

The first CCL was developed with considerable input from the scientific community and stakeholders. EPA published a draft CCL requesting public comment on October 6, 1997 (62 FR 52193, USEPA 1997). The first final CCL was published on March 2, 1998 (63 FR 10273, USEPA 1998). The SDWA requires that a new CCL be published every five years. EPA is currently preparing the next CCL. The March 1998 CCL contained 60 contaminants, including 50 chemicals or chemical groups and 10 microbiological contaminants or microbial groups. Many of these contaminants lacked some of the information necessary to support a regulatory determination and were identified in the March 1998 CCL notice (USEPA 1998) as having data needs. The 60 CCL contaminants were divided into categories to represent research and data needs associated with each contaminant. The categories were: (1) Regulatory determination priorities; (2) health effects research priorities; (3) treatment research priorities; (4) analytical methods research priorities; and (5) occurrence priorities.

In 1998, 20 of the 60 contaminants were classified as regulatory determination priorities because EPA believed that, at that time, there was sufficient data for these contaminants to evaluate both exposure and risk to public health and to support a determination of whether or not to proceed to promulgation of a NPDWR. Since the March 1998 CCL, EPA found that there was insufficient information, in the Agency's judgement, to support a regulatory determination for 12 of the 20 priority contaminants. In addition, the CCL-contaminant, sodium, was reclassified and added to the list of regulatory determination priorities as a means of reassessing the current guidance level for sodium. Thus, EPA is now presenting regulatory determinations for nine priority contaminants that have sufficient information to support a regulatory determination at this time.

The Agency however, continues to conduct research and/or to collect occurrence information on the remaining 51 CCL contaminants. EPA has been aggressively conducting research to fill in the data gaps and recognizes that stakeholders may have a particular interest in the timing of future regulatory determinations for other contaminants on the CCL. Stakeholders may be concerned that regulatory determinations for such contaminants should not necessarily wait until the end of the next regulatory determination cycle. In this regard, it is important to recognize that the Agency is not

precluded from monitoring, conducting research, developing guidance, or regulating contaminants not included on the CCL as necessary and appropriate (see SDWA sections 1412(b)(1)(B)(ii)(III) and 1412(b)(1)(F)), or from taking action on CCL contaminants when information becomes available. Thus, some regulatory determinations may be made before the end of the next regulatory determination cycle (*i.e.*, August 2006).

B. What Contaminants Did EPA Consider for Regulation?

EPA published preliminary regulatory determinations in the June 3, 2002, edition of the **Federal Register** (67 FR 38222, USEPA 2002a) for nine priority contaminants that have sufficient information to support a regulatory determination at this time. The nine contaminants include three IOCs (manganese, sodium, and sulfate); three SOCs (aldrin, dieldrin, and metribuzin); two VOCs (hexachlorobutadiene and naphthalene); and one microbial contaminant, *Acanthamoeba*. Information for each of the nine CCL contaminants is available in the EPA Fact Sheet (USEPA 2002b), in the Health Effects Support Documents or Drinking Water Advisories for each of the nine CCL contaminants (2003a–h), and in the regulatory determination support documents (USEPA 2001a–g). This information is available at the Water Docket (No. OW-2002-021) and is also available on EPA's Safe Drinking Water Regulatory Determination website at <http://www.epa.gov/safewater/ccl/ccldetdetermine.html>. Brief descriptions of each of the nine CCL contaminants considered for regulatory determinations are included in section V of this notice.

III. What Analyses Did EPA Use To Make the Regulatory Determinations?

The precepts for guiding EPA in making regulatory determinations for a drinking water contaminant are included in Section 1412(b)(1)(A) of SDWA. This section of SDWA requires EPA to consider the following three evaluation criteria prior to making a regulatory decision: (1) Potential adverse health effects from the contaminant; (2) occurrence of the contaminant in PWSs with a frequency and at levels of public health concern; and (3) whether regulation of the contaminant would present a meaningful opportunity for health risk reduction for persons served by PWSs.

EPA developed a comprehensive approach for making regulatory determinations with significant expert input and recommendations suggested by the National Research Council (NRC),

National Drinking Water Advisory Council (NDWAC), and stakeholders. The regulatory determination approach is largely based on the NDWAC recommendations. For each of the nine contaminants, EPA evaluated the best available peer reviewed data on health effects, and approximately seven million analytical data points on contaminant occurrence. For those contaminants with adequate monitoring methods, as well as health effects and occurrence data, EPA applied an approach in making regulatory determinations that followed the NDWAC recommendations and complies with the SDWA requirements under Section 1412(b)(1)(A). In June 2002, EPA consulted with the Science Advisory Board (SAB) Drinking Water Committee and requested its review and comment on whether the protocol EPA developed, based on the NDWAC recommendations, was consistently applied and appropriately documented. The SAB provided verbal feedback regarding the use of the NRC and NDWAC recommendations in EPA's decision criteria for making its regulatory determinations, as well as its interest in remaining involved in future regulatory determinations. SAB recommended that the Agency provide a transparent and clear explanation of the process for making regulatory determinations. In today's announcement and in the documentation supporting this announcement, the Agency has taken the SAB recommendation into consideration in explaining the evaluation process used to make today's regulatory determinations.

EPA characterized the human health effects that may result from exposure to a contaminant found in drinking water. Based on this characterization, EPA estimated a health reference level (HRL) or benchmark value for each contaminant. EPA has prepared Health Effects Support Documents or Drinking Water Advisories (USEPA 2002c and 2003a–g) for each contaminant, which are available at the EPA Water Docket and on-line at <http://www.epa.gov/edocket/>. The support documents address the following: Exposure from drinking water and other media; toxicokinetics; hazard identification; dose-response assessment; and an overall characterization of risk from drinking water.

Using the Agency's Unregulated Contaminant Monitoring (UCM) program data and National Inorganic and Radionuclide Survey (NIRS) data, EPA estimated the number of PWSs and the population served by the PWSs at the benchmark values, and the