

Rural Water Issues Advisory [5/27/2019]

Perchlorate Releases “Proposed” Perchlorate Regulation: Last Thursday, EPA released the [pre-publication version](#) of the proposed perchlorate drinking water regulation. EPA is asking for comments on a proposed Maximum Contaminant Level (MCL) and Maximum Contaminant Level Goal (MCLG) of 56 micrograms per liter. In addition, the Agency is seeking comment on three alternative regulatory options: an MCL and MCLG for perchlorate set at 18 micrograms per liter, an MCL and MCLG for perchlorate set at 90 micrograms per liter, and withdrawal of the Agency’s determination to regulate perchlorate. EPA will accept public comment on the proposal for 60 days after formal publication. The rule denies any opportunity for a small community “variance,” which is a compliance option authorized in the Safe Drinking Water Act that allows a small community that exceeds the MCL at a level that presents NO HARM to the public to have access to an affordable compliance option. NRWA had asked EPA to clarify the “intelligible principle” used by the Agency in implementing the decision to select perchlorate as a regulation ([NRWA 11/2018 comments](#)). The proposal does not include any articulated “intelligible principle” for how EPA decided to select perchlorate for regulation.

Senate Hearing to Examining Legislation to Address the Risks Associated with Per- and Polyfluoroalkyl Substances ([Hearing video](#) and [NRWA Testimony](#)).

ASDWA Publishes Analysis of SDWA Regulatory Development Process for Development of New Drinking Regulations and Review of Existing Regulations ([ASDWA](#)).

Cyberattacks Knock Baltimore's City Services Offline: Anonymous hackers breached the city of Baltimore's servers three weeks ago. Since then, those servers' digital content has been locked away — and the online aspects of running the city are at an impasse. Hackers demanded 13 bitcoins — worth about \$100,000 today — to relinquish their grip. Baltimore City's Mayor has said the city won't pay. The cyberattack is just one of more than 20 made on municipalities this year — and cybersecurity experts say it likely will take months for the city to recover ([NPR](#)).

State Regulators Outline Ways to Better Manage Contaminants of Emerging Concern (CECs): A new report from the Association of State Drinking Water Administrators (ASDWA) and the Association of Clean Water Administrators (ACWA) calls for addressing CECs through all federal statutes, not just those specific to water; exploring legislative or regulatory changes to increase access to chemical manufacturers' toxicity information; development of a shared comprehensive dataset to facilitate better information sharing across states; development of a communications playbook to assist states with risk communication; and increased funding to federal programs that are charged with reviewing substances ([Report](#)).

EPA Releases Guidance on New Requirement for Updating Vulnerability Assessment and Emergency Response Plans: Water systems serving from 3,301-49,999 persons must “certify” completion of the Risk Assessment by June 30, 2021 and the Emergency Response Plan by December 30, 2021 ([EPA Guidance](#)).

EPA Financial Advisory Panel Report Recommending the Agency take Steps to Encourage “Regionalization” of Water Utilities ([EPA Report](#)).