

Document: IC 13-14-9 Notice, **Register Page Number:** 25 IR 206

Source: October 1, 2001, Indiana Register, Volume 25, Number 1

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TITLE 327 WATER POLLUTION CONTROL BOARD

FIRST NOTICE OF COMMENT PERIOD

#01-348(WPCB)

DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING DRINKING WATER STANDARDS, SPECIFICALLY CONCERNING INTERIM ENHANCED SURFACE WATER TREATMENT, DISINFECTANTS AND DISINFECTION BYPRODUCTS, AND FILTER BACKWASH FOR PUBLIC DRINKING WATER SYSTEMS

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to 327 IAC 8-2 concerning interim enhanced surface water treatment, disinfectants/disinfection byproducts, and filter backwash. IDEM seeks comment on the affected citations listed and any other provisions of Title 327 that may be affected by this rulemaking.

CITATIONS AFFECTED: 327 IAC 8-2.

AUTHORITY: IC 13-13-5-1; IC 13-14-8-1; IC 13-14-8-2; IC 13-18-3-2; IC 13-18-16-9.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

On December 16, 1998, U.S. EPA published National Drinking Water Regulations for Interim Enhanced Surface Water Treatment. These regulations make changes to the Indiana surface water treatment rule as published April 12, 1993. These changes are being made to improve implementation of the rule. The intended effect of the rule is to strengthen microbial protection, including provisions specifically to address Cryptosporidium, and to address risk trade-offs with disinfection byproducts.

Also on December 16, 1998, U.S. EPA published National Drinking Water Regulations for Disinfectants and Disinfection Byproducts. These regulations update the 1979 regulations for total trihalomethanes. In addition, these regulations will reduce exposure to three disinfectants (chlorine, chloramine, and chlorine dioxide) and many disinfection byproducts.

On June 8, 2001, U.S. EPA published National Drinking Water Regulations for Filter Backwash Recycling. These regulations address a statutory requirement of the 1996 Safe Drinking Water Act (SDWA) Amendments to promulgate a regulation which "governs" the recycling of filter backwash water within the treatment process of public water systems. The purpose of these regulations is to further protect public health by requiring public water systems, where needed, to institute changes to the return of recycle flows to plant's treatment process that may otherwise compromise microbial control. Indiana is required to adopt all of these revisions in order to maintain primacy (primary enforcement authority) for the Safe Drinking Water Program.

STATUTORY AND REGULATORY REQUIREMENTS

IC 13-14-8-4 requires the board to consider the following factors in promulgating rules:

- (1) All existing physical conditions and the character of the area affected.
- (2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- (3) Zoning classifications.
- (4) The nature of the existing air quality or existing water quality, as the case may be.
- (5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- (6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

REQUEST FOR PUBLIC COMMENTS

At this time, IDEM solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.

Mailed comments should be addressed to:

#01-348(WPCB) Amendments to Drinking Water Standards

Larry Wu

Rules Section Chief

Office of Water Quality

Indiana Department of Environmental Management

P.O. Box 6015

Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the IDEM receptionist on duty at the twelfth floor reception desk, Office of Water Management, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana. Comments may be delivered by facsimile to (317) 232-8406. Please confirm the timely receipt of faxed comments by calling the Office of Water Management Rules Section at (317) 233-8903. Please be advised that electronic transmission of comments is unacceptable.

COMMENT PERIOD DEADLINE

Comments must be postmarked or hand delivered by October 30, 2001.

Additional information regarding this action may be obtained from Megan Wallace, Rules Section, Office of Water Management, (317) 233-8669 or (800) 451-6027 (in Indiana).

Tim Method
Acting Assistant Commissioner
Office of Water Quality
Indiana Department of Environmental Management