NOTICE

On March 16, 2011, Rhodia Inc. (Rhodia) filed a petition for rulemaking to the Division of Water Quality Director to request the amendment of the groundwater quality standard for 1,1-dichloroethylene (1,1-DCE) contained in 15A NCAC 02L .0202(g)(59).

The current groundwater quality standard for 1,1-dichloroethylene (in micrograms per liter) in 15A NCAC 02L .0202(g)(59) is:
"(59) 1,1-Dichloroethylene (vinylidene chloride): 7"

The petition requests that the groundwater quality standard for 1,1-dichloroethylene (in micrograms per liter) in 15A NCAC 02L .0202(g)(59) be amended to:
"(59) 1,1-Dichloroethylene (vinylidene chloride): 350 "

The current rules in 15A NCAC 02L .0202(d) require that the groundwater standard for 1,1-DCE be established at the federal maximum contaminant level (MCL) of 7 ug/L which is the lower of the six regulatory criteria used to establish a groundwater standard. MCLs are health-based, legally enforceable national primary drinking water standards that apply to public waters systems.

The petition seeks to change the groundwater standard because health effects data used to calculate the federal MCL are outdated. The USEPA has acknowledged that updated health effects data may support calculation of a less stringent MCL for 1,1-DCE; however EPA does not believe a revision to the MCL is appropriate at this time because any potential revision is not likely to provide a meaningful opportunity for cost-savings to public water systems and their customers. EPA has stated that any revision to 1,1-DCE would be a low priority activity for the Agency and is not appropriate because of 1) competing workload priorities; 2) the administrative costs associated with rulemaking; and, 3) the burden on States and the regulated community to implement any regulatory change that resulted.

The Environmental Management Commission (EMC) Groundwater Committee will consider this petition for rulemaking on May 11, 2011 at 11:00 a.m. in the Ground Floor Hearing Room of the Archdale Building located at 512 North Salisbury Street, Raleigh, NC 27604.

Interested persons who wish to make a presentation to the committee must submit a request by **May 4, 2011** to the Chairman of the Groundwater Committee through the Director of the Division of Water Quality. The request shall:

(1) State the interest of the person;
(2) State the person's position on the petition for rule-making; and
(3) Be accompanied by supporting materials.

The request to make a presentation must be mailed to:

Coleen Sullins, Director
Division of Water Quality
1617 Mail Service Center
Raleigh, NC 27699-1617

ATTACHMENTS

Attachment A - DCE Rule Petition 3-21-11
Attachment B – DCE Rule Petition Appendixes 3-21-11