

**CENTRAL UTAH WATER CONSERVANCY DISTRICT**  
**Response to EPA Requests for Comment on the Proposed LT2ESWTR**  
**January 9, 2004**

Water System Name: Central Utah Water Conservancy District  
 Contact Name: D. Gerard Yates  
 Treatment Operations Manager  
 Phone Number: 801-226-7189  
 Email address: [gerard@cuwcd.com](mailto:gerard@cuwcd.com)  
 Docket ID No. OW-2002-0039

Section	Request for Comment Or Issue	Comments
<b>IV. Discussion of Proposed LT2ESWTR Requirements</b>  <b>A. 3. Request for Comment (pages 47678-47679)</b>	EPA requests comment on all aspects of the monitoring and treatment requirements proposed in this section. (page 47678)	C UWCD recommends that additional clarification be added regarding the sample collection dates for <i>Cryptosporidium</i> samples. It is not clear whether a system must select a numeric date or a consistent time interval (4 week of the month) to meet the sampling requirements.  C UWCD recommends that instructions on calculating the RAA for bin classification be included in the rule as well as the guidance manual. This should include how to handle results that are below the detection limits, and non-continuous data due to plants that operate seasonally. Because the calculation of RAA for bin classification is so critical, this data handling issue needs to be in the regulation not just in the guidance manual.
	EPA requests comment on the requirement for systems that use surface water for only part of the year. (page 47678)	This wording is vague and lacks clarification for unexpected situations such as shutdowns due to maintenance/repairs or low water demand. Provisions need to be added to the regulation to allow for short periods of time that a plant has to go off-line and cannot collect samples. Extending the monitoring period to allow for a set number of samples, or allowing systems to collect as many samples as possible during a specified monitoring period would help to eliminate this problem.

Section	Request for Comment Or Issue	Comments
	EPA requests comment on previously collected data that do not meet QC requirements (page 47678)	<p>CUWCD supports allowing water systems to submit grandfathered <i>Cryptosporidium</i> results as long as the samples collected are representative of seasonal variations and meet the requirements of the analytical method. Provisions should also be made to address treatment plants that do not operate year-round.</p> <p>Utilities will not be able to grandfather data if the current QA/QC are as rigid as they are now. Many of these requirements were not developed until Spring 2003. Many plants have been monitoring since 1999 with Method 1622/1623 in order to have a better data set. Because of the newly implemented requirements this data would not be allowed for grandfathering.</p>
	EPA requests comment on monitoring for systems that recycle filter backwash (page 47678)	This issue was dealt with sufficiently in the Filter Backwash Recycle Rule and should not be included in the LT2ESWTR.
	EPA requests comment on Bin assignments for systems that fail to complete required monitoring (page 47678)	If a water system fails to meet source water monitoring provisions this should not be an automatic trigger for placement into Bin 4. States should be given flexibility to address systems that may have specific challenges in meeting the monitoring requirements of the rule, as long as the system is making a good faith effort. Adjustments should be made to reflect more realistic data quality and scheduling expectations. As seen in the ICR, many unexpected events interfered with sampling on a set schedule, including, shipment issues, weather conditions, plant disruptions, etc.
	EPA requests comment on determination of LT2ESWTR Bin classification (page 47678-47679)	<p>CUWCD strongly encourages EPA to allow States to review and assign bin classifications as state regulators are the most familiar with the particular treatment plant operations within their respective State. In addition, it is an additional burden on water systems to first submit data to EPA then have to make the transition to reporting to the States when they achieve primacy.</p> <p>Also, a provision should be included in the proposed rule to allow a water system to request consideration for bin reclassification by the State if significant improvements in water quality can be demonstrated.</p>
	EPA requests comment on how to apply the <i>E. coli</i> criteria for triggering <i>Cryptosporidium</i> monitoring to systems using multiple types of sources and GWUDI sources. (page 47679)	For small system <i>E. coli</i> monitoring levels (10/50) should not be changed based upon the large systems <i>Cryptosporidium</i> and <i>E. coli</i> monitoring results. This could potentially result in new regulatory limits. This constitutes a change in the LT2ESWTR regulation that should be subject to the entire rule making process.

Section	Request for Comment Or Issue	Comments
<p><b>IV. Discussion of Proposed LT2ESWTR Requirements</b></p> <p><b>C. 1. Microbial Toolbox Overview (pages 47681-47715)</b></p>	<p>For each microbial toolbox component, EPA requests comment on: (1) Whether available data support the proposed presumptive credits, including the design and implementation conditions under which the credit would be awarded, (2) whether available data are consistent with the decision not to award presumptive credit for roughing filters and raw water off-stream storage, and (3) whether additional data are available on treatment effectiveness of toolbox components for reducing Cryptosporidium levels. EPA will consider modifying today's proposal for microbial toolbox components based on new information that may be provided. EPA particularly solicits comment on the performance of alternative filtration technologies that are currently being used, as well as ones that systems are considering for use in the future.</p>	<p>CUWCD supports the use of microbial toolbox.</p> <p>See below for specific comments of proposed toolbox options:</p>
	<p>Watershed Control Program</p>	<p>If a utility is currently active in a source water protection program, they are penalized rather than rewarded for their proactive approach under LT2ESWTR. Credit should be given to an existing watershed protection program, which address the issues of microbial contaminants.</p>
	<p>Combined Filter Performance and Individual Filter Performance</p>	<p>CUWCD strongly supports filter performance as a criteria.</p> <p>CUWCD does support giving additional credit for completion of the Phase IV Partnership for Safe Water Program.</p>
	<p>UV</p>	<p>The dosages between the regulatory language and the guidance manual are too different. The safety factors applied in the guidance manual are too high.</p>

Section	Request for Comment Or Issue	Comments
<p><b>IV. Discussion of Proposed LT2ESWTR Requirements</b></p> <p><b>F. Compliance Schedules (pages 47719-47722)</b></p>	<p>Compliance Schedule</p>	<p>The requirement that large systems must submit a sampling schedule to EPA within three months after promulgation of the LT2ESWTR seems rushed. Because of potential problems with <i>Cryptosporidium</i> laboratory capacity, it may take much longer than three months for a utility to get a contract with a laboratory. Consideration should be given to extending the deadline for sampling and reporting. Compliance for all systems should be delayed until the States achieve primacy (with the exception of those not meeting a reasonable deadline). This reduces the burden on water systems to make the transition from reporting to EPA, and then to States at a later date.</p>
<p><b>IV. Discussion of Proposed LT2ESWTR Requirements</b></p> <p><b>J. System Reporting and Record keeping Requirements (pages 47724-47731)</b></p>	<p>EPA requests comment on the reporting and recordkeeping requirements proposed for LT2ESWTR.</p>	<p>CUWCD recommends that an additional time of 12 to 18 months be granted for implementation of the rule. This would allow water systems sufficient time to assess current levels of treatment as well as time to evaluate toolbox options.</p>
<p><b>IV. Discussion of Proposed LT2ESWTR Requirements</b></p> <p><b>K. 2. <i>E. coli</i> (page 47733-47734)</b></p>	<p>EPA requests comment on the proposal to extend the holding time for <i>E. coli</i> source water sample analyses to 24 hours.</p>	<p>CUWCD supports that <i>E. coli</i> samples can be held for up to 24 hours prior to analysis without compromising the data quality objectives of LT2ESWTR <i>E. coli</i> monitoring.</p>

Section	Request for Comment Or Issue	Comments
<p><b>VII. Statutory and Executive Order Reviews</b></p> <p>L. Plain Language (page 47770)</p>	<p>Executive Order 12866 encourages Federal agencies to write rules in plain language. EPA invites comments on how to make this proposed rule easier to understand.</p> <p>For example: Has EPA organized the material to suit commenters' needs?</p> <p>Are the requirements in the rule clearly stated?</p>	<p>The requirements for the LT2ESWTR were provided in the Federal Register Notice dated August 11, 2003 totaling 135 pages. The EPA subsequently issued the following guidance manuals:</p> <ul style="list-style-type: none"> <li>• Source Water Monitoring Guidance Manual for Public Water Systems for the Long-Term 2 Enhanced Surface Water Treatment Rule (LT2 Rule)</li> <li>• Microbial Laboratory Manual for the Long-Term 2 Enhanced Surface Water Treatment Rule (LT2 Rule)</li> <li>• Ultraviolet Disinfection Guidance Manual</li> <li>• Ultraviolet Disinfection Guidance Manual Workbook</li> <li>• Membrane Filtration Guidance Manual</li> <li>• Long Term 2 Enhanced Surface Water Treatment Rule Toolbox Guidance Manual</li> <li>• Guidance on Generation and Submission of Grandfathered <i>Cryptosporidium</i> Data for Bin Classification Under the Long Term 2 Enhanced Surface Water Treatment Rule</li> <li>• Guidance on Grandfathering <i>Cryptosporidium</i> Data For the Long Term 2 Enhanced Surface Water Treatment Rule</li> </ul> <p>This massive volume of new regulations with accompanying guidance manuals is too complex to be clearly understood. In addition, the Stage 2 D/DBPR is being developed simultaneously with the LT2ESTWR. Between the two rules, the EPA issued a combined total of over 2,400 pages of proposed rules and guidance documents that has placed a significant burden on the resources of water systems and State agencies to interpret and plan for compliance with this regulation.</p>