To: McWhirter, Lisa[McWhirter.Lisa@epa.gov]
From: Dermer, Michele
Sent: Wed 3/23/2016 3:32:11 PM
Subject: RE: NRDC Petition for EPA Rulemaking on AE

Ok thanks!

-----Original Message-----
From: McWhirter, Lisa
Sent: Wednesday, March 23, 2016 7:45 AM
To: Dermer, Michele <Dermer.Michele@epa.gov>
Cc: Albright, David <Albright.David@epa.gov>
Subject: RE: NRDC Petition for EPA Rulemaking on AE

The letter is being routed. I believe Peter has it now.

-----Original Message-----
From: Dermer, Michele
Sent: Tuesday, March 22, 2016 6:03 PM
To: McWhirter, Lisa <McWhirter.Lisa@epa.gov>
Cc: Albright, David <Albright.David@epa.gov>
Subject: RE: NRDC Petition for EPA Rulemaking on AE

Thanks for the AE you just sent. This reminds me, where is Joel's response letter to CBD on Arroyo Grande?

-----Original Message-----
From: Green, Holly
Sent: Tuesday, March 22, 2016 2:04 PM
To: Albright, David <Albright.David@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Brown, Jamesr <brown.jamesr@epa.gov>; Contreras, Peter <Contreras.Peter@epa.gov>; Dellinger, Philip <dellinger.philip@epa.gov>; Dermer, Michele <Dermer.Michele@epa.gov>; Donahue, Lisa <Donahue.Lisa@epa.gov>; Downing, Jane <Downing.Jane@epa.gov>; Green, Holly <Green.Holly@epa.gov>; Jann, Stephen <jann.stephen@epa.gov>; Johnson, KarenD <Johnson.KarenD@epa.gov>; Kraft, Nicole <Kraft.Nicole@epa.gov>; Lane, Willie <Lane.Willie@epa.gov>; Marsh, Nancy <Marsh.Nancy@epa.gov>; McClelland, Maureen <McClelland.Maureen@epa.gov>; Mindrup, Mary <Mindrup.Mary@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Overbay, Michael <overbay.michael@epa.gov>; Pardue-Welch, Kimberly <Pardue-Welch.Kimberly@epa.gov>; Perenchio, Lisa <perenchio.lisa@epa.gov>; Rzeznik, Dana <rzeznik.dana@epa.gov>; Springborg, Denise <Springborg.Denise@epa.gov>; Hildebrandt, Kurt <Hildebrandt.Kurt@epa.gov>
Cc: Tiago, Joseph <Tiago.Joseph@epa.gov>; McWhirter, Lisa <McWhirter.Lisa@epa.gov>; Rubin, Howard E <Rubin.HowardE@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>
Subject: NRDC Petition for EPA Rulemaking on AE

Hi all,

Lynn Thorp of Clean Water Action informed me this afternoon that NRDC petition (along with several NGOs, including CWA) is issuing a petition for EPA rulemaking "to repeal or amend the aquifer exemption provisions of EPA regulations in order to adequately protect underground sources of drinking water." See attached.

A little more from the cover letter:

The petition states that existing EPA rules related to aquifer exemptions have allowed for the contamination of current sources of drinking water and the existing process for evaluating aquifer

exemption requests has allowed for the approval of applications without scientifically-defensible evidence which demonstrates that the water cannot reasonably be expected to serve as a public source of drinking water in the future. The petition concludes that the existing rules therefore violate the Safe Drinking Water Act and EPA must revise them. Furthermore, given the inadequacies of the existing rules identified in this petition, the agency can and must impose a moratorium on any new or expanded exemptions until such revisions are finalized.

NRDC states that in devising new rules, EPA must take account of developments since the existing rules were written in the early 1980s, including increasing demand for groundwater, the rapid depletion of aquifers in many states, the extent to which climate change is likely to exacerbate these problems, improved technologies for water treatment and corresponding increases in the use of desalination of brackish groundwater as a drinking water source, and advances in our scientific and technical understanding of groundwater, especially in the areas of computer modeling and contaminant fate and transport.

Lynn says that NRDC is planning a press release upon official issuance of the petition tomorrow. If you get press questions, you can refer them to HQ communications.

I am out tomorrow, returning Thursday, 3/31, but Howard, Lisa and Joe are available if you have questions.

Thanks,
Holly

Holly Sage Green
Acting Chief, Prevention Branch
EPA Office of Ground Water and Drinking Water
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(202) 566-0651