



## EPA Proposes New Safe Drinking Water Act Contaminant Monitoring Compounds

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Prepared by the Environmental and Natural Resources Section of Balch & Bingham LLP

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With 20 attorneys in Alabama, Georgia and Mississippi focused exclusively on environmental law, and another dozen extensively engaged in environmental litigation, the Environmental and Natural Resources Section of **BALCH & BINGHAM** is one of the largest full-time environmental practice groups in the country.

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The U.S. Environmental Protection Agency (EPA) announced March 3 it is proposing 30 currently unregulated contaminants for monitoring in drinking water systems under the Safe Drinking Water Act (SDWA) and submitting the proposal for public comment. EPA currently regulates more than 90 contaminants in drinking water. The current proposal is the third "Unregulated Contaminant Monitoring Regulation" ("UCMR 3") and includes requirements to monitor drinking water for two viruses and 28 chemical contaminants that do not currently have health-based standards. The contaminants include perfluorinated compounds, including perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA), volatile organic compounds, metals, two viruses, and several hormones, including testosterone.

As proposed, UCMR 3 would require all public water systems (PWSs) serving more than 10,000 people, and a representative sample of 800 PWSs serving 10,000 or fewer people, to conduct Assessment Monitoring for 28 "List 1" chemicals during a continuous 12-month period from January 2013 through December 2015. In addition, a targeted group of 800 PWSs serving 1,000 or fewer people would be required to conduct Pre-Screen Testing for two "List 3" viruses during a 12-month period from January 2013 through December 2015.

EPA is requesting public comment on the proposed list of 30 contaminants until May 2, 2011. Following the public comment period, EPA will consider public input before the list is finalized in 2012. For more information about the proposed rule, see <http://water.epa.gov/lawsregs/rulesregs/sdwa/ucmr/ucmr3/index.cfm>.