

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management
Rule No. 335-7-2-.04
Rule Title: Synthetic Organic Chemical (SOCs) Standards and Monitoring Requirements

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Marilyn Elliott

Date March 20, 2012

Date Filed



APA-2
11/96

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RULE NO. & TITLE: 335-7-2-.03 Inorganic Chemical Standards and Monitoring Requirement (Amend)
335-7-2-.04 Synthetic Chemical (SOCs) Standards and Monitoring Requirements (Amend)
335-7-2-.08 Radionuclide Standards and Monitoring Requirements (Amend)
335-7-2-.09 Maximum Residual Disinfection Levels and Monitoring Requirements (MRDLs) (Amend)
335-7-2-.12 Stage 2 Disinfection Byproducts (Amend)
335-7-2-.16 Operational Evaluation Level (Amend)

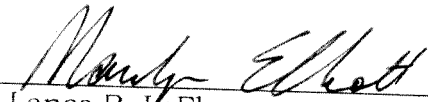
INTENDED ACTION: The Alabama Department of Environmental Management proposes to revise division 335-7, Public Water Supply.

SUBSTANCE OR PROPOSED ACTION: Revisions to rules 335-7-2-.03(4) (g), 335-7-2-.03 (5) (e), 335-7-2-.04(1) and 335-7-2-.08(1) are being proposed to make clarifications and administrative changes. Revisions to rules 335-7-2-.09(2) (a), 335-7-2-.12(a) 4, and 335-7-2-.16 (5) are being made for technical changes.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing or orally at a public hearing to be held May 2, 2012, at 10:00 a.m. in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Blvd., Montgomery, AL 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: May 4, 2012 at 5:00 p.m.

CONTACT PERSON AT AGENCY: George M. Cox, Section Chief
Groundwater Section [334/271-7778]


Lance R. LeFleur
Director

335-7-2-.04 Synthetic Organic Chemical (SOCs) Standards and Monitoring Requirements.

(1) The following are the MCLs for synthetic organic chemicals-SOCs:

Contaminant	MCL (mg/L)
Alachlor	0.002
Atrazine	0.003
Carbofuran	0.04
Chlordane	0.002
Dibromochloropropane	0.0002
2,4-D	0.07
Endrin	0.002
Ethylene Dibromide	0.00005
Heptachlor	0.0004
Heptachlor Epoxide	0.0002
Lindane	0.0002
Methoxychlor	0.04
Polychlorinated Biphenyls	0.0005
Pentaclorophenol	0.001
Toxaphene	0.003
2,4,5-TP	0.05
Benzo(a)pyrene	0.0002
Dalapon	0.2
Di(2-ethylhexyl) phthalate	0.006
Di(2-ethylhexyl) adipate	0.4
Dinoseb	0.007
Diquat	0.02
Endothall	0.1
Glyphosate	0.7
Hexachlorobenzene	0.001
Hexachlorocyclopentadiene	0.05
Oxamyl (Vydate)	0.2
Picloram	0.5
Simazine	0.004
2,3,7,8-TCDD (Dioxin)	3×10^{-8} *0.00000003

(2) The following are the monitoring requirements for SOCs:

(a) Community and NTNC water systems shall analyze for SOCs at the frequency listed below. Samples shall be collected during periods of normal operating conditions from the entry point to the distribution system for each surface source or from the entry point to the distribution system representing each source of water used after any application of treatment. Samples shall be collected during the period most susceptible to pesticide contamination. Raw water analysis may be used to determine compliance if no treatment processes are used for the reduction of SOCs.

1. Community and NTNC water systems serving a population of less than or equal to 3,300 persons must collect one sample during each repeat compliance period if no SOCs were detected in the initial compliance period.

2. Community and NTNC water systems serving a population of greater than 3,300 persons must collect a minimum of two quarterly samples in one year during each repeat compliance period if no SOCs were detected in the initial compliance period.

(b) Community and NTNC water systems using water from more than one source and blending prior to the entry point to the distribution system must sample at the entry point to the distribution system during periods of normal operating conditions. Sampling of raw water from each source may be required if a contaminant is detected.

(c) Community and NTNC water systems shall sample all new sources for SOCs for four consecutive quarters. The system may apply for a waiver for the new source after two quarters of monitoring for any SOC which has not been detected above the monitoring trigger.

(d) Confirmation samples may be required by the Department to confirm a negative or positive result. Confirmation samples must be collected from a point representing the source and unless investigation proves initial samples were contaminated because of conditions at the sampling site or because of sampling procedure the confirmation results will be averaged with the initial results to determine compliance.

(e) Community and NTNC water systems may apply to the Department for a waiver from monitoring of any SOC. The waiver application should demonstrate lack of transport, storage and disposal of the contaminant in the watershed or Source Water Assessment Areas I and II as identified by the Alabama Wellhead Protection Plan. The waiver if granted shall be in effect for one compliance period and the system must reapply for the waiver for each compliance period. Reduced initial monitoring may be allowed during the compliance period for the SOCs for which the waiver is granted.

(f) The Department may require analysis of SOCs during a specific quarter of the year.

(g) The Department has the authority to determine compliance based on analytical results and other information compiled by Department staff.

(h) Non-compliance with any SOC MCL will occur when:

1. For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average at each sampling point.

2. Any sample analysis exceeds the MCL, if monitoring is being conducted annually or less.

3. If one sampling point is in violation of an MCL, the system is in violation of the MCL.

(i) Upon exceeding the MCL, the system must establish a treatment process using the EPA approved best available technology to achieve compliance with the MCL or cease using the source of supply in conjunction with a Department issued compliance schedule.

(j) Repeat samples must be analyzed according to the following schedule:

1. If an SOC is detected above the monitoring trigger, community and NTNC water systems must monitor quarterly for the particular SOC which is detected. If related contaminants (heptachlor and heptachlor epoxide) are detected, then subsequent monitoring shall analyze for all related compounds.

2. Monitoring may be reduced to annually if the average of all analytical results within the past two years is less than one half the MCL and no analytical result within the past two years exceeds 75% of the MCL. Groundwater systems shall analyze a minimum of two quarterly samples and surface water systems a minimum of four quarterly samples.

3. Community and NTNC water systems which have three consecutive annual sample results with no detection of a SOC may apply to the Department for a waiver according to the criteria listed in rule 335-7-2-.19.

4. Systems serving a population of less than or equal to 3,300 persons and which are granted a waiver for a SOC which has been previously detected must collect a minimum of one sample during each repeat compliance period.

5. Systems serving a population of greater than 3,300 persons and which are granted a waiver for a SOC which has been previously detected must collect a minimum of two quarterly samples in one year during each repeat compliance period.

6. Community and NTNC water systems which exceed the MCL for a SOC shall analyze quarterly for that contaminant beginning in the next quarter after the violation occurred. Sampling may be reduced to annually if the average of all analytical results within the past two years is less than one half

of the MCL and no analytical result within the past two years exceeds 75% of the MCL. All community and NTNC water systems must analyze a minimum of four quarterly samples.

7. All repeat samples shall be collected at the sampling point where the detection occurred.

(k) If a system fails to collect the required number of samples, compliance will be based on the total number of samples collected.

(l) If a sample result is less than the detection limit, zero will be used to calculate the annual average.

Author: Joe Alan Power, Thomas S. DeLoach, Edgar K. Hughes, Dennis D. Harrison.

Statutory Authority: Code of Alabama 1975, §§ 22-23-33, 22-23-49, 22-22A-5, 22-22A-6.

History: May 23, 1977; Repealed and readopted: January 4, 1989; October 31, 1990.

Amended: September 19, 1995 (ER); November 28, 1995; December 8, 1998; effective January 25, 1999; March 12, 2002; May 30, 2003; December 12, 2005; January 22, 2008; XXXXX, 2012.