

exist nationally, there will be cases where the standard monitoring framework proposed today will be difficult to implement. Therefore, the Agency is proposing to allow States to develop, as a special primacy condition, a program under which the State can modify monitoring requirements for consecutive systems. These modifications must not undermine public health protection and all systems, including consecutive systems, must comply with the TTHM and HAA5 MCLs based on the LRAA. However, such a program would allow the State to establish monitoring requirements that account for complicated distribution system relationships, such as where neighboring systems buy from and sell to each other regularly throughout the year, water passes through multiple consecutive systems before it reaches a user, or a large group of interconnected systems have a complicated combined distribution system. EPA intends to develop a guidance manual to address development of a State program and other consecutive system issues.

## 2. How Was This Proposal Developed?

The practice of public water systems buying and selling water to each other has been commonplace for many years. Reasons include saving money on pumping, treatment, equipment, and personnel; assuring an adequate supply during peak demand periods; acquiring emergency supplies; selling surplus supplies; delivering a better product to consumers; and meeting Federal and State water quality standards. EPA estimates that there are at least 8500 consecutive systems nationally, based on the definitions being proposed today.

Consecutive systems face particular challenges in providing water that meets regulatory standards for contaminants that can increase in the distribution system. Examples of such contaminants include coliforms, which can grow if favorable conditions exist, and some DBPs, including THMs and HAAs, which can increase when a disinfectant and DBP precursors continue to react in the distribution system.

EPA is proposing requirements specifically for consecutive systems because States have taken widely varying approaches to regulating DBPs in consecutive systems. For example, some States do not regulate DBP levels in consecutive systems that deliver disinfected water but do not add a disinfectant. Other States determine compliance with DBP standards based on the combined distribution system that includes both the wholesaler and consecutive systems. In this case, sites

in consecutive systems are treated as monitoring sites within the combined distribution system. Once fully implemented, this proposed rule will ensure similar protection for consumers in consecutive systems.

EPA is proposing that consecutive systems and wholesale systems be on the same compliance schedule because generally the most cost-effective way to achieve compliance with TTHM and HAA5 MCLs is to treat at the source, typically through precursor removal or alternative disinfectants. For a wholesale system to make the best decisions concerning the treatment steps necessary to meet TTHM and HAA5 LRAAs under the Stage 2 DBPR, both in its own distribution system and in the distribution systems of consecutive systems it serves, the wholesale system must know the DBP levels throughout the combined distribution system. Without this information, the wholesale system may design treatment changes that allow the wholesale system to achieve compliance, but leave the consecutive system out of compliance. EPA also recognizes that there may be cases where a consecutive system needs to add treatment even after a wholesale system has optimized its own treatment train.

In consideration of these issues, the Stage 2 M-DBP Advisory Committee recognized two principles related to consecutive systems: (1) Consumers in consecutive systems should be just as well protected as customers of all systems, and (2) monitoring provisions should be tailored to meet the first principle. Accordingly, the Advisory Committee recommended that all wholesale and consecutive systems comply with provisions of the Stage 2 DBPR on the same schedule required of the wholesale or consecutive system serving the largest population in the combined distribution system. In addition, the Advisory Committee recommended that EPA solicit comments on issues related to consecutive systems that the Advisory Committee had not fully explored (USEPA 2000g). EPA agrees with these recommendations and they are reflected in today's proposal.

## 3. Request for Comment

EPA requests comment on all consecutive system issues related to this rule. Specifically, EPA requests comment on the following:

—Whether the proposed definitions adequately address various wholesale system-consecutive system relationships and issues.

—Whether any additional terms need to be defined and, if so, what the definition should be.

—Whether the criteria for States' use of the special primacy criteria and other State responsibilities are appropriate and adequate.

—Whether it is necessary to require that consecutive system treatment be installed on the same compliance schedule as the wholesale system in cases where the size of the consecutive system might otherwise allow it a longer compliance time frame and the consecutive system treatment does not affect water quality in any other system.

## D. MCLs for TTHM and HAA5

### 1. What Is EPA Proposing Today?

Today, EPA is proposing use of locational running annual averages (LRAAs) to determine compliance with the MCLs for TTHM and HAA5. Consistent with the Stage 2 M-DBP Advisory Committee recommendation, EPA is proposing a phased approach for LRAA implementation to allow systems to identify compliance monitoring locations for Stage 2B while facilitating transition to the new compliance strategy and maintaining simultaneous compliance schedules for the Stage 2 DBPR and the LT2ESWTR.

In Stage 2A, all systems must comply with MCLs of 0.120 mg/L for TTHM and 0.100 mg/L for HAA5 as LRAAs using Stage 1 DBPR compliance monitoring sites. In addition, during this time period, all systems must continue to comply with the Stage 1 DBPR MCLs of 0.080 mg/L TTHM and 0.060 mg/L HAA5 as RAAs.

In Stage 2B, all systems, including consecutive systems, must comply with MCLs of 0.080 mg/L TTHM and 0.060 mg/L HAA5 as LRAAs using sampling sites identified under the Initial Distribution System Evaluation (IDSE) (discussed in section V.H.).

Details of proposed monitoring requirements and compliance schedules are discussed in preamble sections V.I. and V.J., respectively, and may be found in § 141.136 and subpart V of today's rule.

### 2. How Was This Proposal Developed?

a. *Definition of an LRAA.* The primary objective of the LRAA is to reduce exposure to high DBP levels. For an LRAA, an annual average must be computed at each monitoring site. The RAA compliance basis of the 1979 TTHM rule and the Stage 1 DBPR allows a system-wide annual average under which high DBP concentrations in one or more locations are averaged with, and