

grandfathered data set (*i.e.*, the time period between collection of the first and last samples in the data set). However, systems are not required under the LT2ESWTR to submit previously collected data for samples outside of this time period.

3. Request for Comment

EPA requests comments on all aspects of the monitoring and treatment requirements proposed in this section. In addition, EPA requests comment on the following issues:

Requirements for Systems That Use Surface Water for Only Part of the Year

Bin classification for the LT2ESWTR is based on the mean annual sourcewater *Cryptosporidium* level. Consequently, today's proposal requires *E. coli* and *Cryptosporidium* monitoring to be conducted over the full year. However, EPA recognizes that some systems use surface water for only part of the year. This occurs with systems that use surface water for part of the year (*e.g.*, during the summer) to supplement ground water sources and with systems like campgrounds that are in operation for only part of the year. Year round monitoring for these systems may present both logistic and economic difficulties. EPA is requesting comment on how to apply LT2ESWTR monitoring requirements to surface water systems that operate or use surface water for only part of the year. Possible approaches that may be considered for comment include the following:

Small public water systems that operate or use surface water for only part of the year could be required to collect *E. coli* samples at least bi-weekly during the period when they use surface water. If the mean *E. coli* concentration did not exceed the trigger level (*e.g.*, 10/100 mL for reservoirs/lakes or 50/100mL for flowing streams), systems could apply to the State to waive any additional *E. coli* monitoring. The State could grant the waiver, require additional *E. coli* monitoring, or require monitoring of an alternate indicator. If the mean *E. coli* concentration exceeded the trigger level, the State could require the system to provide additional treatment for *Cryptosporidium* consistent with Bin 4 requirements, or require monitoring of *Cryptosporidium* or an indicator, with the results potentially leading to additional *Cryptosporidium* treatment requirements.

Large public water systems that operate or use surface water for only part of the year could be required to collect *Cryptosporidium* samples (along with *E. coli* and turbidity) either twice-

per-month during the period when they use surface water or 12 samples per year, whichever is smaller. Samples would be collected during the two years of the required monitoring period, and bin classification would be based on the highest average of the two years.

EPA requests comment on these and other approaches for both small and large systems.

Previously Collected Monitoring Data That Do Not Meet QC Requirements

EPA is proposing requirements for acceptance of previously collected monitoring data that are equivalent to requirements for data generated under the LT2ESWTR. The Agency is aware that systems will have previously collected *Cryptosporidium* data that do not meet all sampling and analysis requirements (*e.g.*, quality control, sample frequency, sample volume) proposed for data collected under the LT2ESWTR. However, the Agency has been unable to develop an approach for allowing systems to use such data for LT2ESWTR bin classification. This is due to uncertainty regarding the impact of deviations from proposed sampling and analysis requirements on data quality and reliability. For example, Methods 1622 and 1623 have been validated within the limits of the QC criteria specified in these methods. While very minor deviations from required QA/QC criteria may have only a minor impact on data quality, the Agency has not identified a basis for establishing alternative standards for data acceptability.

EPA requests comment on whether or under what conditions previously collected data that do not meet the proposed criteria for LT2ESWTR monitoring data should be accepted for use in bin determination. Specifically, EPA requests comment on the sampling frequency requirement for previously collected data, and whether EPA should allow samples collected at lower or varying frequencies to be used as long as the data are representative of seasonal variation and include the required number of samples. If so, how should EPA determine whether such a data set is unbiased and representative of seasonal variation? How should data collected at varying frequency be averaged?

Monitoring for Systems That Recycle Filter Backwash

Plants that recycle filter backwash water may, in effect, increase the concentration of *Cryptosporidium* in the water that enters the filtration treatment train. Under the LT2ESWTR proposal, microbial sampling may be conducted

on source water prior to the addition of filter backwash water. EPA requests comment on how the effect of recycling filter backwash should be considered in LT2ESWTR monitoring.

Bin Assignment for Systems That Fail To Complete Required Monitoring

Today's proposal classifies systems that fail to complete required monitoring in Bin 4, the highest treatment bin. EPA requests comment on alternative approaches for systems that fail to complete required monitoring, such as classifying the system in a bin based on data the system has collected, or classifying the system in a bin one level higher than the bin indicated by the data the system has collected. The shortcoming to these alternative approaches is that bin classification becomes more uncertain, and the likelihood of bin misclassification increases, as systems collect fewer than the required 24 *Cryptosporidium* samples. Consequently, the proposed approach is for systems to collect all required samples.

Note that under today's proposal, systems may provide 5.5 log of treatment for *Cryptosporidium* (*i.e.*, comply with Bin 4 requirements) as an alternative to monitoring. Where systems notify the State that they will provide treatment instead of monitoring, they will not incur monitoring violations.

Monitoring Requirements for New Plants and Sources

The proposed LT2ESWTR would establish calendar dates when the initial and second round of source water monitoring must be conducted to determine bin classification. EPA recognizes that new plants will begin operation, and that existing plants will access new sources, after these dates. EPA believes that new plants and plants switching sources should conduct monitoring equivalent to that required of existing plants to determine the required level of *Cryptosporidium* treatment. The monitoring could be conducted before a new plant or source is brought on-line, or initiated within some time period afterward. EPA requests comment on monitoring and treatment requirements for new plants and sources.

Determination of LT2ESWTR Bin Classification

In today's proposal, EPA expects that systems will be assigned to LT2ESWTR risk bins based on their reported *Cryptosporidium* monitoring results and the calculations proposed for bin