

**Regulatory Update Reference Materials
Condensed Chart**

NETCSC, September 2005

DISCLAIMER

The following table provides a summary overview of recent and anticipated federal regulatory actions affecting smaller communities. The table was developed using publicly available information from the Environmental Protection Agency as of fall 2004. It is intended as a general planning tool to help technical assistance providers and small community personnel improve water and wastewater management at the community level.

Readers of this document should not attempt to use it as a definitive guide for directing community decision making on compliance-related matters. Rather, they should consult with their state regulatory authorities to determine the requirements that are applicable to their particular communities. States often have requirements that vary from the federal rules and policies as overviewed here, and federal rules and policies can also change over time.

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ACRONYMS

ASDWA	Association of State Drinking Water Administrators	MRDL	maximum residual disinfectant level
AWWA	American Water Works Association	MRDLG	maximum residual disinfectant level goals
BMP	best management practice	MS4	municipal separate storm sewer system
CCL	contaminant candidate list	MTBE	methyl tertiary butyl ether
CPP	continuing planning process	NDWC	National Drinking Water Clearinghouse
CFE	combined filter effluent	NETCSC	National Environmental Training Center for Small Communities
CFR	Code of Federal Regulations	NMC	nine minimum controls
CSO	combined sewer overflow	NOI	notice of intent
CWA	Clean Water Act	NPDES	National Pollutant Discharge Elimination System
CWS	community water system	NPDWR	National Primary Drinking Water Regulations
CWSRF	Clean Water State Revolving Fund	NPRM	Notice of Proposed Rule Making
DBP	disinfection byproduct	NRWA	National Rural Water Association
DBPR	Disinfection Byproducts Rule	NSDWR	National Secondary Drinking Water Regulations
EPA	(United States) Environmental Protection Agency	NTNCWS	nontransient noncommunity drinking water system
ESWTR	Enhanced Surface Water Treatment Rule	pCi/L	picocuries per liter
FAQ	frequently asked question	PL	Public Law
FBRR	Filter Backwash Recycling Rule	POTW	publicly owned treatment works
FR	Federal Register	ppb	parts per billion
FY	fiscal year	PWS	public water supply
GAAP	generally accepted accounting principles	RAA	running annual average
GASB	Governmental Accounting Standards Board	SDWA	Safe Drinking Water Act
gpm	gallons per minute	SSO	sanitary sewer overflow
GWR	Groundwater Rule	TCR	Total Coliform Rule
GWUDI	groundwater under the direct influence (of surface water)	TEQ	toxic equivalent
HAA5	haloacetic acids	TMDL	total maximum daily load
IDSE	initial distribution system evaluation	TOC	total organic carbon
IESWTR	Interim Enhanced Surface Water Treatment Rule	TTHM	total trihalomethanes
LCRMR	Lead and Copper Rule Minor Revisions	UA	Unified Agenda
LRAA	locational running annual average	UCMR	Unregulated Contaminant Monitoring Rule
LT1ESWTR	Long Term 1 Enhanced Surface Water Treatment Rule	µg/L	micrograms per liter
LT2ESWTR	Long Term 2 Enhanced Surface Water Treatment Rule	UV	ultra violet
MCL	maximum contaminant level	VA	vulnerability assessment
MCLG	maximum contaminant level goal	WQS	water quality standard
MMM	multimedia mitigation	WVU	West Virginia University

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Public Notification Rule (SDWA)	Intended to notify system users of any drinking water regulation violation.	All PWSs violating national primary drinking water regulations, operating under a variance or exemption, or having other situations posing a risk to public health	Requires that notification of drinking water regulation violation or other public health risk be sent to persons served by the water system within 24 hours, 30 days, or one year depending on the violation tier.	Final rule 5/4/00 at 65 FR 25981; 40 CFR Part 141, subpart Q.	10/31/00: PWSs in EPA jurisdictions. 5/6/02: PWSs in primacy states	EPA Public Notification Web page www.epa.gov/safewater/pn.html Includes links to: Public Notification Handbook Fact Sheets State Implementation Guidance Final Public Notification Rule And other resources Contaminant tierings, public notification language, 2/2/01 www.epa.gov/safewater/tables.html	RECENT AND CURRENT – WATER
Lead and Copper Rule Minor Revisions (SDWA)	Minor changes to the 1991 Lead and Copper Rule, which streamline requirements, promote consistent national implementation, and in many cases reduce the burden for water systems.	All CWS and NTNCWS are potentially affected. Systems $\leq 3,300$ with very low lead and/or copper 90th percentile levels and meeting certain plumbing material restrictions may receive waivers, allowing them to collect samples once every 9 years rather than every 3.	In general, for systems $\leq 50,000$, the revisions affirmed corrosion control requirements; clarified monitoring and reporting procedures; required certification when public education requirements are met; and tightened procedures during lead service line replacement.	Final rule 1/12/00 at 65 FR 1949.	4/11/00	EPA Lead and Copper Rule implementation page www.epa.gov/safewater/lcrrm/implement.html Includes links to: Fact Sheets: general and by system size Monitoring and Reporting Guidance, 2/02 Final Revised Guidance Manual for Selecting Lead and Copper Control Strategies, 3/03 Final rule Summary of revisions And other resources	RECENT AND CURRENT – WATER
Stage 1 Disinfectants and Disinfection Byproducts Rule (Microbial and Disinfection Byproducts Rule cluster) (SDWA)	The first of a staged set of rules that reduce the allowable levels of DBPs in drinking water. Establishes seven new standards and a treatment technique of enhanced coagulation or enhanced softening to further reduce DBP exposure.	Stage 1 DBPR builds on the 1979 TTHM NPDWR, extending regulation from PWS $>10,000$ to all sizes of CWSs and NTNCWSs that add a disinfectant to the drinking water during any part of the treatment process, and to NTNCWSs that use chlorine dioxide.	Sets MCLGs for some regulated DBPs, tightens MCL for TTHM, and adds MCLs for HAA5, bromate, and chlorite; it also sets MRDLGs and MRDLs for chlorine, chloramines, and chlorine dioxide.	Final rule 12/16/98 at 63 FR 69390. Final Revisions (minor) 1/16/01 at 66 FR 3770	1/1/02: Systems with $>10,000$ people 1/1/04: Systems with $<10,000$ people	EPA Stage 1 DBPR Web page www.epa.gov/safewater/mdbp/dbp1.html Microbial and Disinfection Byproducts implementation page www.epa.gov/safewater/mdbp/implement.html Includes links to: Detailed requirements in plain language Quick Reference Guide Fact Sheets FAQs Final Rule Final Revisions (minor) And other resources	RECENT AND CURRENT – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Radionuclides Rule (SDWA)	Drinking water standards for (non-radon) radionuclides: combined radium-226/228, (adjusted) gross alpha, beta particle and photon radioactivity, and uranium. All entry points tested.	CWS, all size categories. Roughly 300 CWSs are expected to need to take measures to lower radium, and 500 CWSs to take measures to reduce uranium. By far the greatest majority of those are very small, serving <500.	Four consecutive quarters of radionuclide monitoring at each entry point; beta particle and photon radioactivity monitoring for vulnerable systems. Frequency may then fall to 3, 6, or 9 years depending on level.	Final rule 12/7/00 at 66 FR 76708.	12/8/03: Phased-in monitoring begins. 12/31/07: Standardize d monitoring framework begins.	EPA Radionuclides implementation page www.epa.gov/safewater/rads/implement.html Includes links to: Final Implementation Guidance, 3/02 Small Entity Compliance Guide, 2/02 Quick Reference Guide Rulemaking Page that offers a Fact Sheet and the Final Rule Radionuclides Notice of Data Availability Technical Support Document, 3/00 www.epa.gov/safewater/rads/tsd.pdf EPA Safe Drinking Water Hotline: 1-800-426-4791 EPA Regional Contacts: Region I: Stan Rydell, 617-918-1637 Region II: Robert Poon, 212-637-3821 Region III: Barbara Smith, 215-814-5786 Region IV: Thomas DeGaetano, 404-562-9479 Region V: Miguel Del Toral, 312-886-5253 Region VI: Kim Ngo, 214-665-7158 Region VII: Stan Calow, 913-551-7410 Region VIII: David Robbins, 303-312-6274 Region IX: Bruce Macler, 415-744-1884 Region X: Gene Taylor, 206-553-1389 Additional Information: <i>A Study of Possible Economical Ways of Removing Radium From Drinking Water</i> , EPA/600/S2-88/009, 4/88. 800-426-4791	RECENT AND CURRENT – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Arsenic Rule (SDWA)	Lowers the MCL from 50 ppb to 10 ppb.	All CWSs and NTNCWSs. EPA estimates 3,024 CWSs and 1,080 NTNCWSs would need to take measures to comply. Nearly all affected systems <10,000.	Affected water systems must comply either by abandoning sources, becoming part of nearby or regional water systems, or installing treatment. New consumer confidence reporting and monitoring requirements also added.	Final rule 1/22/01 at 66 FR 6976. Became effective 2/22/02.	1/06: Systems of all sizes eligible for exemption to 1/09; small, financially burdened systems may seek extensions to 2011, 2013, and 2015.	EPA Arsenic implementation page www.epa.gov/safewater/ars/implement.html Includes links to: Fact Sheets Training information Final implementation guidance, 8/02 Final Rule And other resources EPA Regional Contacts: Region I: Maureen McClelland, 617-565-3543 Region II: Leonard Torrey, 212-637-3846 Region III: Fred MacMillan, 215-814-3201 Region IV: Frank Baker, 404-562-9942 Region V: Kimberly Harris, 312-886-4239 Region VI: Tom Poeton, 214-665-2757 Region VII: Stan Calow, 913-551-7410 Region VIII: Marty Swickard, 303-312-7021 Region IX: Bruce Macler, 415-972-3569 Region X: Gene Taylor, 206-553-1389	RECENT AND CURRENT – WATER
Filter Backwash Recycling Rule (SDWA)	Requires systems that recycle to return specific recycle flows through all processes of the system's existing conventional or direct filtration system or at an alternate location approved by the state.	PWS that use surface water or GWUDI, practice conventional or direct filtration, and recycle. Fewer than 400 systems expected to require capital improvements.	Recycle flows must be returned through all processes of a system's conventional or direct filtration. States may approve alternate recycle locations. Systems must notify state about recycling practices.	Final rule 6/8/01 at 66 FR 31086.	12/8/03: Submit recycle notification to State. 6/8/04: Return recycle flows through existing conventional or direct filtration system or approved alternate location (2-year extension for capital improvements).	EPA FBRR Web page www.epa.gov/safewater/filterbackwash.html Includes links to: Quick Reference Guide Fact Sheet FBRR Technical Guidance Manual, 12/02 Implementation Guidance, 6/04 FBRR summary, 8/02 Filter Backwash Recycling Rule And other resources EPA Regional contacts Region I: Linda Tsang, 617-918-1395 Region II: Michael Lowy, 212-637-3830 Region III: Jason Gambatese, 215-814-5759 Region IV: David Parker, 404-562-9460 Region V: Miguel Del Toral, 312-886-5253 Region VI: Blake Atkins, 214-665-2297 Region VII: Ralph Flournoy, 913-551-7374 Region VIII: Bob Clement, 303-312-6653 Region IX: Bruce Macler, 415-972-3569 Region X: Bill Chamberlain, 206-553-8515	RECENT AND CURRENT – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Long-term 1 ESWTR (Microbial and Disinfection Byproducts Rule cluster) (SDWA)	Strengthens microbial controls for systems <10,000; prevents significant increase in microbial risk during Stage 1 DBPR implementation.	All PWS that use surface water or GWUDI and serve <10,000. The rule is expected to apply to more than 11,000 systems.	2-log removal (99 percent) of <i>Cryptosporidium</i> , enhanced filtration, and documentation of microbial inactivation levels.	Final rule 1/14/02 at 67 FR 1812.	3/15/02 7/1/03 1/1/04 6/30/04 12/31/04 1/14/05	EPA Long-term 1 ESWTR Web page www.epa.gov/safewater/mbdp/lt1eswtr.html Includes links to: Quick Reference Guide Draft implementation guidance Final rule And other resources EPA: Safe Drinking Water Hotline 800-426-4791	RECENT AND CURRENT – WATER
Drinking Water Security and Safety (PL 107-188)	Requires vulnerability assessments of CWS and the preparation of emergency response plans.	CWS >3,300. Smaller systems will receive EPA guidance on vulnerability assessments and emergency response plans.	Conduct assessment of vulnerability to terrorist attack; submit a written copy of the assessment; and prepare or revise emergency response.	Bill signed 6/12/02: PL 107-188.	6/30/04: systems >3,300 provide VAs to EPA 12/31/04: systems >3,300 emergency response plans due six months after VAs submitted, no later than this date.	EPA Water Infrastructure Security Web page www.epa.gov/safewater/security/index.html Includes links to: Title IV of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 Financial assistance Training Vulnerability assessment tools Drinking Water Security Outreach Materials AWWA Water Security Resources Web page www.awwa.org/advocacy/learn/SECURITY/ABOUT/03INFRASTRUCTURESECURITYRESOURCES.CFM ASDWA Security Information Web page. Click on “Security” under “Program Areas” from www.asdwa.org Includes links to: EPA Emergency Response Plan Guidance for Small and Medium Systems Protecting Water System Security Information NDWC Drinking Water Protection and Small Water System Security Web page www.nesc.wvu.edu/ndwc/ndwc_protect.htm NETCSC Security Training Calendar www.nesc.wvu.edu/netcsc/netcsc_calendar.html	RECENT AND CURRENT – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Unregulated Contaminant Monitoring Rule and Revisions (SDWA)	The UCMR requires certain systems to monitor for listed unregulated contaminants during one year every five years. Revisions would make minor modifications to the current program.	CWS and NTCWS serving >10,000. 800 smaller systems were selected for participation; EPA handles monitoring.	Affected communities must monitor for unregulated contaminants.	Final rule 9/17/99 at 64 FR 50556. Revisions: NPRM 8/05, final action est. 6/06.		EPA UCMR Web page www.epa.gov/safewater/ucmr.html Includes links to: UCMR data Guidance Final rule The UCMR Monitoring List of substances being monitored And other resources EPA Regional Contacts: Region I: Chris Ryan, 617-918-1567 Region II: Robert Poon, 212-637-3821 Region III: Michelle Hoover, 215-814-5258 Region IV: Janine Morris, 404-562-9480 Region V: Janet Kuefler, 312-886-0123 Region VI: Andrew J. Waite, 214-665-7332 Region VII: Stan Calow, 913-551-7410 Region VIII: Rod Glebe, 303-312-6627 Region IX: Jill Korte, 415-972-3562 Region X: Gene Taylor, 206-553-1389 Technical Support Center-UCMR Implementation issues: Dan Hautman, 513-569-7274 Infrastructure Branch - SDWARS/UCMR database issues: Jeffrey Bryan, 202-564-3942	RECENT AND CURRENT – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Storm Water Phase II Rule (CWA)	Expands Phase I storm water program by requiring certain additional regulated small MS4s to control polluted storm water runoff through NPDES permit requirements.	Operators of (1) small MS4s in Bureau of Census “urbanized areas” and (2) additional State-designed small MS4s.	Develop and enforce a storm water management program to reduce pollutants to the “maximum extent practicable,” and to satisfy the CWA.	Final rule 12/8/99 at 64 FR 68722.	12/9/02: States identify designated small MS4s and issue general permit. 3/10/03: Urbanized areas file permit applications. Within 180 days of notice: Designated communities file permit applications. Within 5 years of permit issuance: storm water management programs must be fully developed and implemented.	EPA Storm Water Program Web page cfpub.epa.gov/npdes/home.cfm?program_id=6 Includes links to: Small MS4 Web page, with Compliance Assistance Guide Construction activity Web page Fact sheets Best Management Practices And other resources Help with assessing potential of regulation www.epa.gov/npdes/pubs/fact2-2.pdf EPA offers maps of urbanized areas EPA Contacts: Wendy Bell, Team Leader, Storm Water Program, 202-564-0746 Ross Brennan, Acting Chief, Municipal Branch, 202-564-0723	RECENT AND CURRENT – WASTEWATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Combined Sewer Overflow Control Policy (CWA)	National framework for control of CSOs through the NPDES permitting program.	Of the 772 CSO communities regulated by 859 CSO permits, mostly in the northeast and Great Lakes, about a third serve <10,000.	Permittees implement nine minimum controls, technology-based measures designed to reduce CSOs, and then to develop long-term control plans.	Final policy 4/19/94 at 59 FR 18688.	1/1/97: nine minimum controls. Following, built into cyclic NPDES permit renewal, long-term control plans to be established.	EPA CSO Web page cfpub.epa.gov/npdes/home.cfm?program_id=5 Includes links to: CSO Policy Primary Guidance Documents EPA Contacts: Timothy Dwyer, Team Leader, CSO Program, 202-564-0717, dwyer.tim@epa.gov	RECENT AND CURRENT – WASTEWATER
Radon Rule (SDWA)	Proposed regulation <u>would</u> reduce radon in drinking water; multimedia mitigation option to reduce radon in indoor air.	CWS that use ground water or mixed ground and surface water.	Radon levels $\leq 4,000$ pCi/L in states with Multimedia Mitigation Programs (enhanced radon in indoor air programs), or 300 pCi/L in states without.	Proposed 11/99 at 64 FR 59246. Final action est. 12/06.	Proposed compliance dates after publication of final rule: 3, 4, 5 and 5½ years for differing implementation steps	EPA Radon Rule Web page www.epa.gov/safewater/radon/proposal.html Includes links to: Proposed rule Background information EPA Contacts: Rebecca Allen 202-564-4689, allen.rebeccak@epamail.epa.gov Richard Reding 202-564-4656, reding.richard@epa.gov	POTENTIAL FUTURE ACTIONS – WATER
Groundwater Rule (SDWA)	Establishes barriers against bacteria and viruses in drinking water from ground water sources; identifies systems at high risk for fecal contamination.	All 157,000 public groundwater systems. Most are small systems.	Source water monitoring; corrective actions for deficient systems; compliance monitoring for systems that disinfect.	NPRM 5/10/00 at 65 FR 30194. Final action est. 12/05.	Proposed compliance deadline after promulgation for monitoring and corrective action requirements: Three years	EPA Ground Water Rule Web page www.epa.gov/safewater/gwr.html Includes links to: Proposed rule Fact Sheet And other resources EPA Contacts: Crystal Rodgers 202-564-5275, rodgers.crystal@epamail.epa.gov Tracy Bone 202-564-5257, bone.tracy@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Contaminant Candidate Lists (SDWA) and Methyl Tertiary Butyl Ether (MTBE) and Technical Corrections to the NSDWR (SDWA)	<p>First CCL: 60 contaminants under consideration for regulation. 20 classified as priorities. 12 of 20 found to have insufficient information to support regulatory determination. Sodium added, to make 9.</p> <p>The second CCL will contain the remaining 51 contaminants for consideration for regulation.</p> <p>MTBE and corrections: EPA is required to make a regulatory determination for at least five unregulated contaminants, including MTBE.</p>	Unclear at this time and depends on which contaminants, if any, are selected for regulation.	Unclear at this time and depends on which contaminants, if any, are selected for regulation.	<p>First CCL: Final reg. determ. 7/03.</p> <p>Second CCL: Prelim. notice 4/04 at 69 FR 17406. Final notice 2/05.</p> <p>Notice of whether to regulate these contaminants with a NPDWR expected 8/05. Statutory deadline 8/06.</p> <p>MTBE: NPRM to be determined.</p>	Unclear at this time.	<p>EPA's Drinking Water CCL Web page www.epa.gov/safewater/ccl/cclfs.html Includes background and links</p> <p>EPA Contacts: CCLs: Thomas Carpenter 202-564-4885, carpenter.thomas@epamail.epa.gov</p> <p>Yvette Selby 202-564-5245, selby.yvette@epamail.epa.gov</p> <p>Wynne Miller 202-564-4887, miller.wynne@epamail.epa.gov</p> <p>Daniel Olson 202-564-5239, olson.daniel@epamail.epa.gov</p> <p>Jitendra Saxena 202-564-5243, saxena.jitendra@epamail.epa.gov</p> <p>MTBE and corrections: Irene Dooley 202-564-4699, dooley.irene@epamail.epa.gov</p>	POTENTIAL FUTURE ACTIONS – WATER
Long-term 2 ESWTR (Microbial and Disinfection Byproducts Rule Cluster) (SDWA)	Will further improve control of microbial pathogens, including specifically <i>Cryptosporidium</i> , and address risk trade-offs with disinfection byproducts.	All PWS that use surface water or GWUDI.	Includes source water monitoring, treatment, and inactivation requirements for <i>Cryptosporidium</i> ; disinfection profiling and benchmarking.	<p>NPRM 8/03 at 68 FR 47639.</p> <p>Final action est. 12/05.</p>	<p>After promulgation: Five years: Systems up to 10,000 may have to submit results of <i>Cryptosporidium</i> monitoring.</p>	<p>EPA Long Term 2 Enhanced Surface Water Treatment Rule page: www.epa.gov/safewater/lt2/index.html Includes links to: Implementation Guidance Proposed Rule And other resources</p> <p>EPA Contacts: Dan Schmelling 202-564-5281 schmelling.dan@epamail.epa.gov</p> <p>Thomas Grubbs 202-564-5262 grubbs.thomas@epamail.epa.gov</p>	POTENTIAL FUTURE ACTIONS – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Stage 2 Disinfection By-products Rule (Microbial and Disinfection Byproducts Rule cluster) (SDWA)	Proposes standards based on a LRAA: each sample point must comply with the standard as an annual average. Also requires systems to perform an IDSE.	CWSs and NTNCWs that add a primary or residual disinfectant other than UV light or that deliver such water. 1,600 systems will need capital improvement; 860 will significantly change disinfection practices.	Transition to MCLs of 0.080 mg/L for TTHM and 0.060 mg/L for HAA5 as an LRAA. Systems required to perform IDSE: monitor for TTHM and HAA5 one year at a number of sample points.	NPRM 8/03 at 68 FR 49548. Final action est. 12/05.	Proposed deadlines after promulgation: 3 years (2-year extension for capital improvements), 4 years, 7½ years (2-year extension), and 8 years for differing implementation steps	EPA Stage 2 DBPR Stakeholder Review page www.epa.gov/safewater/mdbp/st2dis.html Includes links to: Draft regulatory language, 10/1/01 Draft Initial Distribution System Evaluation (IDSE) Guidance Manual EPA Contacts: Tom Grubbs 202-564-5262, grubbs.thomas@epa.gov Stig Regli 202-564-5270, regli.stig@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WATER
Total Coliform Rule Revisions (SDWA)	Will strengthen the TCR, which protects the public from pathogens in drinking water by requiring all PWSs to monitor for the presence of total coliforms in the distribution system	All PWSs are included in this rule. Of the 161,316 PWSs in 2002, 98% serve communities of 10,000 or less.	Adds distribution system requirements.	TCR 6/89 at 54 FR 27544. Need to revise TCR 7/03 at 68 FR 42907. NPRM est. 6/06. Final action est. 6/08.	Unclear at this time.	Total Coliform Rule and Potential Revisions and Distribution System Requirements Web page http://www.epa.gov/safewater/tcr/tcr.html#issue-papers Includes links to: Total Coliform Rule Information on how EPA is assessing the need for revisions EPA Contacts: Kenneth Rotert 202-564-5280 roter.kenneth@epamail.epa.gov Jennifer Mclain 202-564-5248 mclain.jennifer@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Watershed Rule: Total Maximum Daily Load (TMDL) Program Revisions (CWA)	A TMDL calculates the maximum amount of a pollutant that a water body can receive and still meet WQSs and allocates reductions to pollutant sources so that WQSs may be met.	Dischargers of any pollutant to a water body listed as impaired by that pollutant could be affected. More than 30,000 river segments, lakes, and estuaries are subject to TMDLs.	Possible reductions in permit levels for any discharged pollutant.	Rev. withdrawn in 2000. States now follow the 1992 rules. Future changes are unclear.	NPDES permits for small systems may be modified soon after TMDL are approved, if the systems are targeted for pollutant reductions.	EPA’s “Introduction to TMDLs” Web page: www.epa.gov/owow/tmdl/intro.html Atlas of America’s Polluted Waters: www.epa.gov/owow/tmdl/atlas/index.html Consult states’ 303(d) lists to find out whether receiving water body is listed as impaired, and for what pollutants. EPA Contacts: Christine Ruf 202-566-1220 ruf.christine@epamail.epa.gov Francoise Brasier 202-566-1214 brasier.francoise@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER
NPDES Permit Requirements for Municipal Sanitary and Combined Sewer Collection Systems, Municipal Satellite Collection Systems, Sanitary Sewer Overflows, and Peak Excess Flow Treatment Facilities (CWA)	EPA is considering a new framework for sanitary sewer collection systems with new standard permit conditions for inclusion in permits for POTWs and municipal sanitary sewer collection systems. EPA is also considering proposing a regulatory framework for applying NPDES permit conditions to municipal satellite collection systems.	In a withdrawn draft, every collection system owner would have needed an NPDES permit. An estimated 22,132 municipal sanitary sewer collection systems would have been affected, including 4,800 municipal satellite systems directly regulated for the first time.	These new standard permit conditions would address reporting, public notification, and recordkeeping requirements for SSOs, capacity assurance, management, operation and maintenance requirements for municipal sanitary sewer collection systems, and a prohibition on SSOs.	A previous proposed rule for SSOs has been withdrawn. NPRM est. 11/07.	Unclear at this time.	SSO Overview Web page: cfpub.epa.gov/npdes/sso/ssorule.cfm?program_id=4 Includes links to: FAQ SSO Toolbox Consensus recommendations or SSO Federal Advisory Subcommittee, 40 CFR 122.42(f) www.epa.gov/npdes/pubs/cmom_5.pdf EPA Region 4’s checklist for evaluating municipal wastewater collection systems’ operation and maintenance management programs www.epa.gov/region4/water/wpeb/pdfs/r4guide.pdf EPA Contacts: Kevin Weiss 202-564-0742 weiss.kevin@epamail.epa.gov Jennifer Molloy 202-564-1939 molloy.jennifer@epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Policy Regarding NPDES Permit Requirements for Municipal Wastewater Treatment During Wet Weather Conditions (“Blending Policy”) (CWA)	Would provide criteria for authorizing or approving blended discharges that meet permit limitations in NPDES permits.	This policy would apply to all POTWs.	Would allow the use of “wet weather blending,” in which effluent is routed around biological treatment units and blended with the effluent from the biological units (or other advanced treatment units) prior to discharge, so long as the final discharge would meet permit effluent limitations based upon the secondary treatment regulations and any more stringent limitations necessary to meet water quality standards.	Draft policy 11/03 at 68 FR 63042. Final policy est. 1/05. Withdrawn 5/05.	None because withdrawn.	Blending of Effluent at Publicly Owned Sewage Treatment Facilities Web page: cfpub.epa.gov/npdes/cso/blending.cfm Includes links to: Proposed Blending Policy Common Questions and Answers And other resources EPA Contacts: Kevin Debell 202-564-0040, debell.kevin@epa.gov Patrick Bradley 202-564-0729, bradley.patrick@epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER
Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution	The rule will revise certain provisions in the General Pretreatment Regulations (40 CFR Part 403) that address restrictions on and oversight of industrial discharges into POTWs. The revisions should provide greater flexibility, reduce burden, and achieve improved environmental results at less cost.	Communities with POTWs that accept industrial waste under pretreatment regulations would be affected.	The final rule would include exclusions or variable requirements for smaller facilities that contribute insignificant amounts of pollutants, clarify requirements for implementing Pretreatment Standards, and provide more flexible reporting, inspection and sampling requirements.	NPRM 7/22/99 at 64 FR 39564. Final action est. 2/05.	No new deadlines included in proposed rule changes.	EPA’s NPDES Pretreatment Program cfpub.epa.gov/npdes/home.cfm?program_id=3 Includes links to: National Pretreatment Program Pretreatment standards & limits Proposed pretreatment guidelines EPA Contacts: Greg Schaner 202-564-0721, schaner.greg@epamail.epa.gov Jan Pickrel 202-564-7904, pickrel.jan@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
<p>Sewage Sludge</p> <p>Round 1 (Section 610 Review)</p> <p>Round 2 Standards for the Use or Disposal of Sewage Sludge</p>	<p>Round 1. In 1993, EPA promulgated standards for the use or disposal of sewage sludge. In 1999 the standards were amended. EPA is now reviewing the rule to determine if it should be continued, amended or rescinded, to minimize adverse economic impacts on small entities.</p> <p>Round 2 concerns dioxin and dioxin-like compounds in sludge that is applied to the land. In 1993 EPA promulgated regulations, and in 1999 EPA proposed new regulations, which set standards for toxic pollutants in sludge. The proposed rule would also set a limit and monitoring requirements for dioxins in sewage that is land applied. In 2001, EPA decided not to further regulate for dioxins in some situations. In 2002, EPA published a notice of data availability with the results of a revised risk assessment and an analytical survey of dioxins in sewage sludge.</p>	<p>EPA's 1993 analysis indicated that the rule could have a significant impact on a substantial number of small entities. EPA then developed the rule to mitigate small entity impact to the extent possible.</p>	<p>Round 1. It is too early to tell if any changes will be proposed as a result of this review.</p> <p>Round 2. The 1999 proposed rule would establish a limit of 300 nanograms of TEQ dioxins per kilogram of dry sewage sludge for land application along with monitoring requirements. The proposal also proposed to take no regulatory action with respect to dioxins in sewage sludge that is disposed of at a surface disposal site or incinerated in a sewage sludge incinerator.</p>	<p>Round 1. Begin Review 5/03. End Review 5/04.</p> <p>Round 2. Reg's promul. 2/19/93 at 58 FR 9248.</p> <p>NPRM 12/23/99 at 64 FR 72045.</p> <p>Final determ. 12/21/01 at 66 FR 66228.</p> <p>NODA 6/12/02 at 67 FR 40554.</p> <p>Final Action 10/24/03 at 68 FR 61083.</p> <p>Consent decree deadline 10/17/03.</p>	<p>Unclear at this time.</p>	<p>EPA's Use and Disposal of Biosolids (Sewage Sludge) Web page: www.epa.gov/waterscience/biosolids/</p> <p>Includes links to: Press Releases Fact Sheets Federal Register Notices And other resources</p> <p>EPA Contacts: Alan Rubin 202-566-1125, rubin.alan@epamail.epa.gov</p> <p>Robert Cantilli 202-566-1091, cantilli.robert@epamail.epa.gov</p>	<p>POTENTIAL FUTURE ACTIONS – WASTEWATER</p>

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
NPDES Streamlining Rule - Round III (CWA)	EPA plans to issue a rulemaking package to revise NPDES requirements to eliminate redundant regulations, provide clarification, and remove or streamline unnecessary procedures.	This rulemaking is expected to affect entities which implement the NPDES program or are regulated by it. This includes small businesses and State, tribal and local governments.	Revisions under consideration include, among other things, adding additional permit modifications that can be considered minor modifications, and changes to requirements concerning EPA's review of State permits.	NPRM est. 11/06. Final action est. 8/07.	Unclear at this time.	EPA Contacts: Howard Rubin, EPA 202-564-2051, rubin.howarde@epamail.epa.gov Robert Wood, EPA 202-564-9536, wood.robert@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER
Test Procedures: New and Updated Test Procedures for the Analysis of Pollutants Under the Clean Water Act and Safe Drinking Water Act (CWA and SDWA)	This rule would propose new and updated methods for metals and chemical pollutants in EPA's "Guidelines Establishing Test Procedures for the Analysis of Pollutants" for wastewater, ambient water quality, and drinking water.	Small communities holding NPDES permits for wastewater treatment facilities or water treatment plants, and small communities with drinking water programs could be affected.	Affected communities could make use of these new and updated methods.	NPRM 4/6/04 at 69 CFR 18166. Final action est. 4/05.	Unclear at this time.	EPA's Analytical Methods Web page: www.epa.gov/waterscience/methods/ Includes links to: Methods Update Rule Fact Sheets And other resources EPA Contacts: Meghan Hessenauet 202-566-1040, hessenauet.meghan@epa.gov Marion Kelly 202-566-1045, kelly.marion@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER
Water Quality Standards for Pathogens and Pathogen Indicators for Coastal Recreation Waters (CWA)	EPA intends to set revised or new water quality standards for pathogens and pathogen indicators for states with coastal recreation waters that fail to adopt water quality criteria and standards for pathogen indicators as protective of human health as EPA's 1986 bacteria criteria.	Communities that discharge to waters with new water quality standards might be affected.	Stricter water quality standards might require stricter NPDES permit limits.	NPRM 7/9/04 at 69 FR 41719. Final action est. 11/04.	Unclear at this time.	EPA Contact: Richard Healy 202-566-0405, healy.richard@epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Clean Water State Revolving Fund Regulation Revisions Re: Use As Matching Funds (CWA)	This regulation would revise the CWSRF Regulations to allow the use of loans from the non-Federal and non-State match share of CWSRF funds as a match for infrastructure grants.	Communities that make use of the CWSRF.	The CWSRF loan would be able to be used as matching funds with respect to the non-Federal share of the cost of a treatment works project for which a municipality or agency is receiving assistance from the Administrator under any other authority.	Proposed rule withdrawn 11/04.	None because withdrawn.	EPA's Clean Water State Revolving Fund (CWSRF) Web page: www.epa.gov/owm/cwfinance/cwsrf/index.htm Includes links to: Fact Sheets Reports And other resources EPA Contact: Gary Hudiburgh 202-564-0626, hudiburgh.gary@epamail.epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER
Effluent Limitations Guidelines and Standards for Drinking Water Supply and Treatment (CWA)	In 2004, EPA announced that they would begin development of a regulation to control the pollutants discharged from drinking water treatment plants. The preliminary data are not conclusive, and additional study and analysis of treatability are necessary to determine whether pollutant reductions are technologically feasible and economically achievable.	Unknown at this time. Will depend on whether or not EPA decides to regulate these pollutants.	Unknown at this time. Will depend on whether or not EPA decides to regulate these pollutants.	Per spring 05 UA, NPRM est. 9/06. Per spring 05 UA, final action est. 9/07	Unknown at this time. Will depend on whether or not EPA decides to regulate these pollutants.	EPA Contacts: Tom Born 202-566-1001, born.tom@epamail.epa.gov Nick Bouwes 202-566-1002 , bouwes.nick@epa.gov	POTENTIAL FUTURE ACTIONS – WASTEWATER

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
Drinking Water Operator Certification Guidelines (SDWA)	Minimum standards for States for the development, implementation and enforcement of operator certification programs for CWS and NTNCWS	All CWS and NTNCWS. Of 54,064 CWS and 19,738 NTNCWS (Sept 2000), more than 90% serve fewer than 10,000 people.	Systems must employ adequately certified operators for designated system oversight.	Guidelines published 2/5/99 at 64 FR 5915, with additions 4/18/01 at 66 FR 19939.	As state programs approved by EPA.	<p>Links to many background pages on operator cert www.epa.gov/safewater/opcert/opcert.htm</p> <p>Final guidelines, www.epa.gov/OGWDW/opcert/opgdefr.html</p> <p>State programs online: clickable map www.epa.gov/safewater/dwinfo.htm</p> <p>EPA: 202/260-2939 EPA Regional Contacts: 1: Boston, 617-918-1623 2: New York, 212-637-3838 3: Philadelphia, 215-814-5786 4: Atlanta, 404-562-9480 5: Chicago, 312-886-0259 6: Dallas, 214-665-7540 7: Kansas City, (913) 551-7798 8: Denver, 303-312-6070 9: San Francisco, 415-744-2052 10: Seattle, 206-553-8515</p> <p>State programs online: clickable map www.epa.gov/safewater/dwinfo.htm</p>	GUIDELINES AND POLICIES
Onsite Wastewater Treatment Systems Manual	Reference manual provides guidance in planning, design and oversight of onsite systems.			2/02		<p><i>Onsite Wastewater Treatment Systems Manual</i> www.epa.gov/ORD/NRMRL/Pubs/625R00008/625R00008.pdf</p>	GUIDELINES AND POLICIES
Voluntary National Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems	Guidelines address the lack of adequate onsite system management including site selection, design, installation, and operation and maintenance.		Five incremental levels of onsite wastewater management, from basic information collection and maintenance awareness, to management by a responsible entity.	FR notice of publication 3/28/03.		<p>Guidelines, 3/03 http://www.epa.gov/owm/septic/pubs/septic_guidelines.pdf</p> <p>Draft Handbook for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems http://www.epa.gov/owm/septic/pubs/septic_management_handbook.pdf</p> <p>EPA Contact: Joyce Hudson 202-564-0657, hudson.joyce@epa.gov</p>	GUIDELINES AND POLICIES

REGULATION	DESCRIPTION	COMMUNITIES AFFECTED	HOW AFFECTED	PROMULGATED?	SMALL SYSTEMS DEADLINES	CONTACTS AND SOURCES	
GASB-34	The General Accounting Standards Board's <i>Statement 34</i> —GASB 34—is intended to make financial statements reflect the financial health of government offices.	All governmental entities	Most relevant to utilities, requires inclusion of the value of infrastructure assets on the balance sheet. Other requirements modify financial reporting methods.	New standards established 6/99.	Depending on government revenues, fiscal years beginning after June 15, 2001, 2002, 2003, 2005, or 2006.	Governmental Accounting Standards Board www.gasb.org GASB publications www.gasb.org –go to “Statement 34” GASB links to Statement 34 resources online www.gasb.org/repmodel/index.html	GUIDELINES AND POLICIES
Applicability of the Safe Drinking Water Act to Submetered Properties (SDWA)	EPA revised its current policy regarding regulatory requirements of submetered properties. Drinking water regulations apply to PWSs that have their own water source, treat, or “sell” water. EPA has previously considered any building or property owner who meets the definition of a PWS and receives water from a regulated public water system, but that does not bill tenants separately for this water, as “selling” the water and therefore independently subject to SDWA's drinking water requirements. To promote water conservation, EPA changed its interpretation for a limited aspect of submetering and direct billing of residential tenants.	While this change in policy would not directly affect small communities, property owners affected by the policy are found in small communities.	Small communities with CWSs may be contacted by affected property owners and should be ready to implement the new policy, if it is approved.	Notice of avail.; request for comments: 8/28/03 at 68 FR 51777. Final policy 12/13/03.	Unclear at this time.	The revised policy: http://www.epa.gov/water/infrastructure/pricing/PDF/memo_wsg_submetering.pdf EPA Contact: Ronald Bergman bergman.ronald@epa.gov	GUIDELINES AND POLICIES

Regulation Schedule Summary

This Regulation Schedule Table summarizes the dates that regulations are proposed and finalized, laws are passed, and guidelines and policies are issued. The exact dates for each of these actions can be found in the text for each entry.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Recent and Current										
Water										
Public Notification Rule	F									
Lead and Copper Rule Minor Revis.	F									
Stage 1 DBPR										
Radionuclides Rule		F								
Arsenic Rule		F								
Filter Backwash Recycling Rule		F								
Long-term 1 ESWTR			F							
Drinking Water Security and Safety			L							
Unreg. Con. Mon. Rule and Rev.						P	X			
Wastewater										
Storm Water Phase II Rule										
Comb. Sewer Overfl. Control Policy										
Potential Future Actions										
Water										
Radon Rule							X			
Groundwater Rule	P						X			
Cont. Cand. Lists (1, 2, and 3)			P	F	P	X	P	X		
Long-term 2 ESWTR				P			X			
Stage 2 Disinfect. By-products Rule				P			X			
Total Coliform Rule Revisions							P		X	
Wastewater										
Watershed Rule: TMDL Program Rev.	W									
NPDES Permit Req. for SSOs								P		
Blending Policy				P		W				
Streaml'g Gen. Pretreatment Reg's						X				
Sewage Sludge				B	E					
NPDES Streamlining Rule - Round III							P	X		
Test Procedures					P	X				
Water Quality Stand. for Pathogens					P/X					
CWSRF Regulation Revisions					W					
Eff. Lim. Guide. Drinking Water Sup.							P	X		
Guidelines and Policies										
Drinking Water Op. Cert. Guidelines										
Onsite Wastewater Tr. Sys. Manual			G							
Guide. Onsite and Clustered Systems				G						
GASB 34										
Application to Submetered Prop.				G						

P = proposed rule released. F = final rule released. X = final rule expected. L = legislation approved. B = begin review. E = end review. G = guideline or policy released. W = withdrawn. The following actions fall before 2000. CSO Control Policy finalized 4/94. Stage 1 DBPR finalized 12/98. Drinking Water Operator Certification Guidelines released 2/99. GASB 34 standards established 6/99. Pretreatment Rule proposed 7/99. Unregulated Contaminant Monitoring Rule finalized 9/99; "P" and "X" refer to UCMR revisions. Radon Rule proposed 11/99. Storm Water Phase II Rule finalized 12/99. CCLs: First "P" and "F" refer to publication of the first CCL; second "P" and "X" refer to publication of the second CCL; final "P" and "X" refer to possible regulations on contaminants in the second CCL with NPDWRs. Sewage Sludge Round 2 not included in matrix for clarity; rule finalized 11/03.

Small Systems Compliance Schedule Summary

This Small Systems Compliance Table summarizes the compliance dates for finalized regulations, laws, and guidelines. The exact dates for each of these actions, along with the actions required at each date, can be found in the text for each entry.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Recent and Current										
Water										
Public Notification Rule		X		X						
Lead and Copper Rule Minor Revis. ¹	X		X							
Stage 1 DBPR					X					
Radionuclides Rule				X				X		
Arsenic Rule ²							X			
Filter Backwash Recycling Rule				X	X		X			
Long-term 1 ESWTR			X	X	X	X				
Drinking Water Security and Safety					X	X				
Unreg. Con. Mon. Rule and Rev. ³										
Wastewater										
Storm Water Phase II Rule ¹			X	X						
Comb. Sewer Overfl. Control Policy ¹										
Potential Future Actions										
Water										
Radon Rule										
Groundwater Rule										
Cont. Cand. Lists (1, 2, and 3)										
Long-term 2 ESWTR										
Stage 2 Disinfect. By-products Rule										
Total Coliform Rule Revisions										
Wastewater										
Watershed Rule: TMDL Program Rev.										
NPDES Permit Req. for SSOs										
Blending Policy										
Streaml'g Gen. Pretreatment Reg's										
Sewage Sludge										
NPDES Streamlining Rule - Round III										
Test Procedures										
Water Quality Stand. for Pathogens										
CWSRF Regulation Revisions										
Eff. Lim. Guide. Drinking Water Sup.										
Guidelines and Policies										
Drinking Water Op. Cert. Guidelines ⁴										
Onsite Wastewater Tr. Sys. Manual										
Guide. Onsite and Clustered Systems										
GASB 34		X	X	X		X	X			
Application to Submetered Prop.										

¹ Compliance deadlines depend on states; some LCRM provisions required only as states adopt programs; CSO long-term control plans coordinated with NPDES cycle.

² Extensions available for arsenic to 2009, 2011, 2013, and 2015.

³ No compliance deadlines currently associated with this rule.

⁴ Compliance required as state programs approved by EPA. As of 10/02, all state programs were approved.