

Georgia Department of Natural Resources

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MEMORANDUM

TO: Guy Tomassoni, USEPA
Ken Lovelace, USEPA

FROM: Bob Pierce, GA EPD

RE: Comments & Recommendations from the Draft Ground Water Use
and Vulnerability Discussion Paper

I have reviewed the summary comments on the discussion paper titled: Ground Water Use, Value, and Vulnerability as Factors in Setting Cleanup Goals. The comments are quite diverse which reveals the complexity of the subject.

General Comments from a State Regulator Perspective

I think there is general agreement that it would be very difficult to set a national policy covering the many diverse issues raised in this discussion paper and by the commenters. There is abundant literature and discussion developed by the scientific community and commercial development interests that ground water has value; and its use, protection, and cleanup need to be addressed to varying degrees. Ground water Use, Value, and Vulnerability (UVV) has been, and most likely will remain, a state and local government issue because it is intrinsically bound to land use (e.g. zoning) and development. These have been traditionally viewed as being under the authority of state and local governments. Dealing with UVV issues is a site-specific process that depends on a large number of local factors, both scientific and political.

The role of USEPA should be largely one of educator to the regulators, the regulated community, and the public. This education would be more technical than policy oriented. EPA could also act as discussion facilitator and, if asked, mediator on UVV issues affecting a site and, *as far as possible*, allow state and local regulators to continue to make decisions regarding setting cleanup goals protective of existing and potential

drinking water supplies. These decisions would involve input from EPA and other Federal interests as well as from an active public participation program. Informed decisions by local regulators are the most effective way to address UVV issues.

Addressing these issues needs to be a dynamic interactive process and not just guidance documents and policy statements. There are certainly plenty of those. A comprehensive national UVV guidance would be hard to formulate and would be ignored by many. Any national policy should be general in nature recognizing that each State has its own UVV issues most of which require unique solutions.

Specific Recommendations for Implementation by USEPA.

1. To set an overall tone of good Environmental Stewardship, adopt a national policy statement regarding overall ground water goals for the Agency. This statement should reflect the overall view that: 1) no aquifer will be degraded, and 2) any degraded aquifer ultimately needs to be restored to its natural condition.

2. Develop an annotated bibliography of regulatory and technical resources. This could be done by EPA contractors for each EPA Region and published with periodic updates either by hard-copy revisions or over the internet. This bibliography could be divided into categories and could have both a KEY Word and a Subject Index. Examples of possible categories include, but are by no means limited to:

- Ground Water Geology for the Region including educational materials on contaminant fate and transport.
- State and Federal ground water GW Use, Value, and Vulnerability and Protection policies.
 - CSGWPPs
 - SWAPs
 - Ground Water Classification Systems
 - Significant Recharge Areas
 - Sole Source Aquifer
 - Non-degradation policies
 - Aquifer restoration policies
 - Risk Assessment
 - Etc.
- Technologies for cleaning up ground water.
 - Pump and Treat
 - Natural Attenuation
 - Reactive Barriers
 - Source Reduction
 - Mass flux

➤ *Etc., etc.*

○ UVV Issues

- *Differing perspectives on GW Use, Value, Vulnerability*
- *Reasonably Expected Use*
- *Timeframes to achieve 1) intermediate goals, 2) final goals (natural conditions)*
- *Risk assessment & management*
- *Etc., etc.*

3. Increase the use of educational material in its public participation programs and encourage the States to do this also. Well-informed regulators, government officials, and the public will hopefully lead to better UVV decisions.

4. As has been suggested, ask the US Census Bureau to revive its practice of including questions on private wells on its Census Forms.

5. Encourage the states and local governments through education and funding to collect and store private well information in electronic and printed formats. These wells are not covered by the SWA and often fall through the cracks. EPA could compile a list of these databases to be accessed by parties doing receptor evaluations, etc.

6. Continue to support research that addresses ground water protection and restoration.

7. Change or clarify all Agency Rules, Regulations, Policies, Guidance, etc to encourage/ require the periodic review (every 5 years or sooner) of all groundwater TI waivers.

8. I assume the formulation of specific recommendation to go forward to senior EPA management will complete the work of the GW Taskforce. There is, however, a need to establish some sort of committee to oversee the implementation of these any other taskforce recommendation the Agency pursues. This committee needs to be as small as possible to work efficiently, but also include members (both technical and management) from federal, state, and private interests.

9. Get the Word Out: EPA needs to implement and fund means to convey GWTF recommendations and deliverables to the regulators, regulated community, and public. These means could include conference presentations, internet resources, organizations (e.g., NGWA, ASTSWMO); as well as articles in the media , professional journals, etc.

Ground Water Use, Value, and Vulnerability

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