



Division of Drinking and Ground Waters Response to Comments

No Changes to Primary Drinking Water Standards

3745-81-10, Maximum residual disinfectant levels

3745-81-11, Maximum contaminant levels and best available technologies for inorganic contaminants

3745-81-19, Use of bottled water and point-of-use or point-of-entry treatment devices

3745-81-23, Inorganic chemical monitoring requirements

3745-81-31, Reporting requirements for public water systems

3745-81-64, General requirements of the "Long Term 2 Enhanced Surface Water Treatment (LT2) Rule"

3745-81-67, LT2 bin classification and treatment technique requirements

3745-81-68, Microbial toolbox options for meeting Cryptosporidium treatment requirements

3745-81-69, Reporting and recordkeeping requirements for LT2 only

3745-81-77, Treatment techniques for control of disinfection byproducts (DBP) precursors

Agency Contact for this Package

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Ohio EPA issued notice of intent on January 29, 2015, to propose rules in Chapter 3745-81 of the Ohio Administrative Code with no changes. This document summarizes the comments and questions received after this notice.

Ohio EPA reviewed and considered all comments received during the interested party comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

Comment 1:

[Below are comments provided by William Sammon, a member of the Ohio Chapter of the Sierra Club.]

"Even though microcystin has been around for decades, the federal government never established a specific safe drinking water standard for this algal toxin. The result is that we do not have mandatory established protocols for testing, monitoring, or prevention. Ohio's Community Water Systems are following guidance from Ohio EPA that is voluntary for testing of poisonous algae toxins. Ohio citizens cannot wait any longer; over 400,000 people were without water in Toledo alone, and that was found only through voluntary

testing. How many communities are really suffering from toxins created by poisonous algae in the water? Without mandatory testing for these toxins and adoption by the state of Ohio of threshold limits for these toxins, the health of Ohio citizens is at risk.

Please protect my community from Toxic Algae.

USE PROTEIN MANIPULATORS.

Problems of algae are problems of proteins, caused by an excess of nutrients. Axenic Protein Manipulators used on CAFOs reduces agricultural effluent phosphorus by 65% - and eliminates odors and reduces pathogens significantly. We are looking for an environmental advocacy partner in Ohio.

Axenic was recognized in the Cleveland Prototech Competition of 2014 as one of the finest emerging technologies in the Midwest by the MAGNET Consortium. It can non-toxically transform agriculture.

For further information, consult our website at www.axenic.biz or follow us on Twitter @AxenicFormulas

We have a solution to the toxicity in Ohio's waterways.

I ask that Ohio immediately adopt the following:

- 1.) Ohio Community Water Systems should adopt specific mandatory maximum contaminant levels for microcystin toxins, regardless of USEPA's failure to adopt a specific microcystin standard under the Safe Drinking Water Act.
- 2.) Ohio Community Water Systems should be required to monitor regularly for these toxins, using protocols developed by Ohio EPA."

Response 1:

Thank you for your comments on this no change rules package. Ohio EPA's Division of Surface Water does not have statutory authority to require a Concentrated Animal Feeding Operation (CAFO) to use feed additives. However, the Agency does currently list it as an option if the CAFO is limited on acreage.

In addition, the Division of Drinking and Ground Waters (DDAGW) is not prepared to adopt drinking water standards for microcystin at this time.

Ohio has been one of the most active states in the US in addressing harmful algal blooms (HABs) in drinking water sources. However, it is too soon for Ohio EPA to determine if moving forward in a regulatory manner is appropriate. These issues are very complex and the information on human health effects, analytical methodologies and effective treatment technologies is still being refined. Ohio EPA has and will continue to request federal assistance and guidance, as it is our belief that the country would benefit from a consistent national approach to these issues.

In the meantime, Ohio EPA will continue to actively address this concern through the cooperative approach that has been effective so far. Since cyanotoxins are not currently regulated, Ohio EPA accepts the responsibility for collecting samples. Since sampling for cyanotoxins began in 2010, Ohio EPA has collected over 1,500 raw and treated water cyanotoxin samples at almost 50 public water systems. Public water systems that have recurring HABs in their source water are encouraged to collect their own samples and have submitted hundreds of additional sample results to Ohio EPA. However, Ohio EPA will conduct sampling at any public water system that is experiencing a HAB and does not voluntarily sample or does not share their results with us.

End of Response to Comments