



## ***Fact Sheet: Perchlorate Supplemental Request for Comments***

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EPA is seeking comments on additional approaches to analyzing data related to EPA's perchlorate regulatory determination. On October 10, 2008, EPA published a preliminary determination not to regulate perchlorate. After reviewing comments received related to this notice and conducting further analyses, the Agency is requesting comment on alternative approaches for evaluating whether perchlorate occurs at a frequency and level of health concern and whether there is a meaningful opportunity for health risk reduction through a national primary drinking water regulation (NPDWR) for perchlorate. A key focus of the re-evaluation has been consideration of exposure of infants and young children to perchlorate, which can affect the thyroid gland. EPA will consider the comments received in response to this supplemental request as well as the earlier notices that include perchlorate (May 1, 2007 and October 10, 2008) before deciding whether to issue a NPDWR for perchlorate. EPA's final decision may be to regulate perchlorate in drinking water .

### **Questions and Answers**

#### ***Why is EPA requesting additional comment on perchlorate?***

EPA is seeking comments on additional approaches to analyzing data related to the regulatory determination of perchlorate. EPA is considering a broader range of alternatives for interpreting the available data on: the level of health concern, the frequency of occurrence of perchlorate in drinking water, and the opportunity for health risk reduction through a national primary drinking water standard. The Agency is re-evaluating the scientific data on perchlorate exposure at different life stages, which included the fetus of the iodide deficient pregnant mother, infants and developing children. EPA will consider the comments before completing its regulatory determination for perchlorate.

#### ***What happens next?***

EPA will accept public comment on its Supplemental Request for Comments for 30 days following the August 19, 2009 publication in the *Federal Register*. After considering comments, EPA will decide whether to regulate perchlorate under the Safe Drinking Water Act.

#### ***What is a regulatory determination?***

A regulatory determination is not a regulation, it is a formal decision on whether EPA should initiate a rulemaking process to develop a national primary drinking water regulation for a specific contaminant. EPA identifies contaminants from the drinking water Contaminant Candidate List (CCL) for decisions on whether drinking water regulations are needed. The

contaminants on the list are known or anticipated to occur in public water systems. However, they are currently unregulated with a national primary drinking water regulation. Under the Safe Drinking Water Act, EPA publishes a CCL every five years. EPA then makes regulatory determinations from the list of contaminants. The first CCL was published in March 1998, and the second CCL (CCL 2) was published in February 2005.

***What criteria does EPA consider in making regulatory determinations?***

When making a determination to regulate, the law requires consideration of three areas:

- the potential adverse effects of the contaminant on the health of humans,
- the frequency and level of contaminant occurrence in public drinking water, and
- whether regulation of the contaminant presents a meaningful opportunity for reducing public health risks.

***Do regulatory determinations impose any requirements on public water systems?***

No. The notice seeks public comment on supplementary information on perchlorate and thus imposes no requirements on public water systems. After review and consideration of public comment, EPA will issue a final regulatory determination. If a decision is made to regulate a contaminant, the rulemaking process begins.

***Where can I find more information about this notice and the perchlorate regulatory determination?***

For information on the regulatory determinations for contaminants from the second CCL including perchlorate, please visit [http://www.epa.gov/safewater/ccl/reg\\_determine2.html](http://www.epa.gov/safewater/ccl/reg_determine2.html). For general information on drinking water, please visit the EPA Safewater Web site at <http://www.epa.gov/safewater> or contact the Safe Drinking Water Hotline at 1-800-426-4791. The Safe Drinking Water Hotline is open Monday through Friday, excluding legal holidays, from 10:00 a.m. to 4:00 p.m., Eastern Time.