

**Agency of Natural Resources
Department of Environmental Conservation**

**Water Supply Division
Old Pantry Building
103 South Main Street
Waterbury, VT 05671-0403
802-241-3400
FAX 802-241-3284**

MEMORANDUM

To: Groundwater Coordinating Committee

From: Rodney Pingree, Acting Chair

Date: November 30, 2010

Subject: Minutes from the November 18th Meeting

Next Meeting: *TBA*

Attendees

Dennis Nealon, ANR DEC Water Supply; Rodney Pingree, ANR DEC Water Supply; Jeff Fehrs, ANR DEC Wastewater Management Division; Eric Hanson, Vermont Rural Water Association; Liz Royer, Vermont Rural Water Association; Don Maynard, Johnson Company; Gail Center, Vermont Department of Health; Bill Bress, Vermont Department of Health; Razelle Hoffman-Conti; Larry Becker, Division of Geology and Mineral Resources; Ray Counter, Brandon Fire District; Carey Henstenberg, ANR DEC Waste Management; Anne Whiteley, ANR DEC Commissioner's Office; Kira Jacobs US Environmental Protection Agency; Laura Medalie, US Geologic Survey.

Updating the Drinking Water Health Advisories

Gail introduced herself to the committee along with Bill and Razelle. She mentioned that they were part of a team, the toxicology group, at the Department of Health (DOH) that set health advisories and drinking water guidance for chemicals. These health advisories have been adopted as enforcement standards in the Groundwater Rule and Strategy (GWRS). The GWRS has not been revised with respect to these standards since 2005.

Razelle is in the process of setting standards for over 200 chemicals. She is reviewing the chemicals in alphabetical order and mentioned that if people had any priorities to let her know and she'd try to accommodate them.

Razelle stated that the DOH often adopts the U S Environmental Protection Agency's (EPA) maximum contaminant level (MCL) for specific chemicals. However, that is not always the case

and there are eight chemicals which the DOH has not adopted the EPA MCL. The DOH has set their own action levels for these eight chemicals.

At DOH, their assessment of chemicals and their corresponding toxicity levels take into account various considerations. First, Bill stated that standards are not set below detection levels. Sensitive populations are focused on. Subpopulations such as children are considered since body weight plays an important role regarding a chemical's toxicity. There is a larger water to body weight ratio for those who weigh little. For example, nursing infants are more at risk. However, drinking water is not considered to be responsible for 100% of the exposure to a specific contaminant. Exposure may also originate from food or inhaling vapors. Assessments will also consider whether chemical is determined to be a carcinogen or non-carcinogenic.

Kira mentioned that the U. S. Environmental Protection Agency, in an effort to be efficient, is looking at groups of chemicals. Don stated that PCBs might be a group of chemicals that have similar toxicity levels.

Groundwater Class II Reclassification

Ray Counter the Water System Operator for Brandon Fire District #1 was introduced by Eric. Ray has been pursuing the Class II reclassification for about a decade.

Anne stated she read the petition prepared by Eric and Ray for the Class II reclassification and complemented Ray and Eric on putting together a valuable document. She compared the petition to the requirements in the Groundwater Protection Rule and Strategy (GPR&S) and determined there was a problem with the rule (not the petition). Anne said that in Appendix Two of the GPR&S there is a list of acceptable and non-acceptable risks for a Class II Area. The list presented some conflicts with respect to septic systems. For instance, an unacceptable risk includes septic systems that do not meet the standard. Acceptable risks include systems of 1000 gallons per day (gpd) or less but the rule does not mention those systems above 1000 to 6500 gpd. At that same time, these systems were clean slated at the beginning of 2007.

If the proposed Class II were treated in the same way as a new Source Protection Area (SPA), the above conflicts could be avoided Anne surmised. To accomplish this end a supplement to the petition is required. A new SPA for instance would not allow a septic system within the two year time of travel (TOT). Accurate locations of the septic systems near the TOT are required with individual evaluations of those locations, along with evaluations of other land uses.

Eric discussed new changes that he made to the Class II petition. These changes included adjusting the groundwater contours, reducing the TOT, and removing Burnell Pond from the proposed Class II Groundwater Area.