58.01.08.003.54 and 55, respectively have been deleted. As these definitions remain in the Code of Federal Regulations (CFR), it would be advisable to retain these definitions in the IDAPA.

2. Page 9 – In the definition of Ground Water under the Direct Influence of Surface Water (GWUDI) at Subsection 003.57, the following sentence, which is included in the CFR definition of GWUDI, has been deleted. "Direct influence must be determined for individual sources in accordance with criteria established by the State." Even if you currently do not have specific criteria that must be used by water systems, by removing this sentence DEQ may lose the authority to require water systems to comply with criteria that you may wish to establish in the future. You may want to rethink the decision to delete this sentence.

3. Page 28 – The following language has been added to subsection 300.04.c – "and at least 2-Log or ninety-nine percent (99%) inactivation/removal of Cryptosporidium as required by 40 CFR Part 141, Subpart P or Subpart T." This language is not as stringent as the federal language. In the CFR at sections 141.170(a)(1) (in Subpart P) and 141.500(a) (Subpart T), 2-log Cryptosporidium treatment is by removal only. Inactivation is not included. Therefore, "at least 2-Log or ninety-nine percent (99%) inactivation/removal of Cryptosporidium" must be changed to "at least 2-Log or ninety-nine percent (99%) removal of Cryptosporidium".