

program that minimizes the potential for contamination by *Cryptosporidium* as a criterion for avoiding filtration.

There are many potential sources of *Cryptosporidium* in watersheds, including sewage discharges and non-point sources associated with animal feces. The feasibility, effectiveness, and sustainability of control measures to reduce *Cryptosporidium* contamination of water sources will be site-specific. Consequently, the proposed watershed control program credit centers on systems working with stakeholders in the watershed to develop a site-specific program, and State review and approval are required. In the Toolbox Guidance Manual (USEPA 2003f), available in draft in the docket for today's proposal, EPA provides information on management practices that systems may consider in developing their watershed control programs.

Initial State approval of a system's watershed control program will be based on State review of the system's proposed watershed control plan and supporting documentation. The initial approval can be valid until the system completes the second round of *Cryptosporidium* monitoring described in section IV.A (systems begin a second round of monitoring six years after the initial bin assignment). During this period, the system is responsible for implementing the approved plan and complying with other general requirements, such as an annual watershed survey and program status report. These requirements are further described later in this section.

The period during which State approval of a watershed control program is in effect is referred to as the approval period. Systems that want to continue their eligibility to receive the 0.5 log *Cryptosporidium* treatment credit must reapply for State approval of the program for each subsequent approval period. In general, the re-approval will be based on the State's review of the system's reapplication package, as well as the annual status reports and watershed surveys. Subsequent approval(s) by the State of the watershed control program typically will be for a time equivalent to the first approval period, but States have the discretion to renew approval for a longer or shorter time period.

Requirements for Initial State Approval of Watershed Control Programs

Systems that intend to pursue a 0.5 log *Cryptosporidium* treatment credit for a watershed control program are required to notify the State within one year following initial bin assignment that the system proposes to develop a

watershed control plan and submit it for State approval.

The application to the State for initial program approval must include the following minimum elements:

- An analysis of the vulnerability of each source to *Cryptosporidium*. The vulnerability analysis must address the watershed upstream of the drinking water intake, including: A characterization of the watershed hydrology, identification of an "area of influence" (the area to be considered in future watershed surveys) outside of which there is no significant probability of *Cryptosporidium* or fecal contamination affecting the drinking water intake, identification of both potential and actual sources of *Cryptosporidium* contamination, the relative impact of the sources of *Cryptosporidium* contamination on the system's source water quality, and an estimate of the seasonal variability of such contamination.

- An analysis of control measures that could address the sources of *Cryptosporidium* contamination identified during the vulnerability analysis. The analysis of control measures must address their relative effectiveness in reducing *Cryptosporidium* loading to the source water and their sustainability.

- A plan that specifies goals and defines and prioritizes specific actions to reduce source water *Cryptosporidium* levels. The plan must explain how actions are expected to contribute to specified goals, identify partners and their role(s), present resource requirements and commitments including personnel, and include a schedule for plan implementation.

The proposed watershed control plan and a request for program approval and 0.5 log *Cryptosporidium* treatment credit must be submitted by the system to the State no later than 24 months following initial bin assignment.

The State will review the system's initial proposed watershed control plan and either approve, reject, or "conditionally approve" the plan. If the plan is approved, or if the system agrees to implementing the State's conditions for approval, the system will be awarded 0.5 log credit towards LT2ESWTR *Cryptosporidium* treatment requirements. A final decision on approval must be made no later than three years following the system's initial bin assignment.

The initial State approval of the system's watershed control program can be valid until the system completes the required second round of *Cryptosporidium* monitoring. The system is responsible for taking the

required steps, described as follows, to maintain State program approval and the 0.5 log credit during the approval period.

Requirements for Maintaining State Approval of Watershed Control Programs

Systems that have obtained State approval of their watershed control program are required to meet the following ongoing requirements within each approval period to continue their eligibility for the 0.5 log

Cryptosporidium treatment credit:

- Submit an annual watershed control program status report to the State during each year of the approval period.
- Conduct an annual State-approved watershed survey and submit the survey report to the State.

- Submit to the State an application for review and re-approval of the watershed control program and for a continuation of the 0.5 log treatment credit for a subsequent approval period.

The annual watershed control program status report must describe the system's implementation of the approved plan and assess the adequacy of the plan to meet its goals. It must explain how the system is addressing any shortcomings in plan implementation, including those previously identified by the State or as the result of the watershed survey. If it becomes necessary during implementation to make substantial changes in its approved watershed control program, the system must notify the State and provide a rationale prior to making any such changes. If any change is likely to reduce the level of source water protection, the system must also include the actions it will take to mitigate the effects in its notification.

The watershed survey must be conducted according to State guidelines and by persons approved by the State to conduct watershed surveys. The survey must encompass the area of the watershed that was identified in the State-approved watershed control plan as the area of influence and, as a minimum, assess the priority activities identified in the plan and identify any significant new sources of *Cryptosporidium*.

The application to the State for review and re-approval of the system's watershed control program must be provided to the State at least six months before the current approval period expires or by a date previously determined by the State. The request must include a summary of activities and issues identified during the previous approval period and a revised