

Drinking Water Quality Institute
January 27, 2009 Meeting Minutes
NJ Environmental Infrastructure Trust Building
Princeton Pike, Lawrenceville, NJ

Members Present: Chair, Mark Robson, Laura Cummings, Russell Ford, Barker Hamill, Stephen Jenniss, Judith Klotz, Paul La Pierre, Jean Matteo, Leslie McGeorge, David Pringle, Gloria Post, Carol Storms

Non-members Present: Linda Bonnette, Branden Johnson, Sandra Krietzman, Kristin Hansen (NJDEP-DWS); Patricia Gardner, Jennifer Goodman (NJDEP-Radiation Program); Zoltan Szabo (USGS); Tracy Carluccio (Delaware River Keeper); Tony Russo (Chemistry Council of New Jersey); Ed Rogers (NJN)

1. Call to Order—M. Robson

Chairman Robson called the meeting to order at 1:15 PM. The DWQI members introduced themselves to the meeting attendees.

2. Minutes—M. Robson

The latest draft of the October 21, 2008 DWQI meeting minutes was reviewed. G. Post provided comments/revisions. A motion was made, seconded, and passed unanimously to approve the minutes with corrections.

3. Barker Hamill's Retirement – M. Robson

Chairman Robson provided a summary of and acknowledged B. Hamill's dedicated work with the DWQI. He specifically mentioned the numerous accomplishments of the DWQI while B. Hamill served as a member.

4. Appointment Status – K. Hansen

K. Hansen provided the DWQI members with a list of the members and their status. Everyone's term has expired except for P. LaPierre. In December 2008, K. Hansen requested everyone provide her with a copy of his or her resume. She mentioned to the members that if they have not sent it to her to do so as soon as possible. She will be finalizing the vetting packages and moving forward with the reappointments.

5. Subcommittee Status

Health Effects—D. Pringle and G. Post

D. Pringle, chair, provided a brief summary of the Health Effects Subcommittee's progress. They have completed their review of all chemicals which currently have health-based MCLs. In addition, they have developed health-based MCLs for several additional chemicals that were recommended for MCL development by the DWQI.

Gloria Post reported that the Subcommittee is finalizing the health based MCL for 1,2,3-trichloropropane and plans to complete this assessment so it may be included in the full DWQI recommendation document currently being prepared. G. Post mentioned that P. Cohn has received the time-to-tumor modeling software needed to complete the risk assessment of this chemical. G. Post also reported that TBA and chromium are the only two contaminants remaining on the DWQI's workplan to be reviewed by the Health Effects Subcommittee.

Per D. Pringle's request, G. Post presented information on the health effects and occurrence of PFOA to the Health Effects Subcommittee at their last meeting. G. Post reported that the NJDEP currently has a drinking water guidance level for lifetime exposure of 0.04 ppb, which was established in 2007. Since then, results of more toxicology and epidemiology studies have been published. G. Post mentioned that USEPA very recently (two weeks ago) issued a Provisional Drinking Water Health Advisory for short-term exposure to PFOA of 0.4 ppb. Based on the discussion following the presentation, the Health Effects Subcommittee made a unanimous decision to recommend to the DWQI that PFOA be added to the DWQI workplan for MCL development.

Testing—S. Jenniss

S. Jenniss noted that the Subcommittee has almost completed its review of all chemicals referred by the Health Effects subcommittee. Dacthal and 1,2,3 Trichloropropane have been reviewed and are being added to the most recent draft of the Testing Subcommittee's recommendation document. The Subcommittee was not able to complete its review of 2,4,6-trichlorophenol; therefore it will not be included in the DWQI's recommendation document.

Treatment—P. La Pierre

The Subcommittee met on January 5, 2009 to provide a final review of the treatment document developed by Black and Veatch. The Black and Veatch report and a cover memo endorsing the report will be forwarded to the DWQI shortly. P. LaPierre mentioned ethylene glycol does not have treatment available to remove it adequately. Therefore, the Treatment Subcommittee is recommending that the DWQI not establish an MCL for ethylene glycol.

B. Hamill mentioned that the health effects number is higher than that for most other MCLs and we do not expect to see exceedances of this health-based MCL occurring. Ethylene glycol is associated with deicing runways. NJDEP does not have occurrence data for this contaminant. B. Hamill stated this recommendation would be included in the full DWQI recommendation document.

L. McGeorge asked if ethylene glycol would be included in the rule proposal from NJDEP. B. Hamill stated it would be included in the rule summary.

Radon – J. Klotz and R. Ford

J. Klotz reminded the DWQI that the Radon Subcommittee is recommending a MCL of 800 pCi/l. The recommendation document is still under development incorporating comments received from the last DWQI meeting. We anticipate the recommendation document will be sent to the NJDEP Commissioner in about 2 weeks.

M. Robson complimented the Subcommittee and others who worked on the radon MCL recommendation.

B. Hamill asked if the Radon Subcommittee was still necessary. M. Robson felt it is important to remain so the DWQI can respond to comments received on the proposed radon regulation. [**Ed. Note:** The Subcommittee also needs to address the issue of radon in private well water, as noted in its February 2009 report to the Commissioner; this rationale was not mentioned at the January 27, 2009 meeting.] B. Hamill mentioned that NJDEP is planning on including radon in their upcoming rule revisions.

6. Perchlorate--S. Krietzman

S. Krietzman informed the DWQI that the Perchlorate Rule proposal is still under review by the Office of Legal Affairs. S. Krietzman anticipates a late March NJ Register publication date.

D. Pringle asked if there are specific issues why this rule was not moving forward. S. Krietzman stated it is most likely due to other NJDEP rules expiring which need to be addressed first since perchlorate does not have an expiration date. She mentioned the issues that were addressed to date dealt with implementation and the explanations in the impact statements, not the MCL.

7. Full DWQI Recommendation Document – S. Krietzman

S. Krietzman stated the DWQI members were sent through email the most recent version of the full DWQI Recommendation Document on January 14th. Most DWQI members present at the meeting stated that they did not receive the document; therefore it had not been reviewed by the DWQI. A decision was made to send the separate parts of the document to the members again under separate emails and the DWQI members would send a response email stating they received it. As a result, the DWQI Recommendation Document was not discussed.

B. Johnson did mention a few minor changes have been made in PQLs, and in referring to “DCPA and degradates” instead of Dacthal.

8. Upcoming DWQI meetings

The DWQI members agreed to meet March 4th and June 9th at 1:00 PM.

M. Robson suggested inviting the NJDEP Commissioner to the next meeting.

9. Public Comment

Tracy Carluccio, Delaware River Keeper

T. Carluccio expressed the Delaware Riverkeeper's support for adding PFOA to the DWQI workplan for MCL development. Delaware Riverkeeper is concerned about the occurrence of PFOA in NJ drinking water. Delaware Riverkeeper is aware of a letter sent to water systems around DuPont Chambers Works because they have levels of PFOA consistently above the guidance level. She stated that she is aware of some resistance to complying with the guidance by the water purveyors. She supports the development of a drinking water standard for PFOA to protect the public and recommends this be completed through the regulatory process as quickly as possible. She hopes a protective and science-based standard will be developed.

T. Carluccio also stated she is proud that New Jersey has the strictest guidance level for PFOA in the nation, due to the good scientific work that the state has conducted. She believes that EPA's guidance level is weak and unacceptable, and does not look at lifetime exposure. She hopes that the new federal administration will put this weak guidance aside, and change it to a more protective level. PFOA causes biological effects at low levels, including effects on infants, the immune system, cholesterol, and cancer. T. Carluccio finished her comments by reiterating the fact that PFOA is an unregulated chemical, which needs to be addressed, and that the Delaware Riverkeeper supports adding PFOA to the DWQI workplan.

Tony Russo, Chemical Council of New Jersey

T. Russo expressed his concern regarding gaining better understanding of the DWQI's process. He asked the DWQI to explain the agenda, workplan, and recommendation document.

B. Hamill responded to T. Russo's concern by explaining that the first step for the DWQI is the workplan. The current workplan was developed in 2006, and contains the current A280 contaminants and new contaminants that the DWQI planned to review. Most contaminants have been reviewed and updated as needed. The DWQI recommendation document for new MCLs is developed and sent to the Commissioner of NJDEP. It is not reviewed by the public prior to being sent to the Commissioner, but the public could comment after the recommendation document is submitted to the Commissioner. The public is represented on the DWQI by three appointed water purveyors who are members, as directed in the A280 Legislation. Other appointed members include three academics and three representatives of the environmental/public health community.

T. Russo asked at what point industry could weigh in on the standard setting process.

B. Hamill stated that industry could certainly provide comments to the NJDEP based on the DWQI's Recommendation Document after it is submitted to the NJDEP Commissioner, and make statements at full DWQI meetings.

M. Robson further explained the standard setting process. First the Health Effects Subcommittee reviews the health effects and occurrence data of the contaminant to determine if MCL development is warranted. This committee also develops a health-

based MCL from the health effects information. Then it is referred to the Testing Subcommittee to review the analytical capabilities for detecting the contaminant, and the Testing Subcommittee develops an analytical PQL. Lastly, the Treatment Subcommittee determines if treatment is available to treat for the contaminant to the health based number or PQL, whichever is higher.

L. McGeorge commented that the factors to be considered in NJ MCL development are described in the statute – the A280 amendments to the NJ Safe Drinking Water Act.

T. Russo stated that he wants to be involved and to be able to provide knowledge.

B. Hamill stated the meeting minutes are available to the public and are on the web.

10. PFOA

A motion was made by Dave Pringle, seconded by Barker Hamill, and passed unanimously to add PFOA to the DWQI workplan for MCL development.

11. Adjournment

Chairman Robson adjourned the meeting at 2:15 PM.

Meeting Minutes

Written: K. Hansen 1/29/09

Revised: G. Post 1/29/09

Revise B. Johnson 2/18/09

Revised S. Krietzman 2/24/09