

NOTICE OF PUBLIC HEARING ON DRINKING WATER RULES

The Department of Health (DOH) will receive written comments and hold a public hearing on proposed changes to Hawaii Administrative Rules, Chapter 11-20, Rules Relating to Potable Water System. The topics and general description of the proposed changes to Chapter 20 are summarized as follows:

1. The Long Term 1 Enhanced Surface Water Treatment Rule (LT1 ESWTR) was published in the Federal Register on January 14, 2002. The rule was subsequently codified in Title 40 Code of Federal Regulations Part 141, Subpart T. The primary compliance date for these affected LT1 ESWTR systems was January 1, 2005. The LT1 ESWTR affects public water systems (PWS) that serve less than 10,000 people, and are supplied either by a surface water source or a groundwater source under the direct influence of surface water (GWUDI). Its primary purpose is to improve control of microbial pathogens, specifically the protozoan *Cryptosporidium*, in drinking water, and address risk trade-offs with disinfection byproducts. The rule will require systems to 1) meet strengthened filtration requirements and 2) calculate levels of microbial inactivation to ensure that microbial protection is not jeopardized if systems make infrastructure improvements related to disinfection byproduct rule compliance. A total of eight public water systems, serving approximately 20,000 customers on Oahu, Maui and the Big Island of Hawaii, must comply with this rule.
2. The Filter Backwash Recycling Rule (FBRR) was published in the Federal Register on June 8, 2001. The rule was subsequently codified in Title 40 Code of Federal Regulations Part 141, Subpart H. The compliance date for affected FBRR systems was June 8, 2004. The FBRR affects all public water systems that: 1) are supplied either by a surface water source or a groundwater source under the direct influence of surface water (GWUDI); 2) employ conventional filtration or direct filtration treatment; and 3) recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes. This rule highlights EPA's concerns that the risk of microbial pathogen breakthrough is higher in conventional or direct filtration plants that do not recycle to a point upstream of the entire treatment train. The rule requires a very specific subset of regulated public water systems to evaluate, document and report (to the SDWB) their treatment plant recycle practices. A total of four public water systems, serving between 25,000 and 30,000 customers on Maui and the Big Island of Hawaii, must comply with this rule.
3. The Arsenic Rule was published in the Federal Register on January 22, 2001. The rule was subsequently codified in Title 40 Code of Federal Regulations Part 141, Subparts B, C, D, F and G. The compliance date for affected systems is January 23, 2006. The rule strengthens the regulation of arsenic levels in drinking water by lowering the maximum contaminant level for arsenic and clarifies the point at which a public water system is in violation for contaminants that require averaging of rolling quarterly results. The U.S. Environmental Protection Agency (EPA), pursuant to the Safe Drinking Water Act of 1974 originally issued standards for ten inorganic chemicals, one of which was arsenic. These standards, which are applicable to public water systems across the nation, are known as maximum contaminant levels (MCLs), which are enforceable levels above which a system is found to be in violation. Systems are required to be monitored periodically for arsenic to determine the level of arsenic in their drinking water. On January 22, 2001, the U.S. Environmental Protection Agency revised its long-standing standard for arsenic from 50 micrograms per liter or parts per billion to 10 micrograms per liter or parts per billion. This action was based on health effects data which showed that arsenic had demonstrated health effects at lower

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levels than originally believed. In lowering the MCL, attendant changes in the analytical method, analytical detection limit, best available technologies (BATs) for treatment mandatory health effects language, mandatory consumer confidence report language and other modifications must be made. At the same time, the EPA clarified the violation status of water systems which may have some sources that have problems meeting the MCL by including language which states that if a public water system has one entry point to the distribution system in violation of the MCL (for any contaminant which is monitored at the entry point to the distribution system), then the entire system is considered in violation of the MCL for that contaminant. While this has always been the interpretation of the regulations by Hawaii, this clarification apparently resolves issues raised in other areas of the country.

4. The Public Notification Rule was published in the Federal Register on May 4, 2000. The rule was subsequently codified in Title 40 Code of Federal Regulations, Part 141, Subpart Q. The compliance date for affected systems was May 6, 2002. Since the EPA has substantially rewritten the federal Public Notification Rule, Chapter 20 HAR will be revised by deleting the existing §11-20-18 in its entirety and inserting a new §11-20-18 based on the new federal changes. The purpose of this proposed rule change is to improve the public notification requirements to which water systems must adhere when they violate the state's drinking water regulations. Violations of drinking water regulations are now classified into one of three "tiers" based on the severity of the potential adverse impact on human health. Violations classified as Tier 1 violations are considered to be the most serious and require the issuance of notification within 24 hours of discovery of the violation. Similarly, Tier 2 and Tier 3 violations have prescribed public notification issuance deadlines.
5. Finally, the EPA has proposed to address a previously unaddressed area of their regulations, which is the sampling of new sources serving a public water system. These regulations were published in the Federal Register on January 22, 2001, and were subsequently codified in Title 40 Code of Federal Regulation Part 141 Subpart C. The compliance date for affected systems was January 22, 2004. The issue has been that current regulations clearly define initial monitoring requirements for most contaminants as quarterly for a one-year period of time for all new contaminants but failed to define the requirements for the testing of new sources which have been placed into service after the quarterly monitoring was completed. These proposed rules set forward language which provides for quarterly sampling of new sources within a suggested time frame, with some discretion provided to the State.

These proposed changes are primarily federally-mandated, and will directly affect all 130+ regulated PWS statewide and may indirectly affect the general public.

The public hearing will be held on Oahu on Tuesday, September 27, 2005, at 1:30 p.m., 5th floor of 919 Ala Moana Boulevard. Persons desiring to speak are asked to submit two copies of their statement before or at the hearing. Written statements will also be accepted until 4:30 p.m. on September 28, 2005, at the Safe Drinking Water Branch (SDWB) Oahu address noted below.

Copies of the proposed rules and documents explaining the proposed changes are available for review at the following locations:

Oahu SDWB, 919 Ala Moana Blvd., Room 308, Honolulu, 96814-4920, phone: 586-4258, contact: Michael Miyahira.
Kauai DOH, District Health Office, 3040 Umi St., Lihue, 96766, phone: 241-3323, contact: Jude Schwarze.
Maui DOH, District Health Office, 54 High St., Wailuku, 96793, phone: 984-8234, contact: Gordon Muraoka.
Hawaii DOH, Keakealani Building, 79-1020 Haukapila Street, Kealahou, 96750, phone 322-1507, contact: Paul Okuna.
DOH, Environmental Health Facility, 1582 Kamehameha Ave., Hilo, 96720, phone: 933-0401, contact Theresa Takiue
Internet www.hawaii.gov/health/environmental/water/sdwb/index.html

The proposed rules will also be mailed at no cost upon request. To obtain copies, call the Safe Drinking Water Branch at (808)586-4258, write to its Oahu address above, or download the documents from the website, stated above. Kauai residents may call the direct toll free number 274-3141 ext. 64258. Maui residents may call the direct toll free number 984-2400 ext. 64258. Big Island residents may call the direct toll free number 974-4000 ext. 64258. Molokai and Lanai residents may call toll free at 1-800-468-4644, ext. 64258.

For more information, please contact Michael Miyahira of the Safe Drinking Water Branch at the above address or at (808)586-4258. Requests for special needs due to disability or language will be accommodated if such request is made at least seven (7) days prior to the scheduled hearing.

CHIYOME LEINAALA FUKINO, M.D.
Director of Health



**2005 ANNUAL CONFERENCE - HAWAII WATER WORKS ASSOCIATION
THEME FOR THE CONFERENCE “BACK TO BASICS”**

October 5-7, 2005

Hilton Waikoloa Village

Waikoloa, Hawaii

TENTATIVE PROGRAM (as of July 20, 2005)

October 5, 2005, Wednesday

Registration/Continental Breakfast

Source Water Protection (DOH and Cadmus)

Opening Day Luncheon (Welcome Remarks by Milton Pavao and Ivan Mochida, Guest Speaker: Danny Akaka, Jr)

Source Water Protection (continued) (DOH, Cadmus, Maui Department of Water Supply, and Hawaii Planning Department)

Meet and Greet

October 6, 2005, Thursday

Continental Breakfast

Servicing Unserved Areas (Art Griffin, RW Beck, Inc.)

Improvement District Process (Roy Takemoto, County of Hawaii Planning Department)

Automated Meter Reading (Susan Uyesugi, Honolulu Board of Water Supply)

Role of Water Board/Commission

Lunch: Ahupuaa Preservation (Keynote Speaker, Kepa Maly)

Seismic Design Consideration of Prestressed Concrete Tanks (Eric Magee, DYK, Inc.)

Trenchless Construction (Lyle Selle, US Pipe)

Water Use & Development Plan - Hawaii County Department of Water (Jon Nishimura, Fukunaga & Associates)

Basically Chocolate (Bob/Pam Cooper)

Banquet

October 7, 2005, Friday

Omiyage Pick-up

Continental Breakfast

Whatsup at USGS (Gordon Tribble, USGS)

Burial Council/Archaeology (Roger Harris, Member Hawaii Burial Council, Mary-Anne Maigret)

Energy Conservation (John Crouch)

Watershed (Melissa Chimera, Nature Conservancy)

Conference Adjournment

Field Trips and Golf Tournament

There is still time to register for this conference. Conference registration deadline is September 5 with a registration fee of \$165.00 per conferee. If registering after this date, the fee is \$190.00. To get more information or to register, contact Patsy or Doreen of the Hawaii County Department of Water Supply at (808) 961-8050 or at dws@hawaiiidws.org.

SDWB CONTINUES ITS SUPPORT OF EDUCATION THROUGH THE SCIENCE FAIR

The Safe Drinking Water Branch will once again provide awards to students participating in the State Science Fair for the School Calendar Year 2005-2006. Awards will be given to outstanding projects related to drinking water/groundwater in the Senior Research, Junior Research, and Junior Display divisions.

STUDENTS NEED MENTORS: “*We are looking for a few good men and women to help future water professionals.*”

If you are interested in mentoring a student’s drinking water/groundwater related science fair project, contact the district Science Fair Coordinator in your area/location:

District Fair Coordinators Contact Information:



<u>District</u>	<u>Coordinator</u>	<u>Phone No.</u>
East Hawaii	Jamie Nekoba	974-4888
West Hawaii	Kathy Ishii	327-4781
Kauai	Barbara Baker	274-3185
Maui	Ron Okamura	984-8020
H AIS	Dan Nelson	532-2431/440-7423
Leeward	Stephen Nakano	677-6638
	Fred Nakaguma	487-3098
Windward	Amy Watanabe	271-3908 (cell)
	Donna Therrien	233-5720

SDWB HIRES DATA PROCESSING SYSTEM ANALYST

On August 1, 2005, Doug Nguyen began working for the Safe Drinking Water Branch as a Data Processing System Analyst. He will be working with the SDWB to implement the use of EPA’s Safe Drinking Water Information System (SDWIS-State) as the Branch’s data management system. Other duties will include assisting the Branch with other computer and data management needs.

Doug comes to us, after two stints with the Department of Education’s Information Services Branch, as well as some time spent as a computer consultant. He is now ready to begin his State career with the Safe Drinking Water Branch. Welcome aboard.

CERTIFICATION OF CCR COMPLETION DUE SOON

Just a reminder that the deadline for providing this year’s consumer confidence report to water customers has now passed.

- (1) CCRs must be prepared and distributed to customers by: **JULY 1, 2005**
- (2) Certification of CCR preparation and distribution must be submitted to SDWB by: **OCTOBER 1, 2005**

IMPORTANT NOTE: The regulations require that you submit a copy of your Consumer Confidence Report to the Safe Drinking Water Branch at the same time that it is distributed to your consumers. If you have not already done so, please send a copy of your to: Safe Drinking Water Branch, 919 Ala Moana Boulevard, Room 308, Honolulu, Hawaii 96814. Attention: Kumar Bhagavan.

If you have any questions regarding the CCR, please contact the Safe Drinking Water Branch office in Honolulu at 586-4258 or call direct from your island on our toll-free numbers: 974-4000, ext.64258 from Hawaii; 984-2400, ext. 64258 from Maui; 274-3141, ext. 64258 from Kauai; and 1-800-468-4644, ext. 64258 from Molokai and Lanai

TRACE AMOUNTS OF ORGANIC CHEMICALS FOUND IN ONE MAUI WATER WELL

HONOLULU - During routine sampling of drinking water systems across the state, the Department of Health (DOH) found minute trace amounts of certain organic chemicals in the Maunaolu-Smith Well on Maui. The well supplies the Maunaolu Plantation water system in Kula, which serves a population of about 60 persons. The well water is treated with granular activated carbon (GAC) filtration before being sent to consumers and the treated water meets state and federal standards for safe drinking water.

“These findings do not represent a health threat,” said Laurence Lau, Deputy Director for Environmental Health. “The Department of Health is maintaining active surveillance of the well and will continue to monitor this source to ensure that public health is not compromised.”

Trichloroethylene (TCE) was detected at between 0.2 and 0.5 parts per billion (ppb). The federal and state Maximum Contaminant Level (MCL) for TCE is 5 ppb. The state and federal standards are set to avoid health risks based on a lifetime of consuming water containing that level of contaminant. TCE is a common metal-cleaning and dry-cleaning fluid. It generally gets into drinking water by improper waste disposal.

1,2-Dibromo-3-Chloropropane (DBCP) has been detected at between 0.02 and 0.04 ppb. The federal MCL for DBCP is 0.2 ppb, but the state adopted a more stringent MCL of 0.04 ppb. DBCP was used to kill nematodes in pineapple cultivation in Hawaii before its ban by the EPA in 1986.

Ethylene dibromide, (EDB) has been detected at 0.2 ppb, above the federal MCL of 0.05 ppb. The state MCL is 0.04 ppb. EDB was used as a pesticide and fumigant in pineapple cultivation in Hawaii prior to its ban by the EPA in 1983.

1,2,3-Trichloropropane (TCP) has been detected at 0.71 ppb. While there is no federal standard for TCP, the state MCL is 0.6 ppb. TCP was a contaminant of soil fumigants that were used in the pineapple fields.

Although the concentrations of EDB and TCP at the wellhead were above the MCL, the drinking water after treatment does not contain any detectable TCE, DBCP, EDB or TCP.

DBCP, EDB and TCP have been previously detected in the Maunaolu-Smith Well. This required well water to be treated with granular activated carbon (GAC) filtration before being sent to consumers.

For more information, contact:

Ann Zane, Safe Drinking Water Branch, DOH
Phone: (808) 586-4258

Janice Okubo, Communications Office, DOH
Phone: (808) 586-4442

2004 Drinking Water Violations Up from 2003

Hawaii public water systems incurred 72 violations for MCL, treatment technique, and significant monitoring or reporting during calendar year 2004. This represents a substantial increase over the 25 violations identified in 2003. The increase was caused primarily by the termination of radiological sampling and analytical services by the State, and the failure of water systems to fulfill the radiological monitoring requirements (30 violations). The increase was also caused, in part, by the onset of new MCLs under the Disinfectant/Disinfection By-Products Rule applicable to small surface water systems and all groundwater systems (9 violations) for haloacetic acids and trihalomethanes.

In Hawaii, the breakdown of violations by rule and type are as follows:

Rule Name	MCL/TT Violations.	Signif. Mon/Rep Violations	Total Violations
DBPR	8	4	12
Radiological	0	30	30
TCR	1	4	5
SWTR	24	0	24
TCP (State standard)	4	0	4
Total Violations	37	38	75

There were no violations identified in the Phase I, II, or V Rules or the Lead and Copper Rule. There were also no violations of variances or exemptions. A total of 32 of the 37 MCL/Treatment Technique violations were incurred by surface water systems.

The SDWB has and will continue to work with violating systems to assure that these violations are properly addressed and that the public is properly notified.

DOH/SDWB NOTES: SEE YOU @ THE HAWAII COUNTY FAIR

The Safe Drinking Water Branch continues its effort to be more involved with public outreach activities by having a display at this year's Hawaii County Fair. This year's Hawaii County Fair will be held from September 15-18, 2005 at the Hilo Civic Center.

At its Hawaii County Fair display, the Safe Drinking Water Branch will exhibit copies of the Groundwater Poster, Source Water Protection Poster, and EPA's Drinking Water Poster. Copies of the Groundwater Poster, Water Conservation Activities Booklet, Water for Kids and Waterspot newsletters, Water Cycle Bookmarks, and pencils will be available. So stop by the our booth to get copies or just say "hello."

Please send your suggestions, ideas, questions or comments to:

THE WATER SPOT 2005
Safe Drinking Water Branch
State Department of Health
919 Ala Moana Blvd., Room 308
Honolulu, Hawaii 96814

Fax us at (808) 586-4351,
Attn: "THE WATER SPOT 2005"

SDWB WEB SITE:
<http://www.hawaii.gov/health/environmental/water/sdwb>



LINDA LINGLE
Governor of Hawaii

CHIYOME LEINAALA FUKINO, M.D.
Director of Health

LAURENCE K. LAU
Deputy Director for
Environmental Health

We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. Write or call our Affirmative Action Officer at Box 3378, Honolulu, HI 96801-3378 or at (808) 586-4616 (voice) within 180 days of a problem.

The Water Spot 2005 (September 2005)
Safe Drinking Water Branch
Environmental Management Division
Hawai'i Department of Health
919 Ala Moana Boulevard, Room 308
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