

Consideration of Potential MDBP Rule Revisions – Update about Working Group Activities to Inform NDWAC Advice and Recommendations

Lisa Daniels

Co-Chair, Microbial and Disinfection Byproducts Rule Revisions

Working Group

November 30, 2022

Presentation Overview

- Microbial and Disinfection Byproducts (MDBP) Rule Revisions Working Group purpose
- Working Group composition
- Prior public engagements and input
- Working Group meetings
- Timeline for next steps

MDBP Rule Revisions Working Group

Purpose and Charge

- EPA is seeking consensus recommendations from the NDWAC that would improve public health protection provided by the MDBP regulations, better assure the regulations equitably protect consumers' health, particularly disadvantaged communities, and be implementable.
- EPA charged the NDWAC to provide the agency with consensus advice and recommendations on key issues related to potential revisions to MDBP rules.
- To support the work of the NDWAC, EPA requested that the council form a working group (the MDBP Rule Revisions Working Group).
- The MDBP Rule Revisions Working Group is asked to consider issues related to potential rule revisions.
- The Working Group is endeavoring to conclude its work by Fall 2023.

Working Group Composition



Lisa D. Daniels* – WG Co-chair, Pennsylvania Dept of Environmental Protection
Andy Kricun** – WG Co-chair, Moonshot Missions
Elin W. Betanzo* , Safe Water Engineering LLC
D. Scott Borman* , Benton/Washington Regional Public Water Authority
John Choate , Tri-County Regional Water Distribution District
Kay Coffey , Oklahoma Department of Environmental Quality
Jeffrey K. Griffiths , Tufts University School of Medicine
Michael Hotaling , Newport News Waterworks Department
Jolyn Leslie , Washington State Department of Health
Rosemary Menard , City of Santa Cruz
William F. Moody , Mississippi State Department of Health
Erik D. Olson , Natural Resources Defense Council
Benjamin J. Pauli** , Kettering University
Nancy A. Quirk* , Green Bay Water Utility
Lisa J. Ragain , Metropolitan Washington Council of Governments
Alex Rodriguez* , Diversity Consulting Group
Lynn W. Thorp , Clean Water Action/Clean Water Fund
Gary Williams , Florida Rural Water Association

*Member of U.S. EPA’s National Drinking Water Advisory Council.

**Member of U.S. EPA’s National Environmental Justice Advisory Council.

Public Engagements Prior to Working Group Formation

- EPA held an initial virtual public meeting in October 2020, followed by six virtual meetings from May to November 2021 to solicit broad input and information on MDBPs in drinking water.
- Each meeting in 2021 focused on specific topics identified through public feedback and new information.
- EPA provided the MDBP Rule Revisions Working Group with the information gathered through the public docket, the virtual public meetings, and results of analyses conducted to inform deliberations.

MDBP Rule Revisions Working Group Meeting #1: May 23, 2022

- Purpose was to make member introductions, review previous public engagements (2020 and 2021) and Working Group member interview findings, and start a discussion on the use of technical support for the Working Group.
- Key meeting highlights included preliminary discussions about Working Group priorities, challenges, and elements of common purpose related to the Working Group effort; and review of the Working Group process plan and approach for providing technical support to inform Working Group discussions.

MDBP Rule Revisions Working Group

Meeting #2: August 17, 2022

- Purpose was to create a common understanding of the current regulatory framework related to the Surface Water Treatment Rules (SWTRs); provide an inventory of Public Water Systems (PWSs) subject to the SWTRs; establish agreement about the proposed scope and content of overall problem characterization relative to the Working Group's purpose; and begin problem characterization discussions on opportunistic pathogens and disinfectant residuals.
- Key meeting highlights included discussions about problem characterization related to the SWTRs such as root causes, problem magnitude, and degree of certainty. In addition, Working Group members identified the types of information they were seeking that would be helpful to further understand opportunistic pathogen-related and disinfectant residual problems.

MDBP Rule Revisions Working Group

Meeting #3: September 20, 2022

- Purpose was to continue problem characterization discussions on opportunistic pathogens and disinfectant residuals; create a common understanding of the current regulatory framework related to the Disinfectants/Disinfection Byproducts Rules (D/DBPRs); provide an inventory of PWSs subject to the D/DBPRs; and begin problem characterization discussions on disinfection byproducts.
- The meeting included input and panel discussions with technical analysts from different backgrounds to help inform Working Group discussions.
- Key meeting highlights included discussions about problem characterization related to the D/DBPRs such as root causes, problem magnitude, and degree of certainty. In addition, Working Group members identified the types of information they were seeking that would be helpful to further understand DBP-related problems.

MDBP Rule Revisions Working Group Meeting #4: November 3, 2022

- Purpose was to continue problem characterization discussions on opportunistic pathogens, disinfectant residuals, and disinfection byproducts; and create a common understanding of the current regulatory framework related to interdependencies between the SWTRs and D/DBPRs.
- Building on the success of the third meeting, the fourth meeting included input and panel discussions with technical analysts to help inform Working Group discussions.

Moving Forward

- Planning for Working Group meetings:
 - Meeting #5 – December 13, 2022
 - Meeting #6 – January 24, 2023
 - Meeting #7 – March 9, 2023
- Consideration of potential rule revisions.

Key Takeaways to Date

- Working Group members have provided valuable input and contributed to meaningful discussions relevant to the Working Group purpose.
- There is recognition of the depth and complexity of technical information provided to the Working Group for supporting discussions and deliberations.
- Information provided by the technical analysts is helpful for supporting the Working Group.
- **Input from NDWAC members serving on the Working Group.**