

NDWAC Working Group Summary Meeting - March 2000 Working Group Meeting on Contaminant Candidate List Regulatory Determinations and the 6-Year Review of Existing Regulations, March 1 & 2, 2000 Meeting Summary

NDWAC Working Group Summary Meeting

On March 1 and 2, 2000, the National Drinking Water Advisory Council (NDWAC) Working Group on Contaminant Candidate List (CCL) Regulatory Determinations and 6-Year Review of Existing Regulations met for the first time in Washington DC. The two-day meeting was held at the offices of RESOLVE, located at 1255 23rd Street, NW Washington, D.C. The first of a series of meetings, this meeting focused exclusively on CCL Regulatory Determinations.

The purpose and overall mission of this Working Group is to make recommendations to the full NDWAC regarding specific provisions of the Safe Drinking Water Act (SDWA) 1996 Amendments. The Working Group will recommend protocols for making regulatory determinations regarding current and future CCL contaminants, and for selecting existing National Primary Drinking Water Regulations for possible revision. The group will develop specific recommendations for analyzing and presenting the available scientific data, and also recommend methods to identify and document the rationale supporting the judgements made in arriving at a conclusion. For CCL regulatory determinations, the Working Group will recommend to the NDWAC protocols for both chemical and microbial contaminants that will be sufficiently robust to apply to contaminants on current and future CCLs. As a starting point, the Working Group evaluated a draft framework proposed by the EPA, which was presented to the Group during this first meeting.

At the meeting, EPA staff gave two presentations, reviewing the background and context of the contaminant identification and selection process under SDWA, and proposing an EPA developed draft framework for regulatory determinations. These presentations emphasized that making a decision whether or not to regulate a contaminant in drinking water must be made within the context of meeting the following statutory requirements specified in the SDWA, as amended in 1996:

- i. the contaminant may have an adverse effect on the health of persons;
- ii. the contaminant is known to occur or there is a substantial likelihood that the contaminant will occur in public water systems with a frequency and at levels of public health concern; and
- iii. in the sole judgment of the Administrator, regulation of such contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems.

The majority of the meeting focused on the Working Group wrestling with these three requirements of SDWA and the draft framework developed by the EPA. The group spent a significant amount of time discussing what the important factors for consideration in addressing each statutory criterion and how to develop relative scoring and weighting tool for each factor identified as important to addressing each SDWA criterion. The scoring and weighting would not compare one contaminant to another but would primarily serve to document the relative emphasis placed on each factor considered in answering yes or no to each of the three SDWA criteria. The numerical ranking could then be considered as part of the weight of evidence for in meeting the three statutory criteria for each contaminant. The Working Group created a list of important factors to consider to address each of the statutory requirements for both chemicals and microbes, but did not assign qualitative or quantitative values to the factors. The group agreed that follow up work was needed to identify and score quantitative and semi-quantitative data used and identify ways to best incorporate the important qualitative information. The group also agreed that

uncertainties must be captured in any quantitative and semi-quantitative data and that, in general, presenting the data as ranges would be more useful than point estimates.

Factors that the Working Group recommended for consideration to address the first statutory test, determining if a "contaminant may have an adverse effect on the health of persons," included: defining some minimum, peer reviewed toxicological database from which quantifiable estimates of the level of public health concern can be generated; or compelling evidence from a more limited set of toxicological data or supporting data.

An example of some of the factors recommended for consideration by the Working Group to address the second statutory test, "the contaminant is known to occur or is likely to occur in public water systems with a frequency and at levels of public health concern," included; evaluating populations exposed both at and below the level of public health concern, evaluating chemical production, use, and release trends, evaluating both the percentage and total number of detects at public water systems at and below the level of public health concern, and factors to try to determine when a drinking water contaminant is a local, regional or national problem, and consideration of co-occurrence issues and special social and economic factors.

For the third statutory test, determining whether "a regulation of such contaminant presents a meaningful opportunity for health risk reduction," the Working Group suggested several important factors to be considered in characterizing risk reduction, which included estimating the reduction in number of cancer cases or other adverse health effects from chronic exposure, consideration of relative source contribution, persistence and bioaccumulation, and other routes of exposure.

The Working Group briefly went over the three statutory criteria while considering microbes as a contaminant. They also suggested several factors for consideration for each of the statutory tests in regard to the microbes.

No decisions were made during this first meeting. However, the Working Group members were broken into subgroups and tasked with organizing and further developing the factors recommended by the group into a draft decision-making flowchart. Three subgroups were created to address the chemical contaminants and one for the microbes. The subgroups will revise and edit the draft protocols and disburse them to the entire Working Group for review prior to the next meeting. At the next meeting, the Working Group will discuss the drafts. By the third and last meeting, it is planned that the Working Group will finalize the protocols for recommendation to the full NDWAC. The next meeting is anticipated to be a conference call on Wednesday, April 5, 2000, from 1:00 pm to 5:00 PM EST.

The following is a list of Working Group members: the * indicates members that were not in attendance at the March 1-2 meeting.

Mike Osinski	Judy Lebowich	William C. Carpenter, Jr.
Jane Houlihan	Mohamed T. Elnabarawy	Joye Emmens
Ron Entringer	*Steve Himmell	Glenn Patterson
Gary A. Toranzos	Tom Yohe	Gary A. Toranzos
J. Steve Schmidt	Richard Danielson	Buddy Morgan
Brenda Afzal	*David Esparza	Monty C. Dozier