

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

**NOTICE OF PUBLIC HEARING AND PROPOSED AMENDMENTS TO GEORGIA'S
RULES AND REGULATIONS FOR DRINKING WATER
CHAPTER 391-3-5**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, the Environmental Protection Division (hereinafter, "EPD") of the Georgia Department of Natural Resources proposes Amendments to the Georgia Rules for Safe Drinking Water, Chapter 391-3-5 (hereinafter, "the proposed Rule Amendments"). The Director of EPD certifies that (1) amendment of Rule 391-3-5-.02 is required to comply with 40 CFR 141.2; (2) amendment of Rule 391-3-5-.06 is required to comply with 40 CFR 141.400, 40 CFR 141.402- 141.404; (3) amendment of Rule 391-3-5-.15 is required to comply with 40 CFR 141.33; (4) amendment of Rule 391-3-5-.18 is required to comply with 40 CFR 141.12, 40 CFR 141.53, 40 CFR 141.64; (5) amendment of Rule 391-3-5-.23 is required to comply with 40 CFR 141.21, 40 CFR 141.400- 141.401; (6) amendment of Rule 391-3-5-.24 is required to comply with 40 CFR 141.30, 40 CFR 141.131, 40 CFR 141.132, 40 CFR 141.133, 40 CFR 141.135; (7) amendment of Rule 391-3-5-.25 is required to comply with 40 CFR 141.80, 40 CFR 141.81, 40 CFR 141.83- 141.90; (8) amendment of Rule 391-3-5-.29 is required to comply with 40 CFR 141.28; (9) amendment of Rule 391-3-5-.32 is required to comply with 40 CFR 141.32, 40 CFR 141.211; (10) amendment of Rule 391-3-5-.52 is required to comply with 40 CFR 141.700- 141.723, 40 CFR 142.14- 142.16; (11) amendment of Rule 391-3-5-.53 is required to comply with 40 CFR 141.600-141.605, 40 CFR 141.620- 141.629, 40 CFR 142.14, 40 CFR 141.16; and (12) amendment of Rule 391-3-5-.54 is required to comply with 40 CFR 141.21, 40 CFR 141.28, 40 CFR 141.153, 40 CFR 141.202- 141.203, 40 CFR 141.400- 141.405.

The proposed rule amendments include revisions to Chapter 391-3-5 "**Rules for Safe Drinking Water**" as follows:

- **Rule 391-3-5-.02 (8), (9), (14), (17), (25), (44), (54), (57), (58), (59), (71), (75), (82), (91), (93), (126), and (136) Definitions** is proposed for amendment by adding new definition that correspond with the new rules.
- **Rule 391-3-5-.06 (1) Source Water** is proposed for amendment by adding language to include 4-log treatment (99.99% removal) which corresponds with new Groundwater Rule.
- **Rule 391-3-5-.15 (1)(a) and (1)(h) Record Keeping** is proposed for amendment by adding language to broaden the range of records that must be kept on site.
- **Rule 391-3-5-.18 (2)(b) and (6) Maximum Contaminant Levels** is proposed for amendment by changing language to correspond with new Stage 2 Disinfectants and Disinfection Byproducts Rule and correcting grammatical errors.

- **Rule 391-3-5-.23 (3)(c-f) Sanitary Survey** is proposed for amendment by adding language to increase the frequency at which sanitary surveys must be preformed.
- **Rule 391-3-5-.24 (1),(2), (3), (3)(g-h), (4), (5), (6), (7), (8), and (9) Total Trihalomethanes Sampling** is proposed for amendment by adding language to clarify requirements of new Stage 2 Disinfectants and Disinfection Byproducts Rule and correct grammatical and numbering errors.
- **Rule 391-3-5-.25 (1)-(9) Lead and Copper** is proposed for amendment by adding language to clarify the purpose and use of short-term revisions in order to comply with federal regulations. These revisions address implementation issues with the existing rule, such as monitoring revisions of sampling number and timing clarifications, additional requirements for providing public information, advanced notification of treatment changes and source additions, and reevaluation of “tested-out” lead service lines.
- **Rule 391-3-5-.29 (1) Laboratory Requirements** is proposed for amendment by adding language to correspond with the new Groundwater Rule.
- **Rule 391-3-5-.32(1), (4)(a)-(4)(c)(3.), (6), (7) Public Notification** is proposed for amendment by adding language to incorporate federal regulations by reference.
- **Rule 391-3-5-.52 Long Term 2 Surface Water Treatment Rule** is proposed to add a new rule to comply with federal regulations to protect public health against microbial content in surface water.
- **Rule 391-3-5-.53 Stage 2 Disinfectants and Disinfection Byproducts Rule** is proposed to add a new rule to comply with federal regulations to reduce the disinfection byproducts maximum contaminant levels.
- **Rule 391-3-5-.54 Groundwater Rule** is proposed to add a new rule to comply with federal regulations to provide additional protection from disease-causing microorganisms in ground water.

This notice, together with an exact copy of the proposed rule Amendments and a synopsis of and statement of rationale for the rule revisions, is being provided to all persons who have requested in writing that they be placed on a notification list. These documents may be viewed at <http://www.gaepd.org/envirnet/5> or during normal business hours of 8:00 a.m. to 4:30 p.m. at the Georgia Environmental Protection Division, Watershed Protection Branch, Drinking Water Program, 2 Martin Luther King Jr. Drive, S.E., Suite 1362, East Floyd Tower, Atlanta, Georgia 30334. Copies may also be requested by contacting the Watershed Protection Branch, Drinking Water Program at 404/656-5660 or the Environmental Protection Division Director’s Office at 1-888-373-5947.

To provide the public an opportunity to comment upon and provide input into the proposed rule, a public hearing will be held on March 24, 2009 at the following location:

March 24, 2009 (11:00 am- 12:00 pm) Drinking Water Program; Department of Natural Resources; Floyd Towers East, Suite 1370 Conference Room, 2 Martin Luther King Jr. Dr., S.W., Atlanta, GA 30334.

At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument either orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted in writing for the official record. Oral statements should be concise.

Written comments are welcomed. To insure their inclusion in EPD's package for the Board of Natural Resources, written comments should be received by close of business (4:30 pm) on April 2, 2009. Comments may be sent via regular mail addressed to: Branch Chief, Watershed Protection Branch, 4220 International Parkway – Suite 101, Atlanta, Georgia 30354. Comments may be emailed to EPDComments@dnr.state.ga.us. If you choose to email your comments, please be sure to include the words "Drinking Water Rules" somewhere in the subject line to help ensure that your comments will be forwarded to the correct staff.

The proposed rule amendments will be considered for adoption by the Board of Natural Resources at its meeting on April 29, 2009 at 9:00 a.m., in the DNR Board Room, 2 Martin Luther King, Jr. Drive, S.E., Suite 1252, East Floyd Tower, Atlanta, Georgia 30334. The meeting is open to the public. The proposed rule amendment is proposed for adoption pursuant to authority contained in the Georgia Safe Drinking Water Act, O.C.G.A. § 12-5-170-179, et seq.

For further information, please contact Watershed Protection Branch, Drinking Water Program at (404) 656-5660.