

## Response to Comments

*Monitoring Assessments – Wisconsin Department of Natural Resources  
Monitoring Assessment Program*

*Program Implementation and Guidance Document*

## DAVY LABORATORY COMMENTS:

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We would like to comment on the guidance document Monitoring Assessments - Wisconsin Department of Natural Resources Monitoring Assessment Program.

Although we believe that the justification of using waivers in removing monitoring requirements is a good idea, we think that the WDNR (the department) needs to be more concerned about public health and the validity of the information submitted before allowing a waiver. As noted in the document, monitoring assessment waivers are based on three criteria: defined assessment area, well vulnerability and contaminant susceptibility. All scenarios are done by the department in some degree or another with the exception of reviewing potential contaminant susceptibility within the source water assessment area. This is allowed to be reviewed and submitted by the regulated facility as part of their monitoring waiver application.

Our comment for the guidance document addresses the primary vehicle for allowing waivers: the monitoring assessment procedure. No waivers are granted unless you submit a monitoring assessment of the well and surrounding well head protection area one year prior to your monitoring period. If you fail to submit a monitoring assessment to the department, you don't get any waivers. The problem in many cases is that the department is relying on the regulated community to verify existing contamination documented in the 1200' radius as well as identify new potential sources of contamination as part of the application process.

This is an honor system because nothing is in place to verify that the information is correct or if the regulated community ever did a true assessment. In some cases, you can eliminate potential sites in your assessment and the

department doesn't make sure that it is true and accurate. We have personally filled out a number of monitoring assessments and have added potential sources of contamination that were ignored and waivers still issued.

We know of cases where underground storage tanks exist within the well head protection area but the regulated community didn't report them. So, we believe that there are flaws in the assessments that lead to unwarranted waivers.

What procedures do you use to verify the validity of the submitted application? Why, when changes are made on the contaminate source map they are not incorporated in the assessment application map for the next cycle? Is there any audit of the submitted application for accuracy? We are assuming that we are protecting public health when in fact it appears to be more oriented toward cost control.

Our second concern is that if the department truly wants to protect public health, it is not in monitoring the groundwater but in monitoring what the consumer is drinking. We have been advocating the increased monitoring of inorganic and organic disinfection-by-products. With the EPA recommendation for raising chlorine residual levels in the water supply to 0.4-0.5 mg/L, the concern should be in the formation of the disinfection-by-products. We strongly believe that we should be monitoring for these byproducts on a quarterly basis every year as well as other inorganics depending on the chemicals added to the water supply. We need a good database for the formation and concentration of disinfection by-products at various times of the year, under different scenarios related to pH, residence time and temperature.

So the DNR is on the right track but needs to do more from the standpoint of what the consumer is receiving at the tap. What is going on in the distribution system should be our real focus. We should be addressing and monitoring the effects of what we add to the water to truly protect public health.

Sincerely,  
DAVY LABORATORIES

*Paul A. Harris*

Paul A. Harris  
Director

## RESPONSE TO COMMENTS from DAVY LABORATORIES

*What procedures do you use to verify the validity of the submitted application?*

*Is there any audit of the submitted application for accuracy?*

Monitoring assessment applications are reviewed by DNR staff to verify completeness of the application and for accuracy of the submitted documents. Assessment maps are evaluated to confirm well locations, potential contaminant sources, and known contaminant sources on the DNR's GIS layer. DNR staff conducts a complete evaluation of all application documents in addition to information contained in the DNR's Drinking Water System database when determining eligibility for a monitoring waiver.

All public water supply systems eligible for monitoring waivers are inspected by DNR staff during sanitary surveys. The surveys are conducted every three or five years. During the sanitary inspections DNR staff have the opportunity to confirm with the system owner and observe potential contaminant sources within the public water supply system's review area. Additionally, all confirmed contaminant sources and releases to the environment are automatically updated into the Monitoring Assessment GIS layer through shared database exchanges with the DNR's Air and Waste Bureau. Contaminant susceptibility is evaluated by DNR staff using the entire history of a source water's analytical data for a specific contaminant group in which a monitoring waiver applies.

All monitoring assessment applications are given a second review by DNR Central Office staff prior to granting waivers. The monitoring assessment process has been in place for over 20 years and the process has established a consistent record of ensuring drinking water quality and safety while providing the opportunity for reduced monitoring to eligible public water supply systems.

*Why, when changes are made to the contaminant source map they are not included in the assessment application map for the next cycle?*

Public water supply system owners are required to update the monitoring assessment maps included in the application materials sent by the DNR. The application process requires system owners to update the maps with new potential contaminant sources and to submit the maps with the application materials to the DNR. The updated maps are sent to department GIS staff who update the GIS layer with the new information. The process results in an up-to-date review of the maps in the GIS layer as part of the concurrent monitoring assessment evaluation.

### Disinfection byproducts (DBPs) in Drinking Water

All drinking water monitoring requirements completed by a public water supply system are conducted to ensure the quality and safety of the drinking water for the consumer. Monitoring for disinfection byproducts (DBPs) is a separate technical issue from the monitoring assessment process because the potential generation of DBPs is specific to treatment of drinking water using disinfection (i.e. not equivalent to source water contamination). The DNR requires public water supply systems that disinfect (other than ozone) to monitor for DBPs. The monitoring schedule for DBP's in drinking water is established to protect human health and is based on requirements established in the EPA's Safe Drinking Water Act (SDWA) and specified under NR 809 *Safe Drinking Water*, Wis. Adm. Code.

## RESPONSE TO COMMENTS from EPA

*Comments in reference to Appendix C “Regulated Contaminants”:*

*(a) vinyl chloride's MCL is listed as 0.0002 mg/l but should be .002 mg/l (unless WDNR has a more stringent standard).*

The DNR does in fact use a more stringent MCL standard for vinyl chloride than EPA. The DNR MCL for vinyl chloride is 0.0002 mg/l.

*(b) 1,1,2-trichloroethane's MCL is listed as 0.05 mg/l but should be 0.005 mg/l.*

The document has been edited to change the MCL listed in the table for 1,1,2-trichloroethane to 0.005 mg/l.

*(c) WDNR may want to clarify that chromium is total vs. individual speciations like CrVI.*

The word “total” has been added to the table to clarify the MCL as “total chromium”.

*WDNR did not include one of the criterion listed in 141.24(f)(8)(ii)(D) for state evaluation of susceptibility waivers which reads, "number of persons served by the PWS and proximity of small systems to large systems”.*

The criterion listed in federal rule 141.24(f)(8)(ii)(D) is in reference to susceptibility waivers for volatile organic compounds (VOCs). The DNR does not allow susceptibility waivers for VOCs and the criterion was not included in the document. The DNR allows only *use* waivers and *reduced monitoring* for VOCs. The criterion referenced above has been added to the document for completeness. A clarification stating the DNR does not offer VOC susceptibility waivers has also been added to the section.