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ATTACHMENT 1 - DIOXIN STUDY SUMMARY

ATTACHMENT 2 - ASBESTOS STUDY SUMMARY

ATTACHMENT 3 - WV DEPARTMENT OF AGRICULTURE LETTERS
INTRODUCTION

The purpose of this document is to describe how West Virginia will implement alternative monitoring requirements for Public Water Systems in accordance with the provisions of Section 1418(b) of the Safe Drinking Water Act for regulated contaminants in the following contaminant groups: Volatile Organic Chemicals (VOCs), Synthetic Organic Chemicals (SOCs) and Inorganics (IOCs).

The Alternative Monitoring Guidelines issued by the United States Environmental Protection Agency in August 1997, which was authorized by Congress in Section 1418(b) of the Safe Drinking Water Act, allows West Virginia Bureau for Public Health to grant alternative monitoring requirements on a system by system basis. The alternative monitoring requirements are based on the results of the approved Source Water Assessment and Protection Program, and the associated susceptibility determination for each group of contaminants. Issuance of alternative monitoring should typically result in a reduction in sampling frequency from the base requirements and result in significant cost savings and monitoring costs statewide while not compromising source water protection or finished water quality.

AREA WIDE WAIVERS

U.S. EPA revised guidance continues to allow States to implement area wide waivers, in accordance with the August 1997 Guidelines, based on area wide assessments. EPA granted West Virginia area wide waivers for five specific contaminants in 1995. Accordingly, this proposal is to continue the area wide waivers to exempt monitoring for the following contaminants:

**Dioxin**

During 1995, West Virginia, along with other Region III states, participated with U.S. EPA Region III in a study to determine the potential contamination from Dioxin in areas where the highest susceptibility existed for such contamination. Based on the analytical results of sampling performed during this study, Dioxin sampling is deemed not to be necessary for Public Water Systems in West Virginia, and the area wide waiver for Dioxin will remain in effect. A summary of the results can be found in Attachment 1. The Office of Environmental Health Services maintains the authority to require sampling for Dioxin for any system which subsequently is determined to be susceptible to Dioxin contamination or information is discovered which indicates a high probability for contamination by Dioxin. Such systems will be required to sample to verify the presence or absence of Dioxin contamination. If the sampling shows an absence of Dioxin the system may once again be eligible for coverage under the area wide waiver for Dioxin.
An area-wide waiver to reduce or eliminate the requirements for Dioxin monitoring in ground and surface water is being permitted because research indicates the contaminant is extremely immobile. EPA’s assertion in the Health Advisory for Dioxin (which supports West Virginia’s position) states that: “TCDD has not been included in drinking water surveys. Given its limited solubility, it is not expected to occur at detectable levels in either ground or surface water.”

**Asbestos**

The possible conditions contributing to asbestos in drinking water are asbestos cement pipe (AC pipe), corrosive water and natural deposits of asbestiform minerals.

Asbestiform minerals are associated with specific rock types found in only a few geologic terrains. Most commonly, these are metamorphic rocks such as serpentine. In West Virginia, such terrains are not found.

During 1995, West Virginia, along with other Region III states, participated with U.S. EPA Region III in a study to determine the potential contamination from asbestos in public water supplies where the highest susceptibility existed for such contamination. Because West Virginia does not have any naturally occurring asbestos, the systems that were sampled, were based on the presence of AC pipe in the distribution systems. Based on the results of sampling performed during this study, asbestos sampling is deemed not to be necessary for public water systems in West Virginia, and the area wide waiver for asbestos sampling will remain in effect. A summary of the results can be found in Attachment 2. The Office of Environmental Health Services maintains the authority to require sampling for asbestos for any system which subsequently is determined to be susceptible to Asbestos contamination or information is discovered which indicates a high probability for contamination by Asbestos. Such systems will be required to sample to verify the presence or absence of asbestos in the distribution system. If the sampling shows an absence of asbestos, the system may once again be eligible for coverage under the area wide waiver for Asbestos.

**Glyphosate**

An area wide waiver to eliminate the requirements for glyphosate monitoring in ground and surface water is permitted because of its immobility and relatively low persistence. Should glyphosate occur in raw water, chlorination in the treatment process will oxidize it. All public water supplies in West Virginia are required to chlorinate; therefore, health problems associated with glyphosate are
not foreseen, thus the area wide waiver for glyphosate will remain in effect. The Office of Environmental Health Services maintains the authority to require sampling for glyphosate for any system which subsequently is determined to be susceptible to glyphosate contamination or information is discovered which indicates a high probability for contamination by glyphosate. Such systems will be required to sample to verify the presence of absence of glyphosate. If the sampling shows an absence of glyphosate, the system may once again be eligible for coverage under the area wide waiver for glyphosate.

Diquat
An area wide waiver eliminating the requirements for Diquat monitoring in ground and surface water is permitted because it readily binds to clay particles, is absorbed by aquatic plants, is rapidly degraded by sunlight and is rendered biologically unavailable in clay soils. Most soils in West Virginia contain a high percentage of clay, therefore the area wide waiver for Diquat will remain in effect. The Office of Environmental Health Services maintains the authority to require sampling for Diquat for any system which subsequently is determined to be susceptible to Diquat contamination or information is discovered which indicates a high probability for contamination by Diquat. Such systems will be required to sample to verify the presence or absence of Diquat. If the sampling shows an absence of Diquat, the system may once again be eligible for coverage under the area wide waiver for Diquat.

Endothall
An area wide waiver eliminating the requirements for Endothall monitoring in ground and surface water is permitted because of its immobility and relatively low persistence, therefore the area wide waiver for Endothall will remain in effect. The Office of Environmental Health Services maintains the authority to require sampling for Endothall for any system which subsequently is determined to be susceptible to Endothall contamination or information is discovered which indicates a high probability for contamination by Endothall. Such systems will be required to sample to verify the presence or absence of Endothall. If the sampling shows an absence of Endothall, the system may once again be eligible for coverage under the area wide waiver for Endothall.

USE WAIVER
In addition to dioxin, asbestos, glyphosate, Diquat and Endothall, West Virginia also proposes to add dibromochloropropane, toxaphene, methosychlor, dimoseb, pentachlorophenol, 2,4,5-TP, aldicarb sulfone, dalapon, hexachorobenzene, ethylene bidromide and endrin. Based on information supplied by the West Virginia Department of Agriculture, these pesticides have not been used in West Virginia, or, it has been over 20 years since they were allowed. In addition,
no detections have been made of any of these contaminants during the normal monitoring required of public water systems. The Office of Environmental Health Services maintains the authority to require sampling for the above contaminants for any system which subsequently is determined to be susceptible for them.

SITE SPECIFIC ALTERNATIVE MONITORING REQUIREMENTS

Nitrate

In order for a Public Water System (PWS) to qualify for alternative monitoring requirements for this contaminant, all of the following requirements must be met: (1) the Nitrate (measured as Nitrogen) must not have exceeded a concentration equal to or greater than 2.0 milligrams per liter (mg/L) at any time during the past ten years of compliance monitoring; (2) the latest Sanitary Survey report indicates that the construction and design of the structures and equipment delivering the water from the wellhead to the distribution system fully complies with current regulations and design standards; (3) The system has completed the required GWUDI (ground water under the direct influence of surface water) monitoring and the system has received a letter from Central Office stating that the source has not been determined GWUDI; and (4) the treatment plant does not utilize a surface water and/or GWUDI source.

ADMINISTRATIVE PROCEDURES FOR REVIEWING, APPROVING, RE-ASSESSING, DENYING AND REVOKING ALTERNATIVE MONITORING FOR NITRATE

(1) A determination of the source status: an alternative monitoring schedule will only be approved for treatment plants that use ground water sources for their source water. A source that has been determined under the influence of surface water will be required to monitor as a surface source.

(2) A review of the analytical results will be conducted. There must be at least one analytical result for each calendar year for the past ten years, and each individual result must be no higher than 2.0 mg/L in order to qualify for an alternative monitoring schedule.

(3) A review will be made of the latest Sanitary Survey to determine if any sanitary defects in the source or treatment system have been identified. Any moderate or major deficiency listed for the source or treatment will be consider reasons not to allow alternative monitoring for nitrate.

(4) A review of the documents for the Wellhead Protection Area, the Source Water Assessment Report and the GUDI testing will be reviewed for completeness. A review of potential sources of nitrate in the area and the geologic setting will be considered in
approving or denying an alternative monitoring schedule.

(5) If an alternative monitoring schedule appears to be appropriate at this point, the District Office will review the source and treatment for any potential sanitary deficiencies, if the Sanitary Survey is more than one year old, and also review the WHPA and SWPA for possible additional nitrate source sites if these evaluations are over one year old. Any additional information from the District Office will be taken into consideration in making a final determination on whether to grant an alternative monitoring schedule for nitrate.

(6) If an alternative monitoring schedule is approved, the schedule will go into effect at the beginning of the next calendar year (e.g. A decision is made that a system qualifies for an alternative monitoring schedule on February 18, 2005, the alternative monitoring schedule will go into effect on January 1, 2006.). The system will be notified of the approval of the alternative monitoring schedule in writing. The approved alternative monitoring schedule will be for one nitrate sample to be collected in a two-year calendar period (e.g., January 1, 2006 through December 31, 2007). The letter will require the public water system to notify the State whenever they become aware of any activity that may affect the potential of higher nitrate levels. Information provided will be evaluated for potential revocation of the alternative monitoring schedule.

(7) The alternative monitoring schedule will be re-evaluated for continuation or revocation whenever a new sanitary survey is conducted, which should identify any moderate or significant sanitary defects in the source water or treatment process and update for any potential new contaminant sites in the WHPA or SWPA. Any analytical result for nitrate above 2.0 mg/L will result in automatic revocation of the alternative monitoring schedule, if the State becomes aware of a land use change through other means that may result in higher levels of nitrate in the areas of concern, if the source water status changes (e.g. a ground water source is deemed under the influence of surface water), and/or if the public water system is issued a monitoring violation, will be grounds for revoking the alternative monitoring schedule.

**Reinstatement**: If a public water system has been granted an alternative monitoring schedule for nitrate, and then revoked for any reason listed above, the public water system may re-apply in writing for alternative monitoring status. If the reason for revocation was for a sanitary defect, the defect must have been corrected to the satisfaction of the State. If the reason was for an analytical result higher than 2.0 mg/L, there must be at least three years of subsequent results no higher than 2.0 mg/L before consideration of reinstatement. If the reason was for failure to monitor, the system must have at least three years of no monitoring violations for nitrate to be considered for reinstatement. Other reasons for reinstatements will be considered on a case by case basis.
OTHER CONTAMINANTS ALTERNATIVE MONITORING

The remaining Regulated Inorganic, Synthetic Organic, and Volatile Organic Chemicals that are listed in the federal regulations in 40 CFR 141.11, 141.61 and 141.62 may be issued waivers on a contaminant group basis, if all the following can be demonstrated: (1) the Source Water Protection Area Report has been completed for the PWS and no potential source of the contaminant(s) have been identified or detected in the past three compliance cycles (nine years) for groundwater systems, or six years for surface and GWUDI systems in the source water review area, or if identified, the source is not active, the contaminant of concern has been contained, and the likelihood of contamination of the source water of the PWS is considered low; (2) the latest Sanitary Survey indicates that the design, construction, and operation of the collection and treatment system is in accordance with the current regulations and design standards; and (3) no monitoring violations have been issued for the considered contaminant group for the last nine years.

The likelihood of contamination of the source water of the PWS will be considered low when taking into consideration the following factors: (1) the fate and transport of the contaminant; (2) the pattern of contaminant use; (3) the location of potential contamination sources within the source water review area; (4) the hydrogeological features within the source water review area; (5) the integrity of the structures delivering source water to the sampling point; (6) the results of all source water assessments that have been completed within the source water review area; and (7) the efficacy of any source water protection measures that have been enacted.

Also, previous monitoring must demonstrate that the contaminant levels for each contaminant are low. Regulated Inorganic Chemicals must not have been detected in the past three compliance periods (compliance period is defined in 40 CFR 141.2), or if detected, monitoring must have demonstrated that the results are consistently and reliably below 50% (25% for fluoride) of the current Maximum Contaminant Level for the previous three compliance periods. Consideration must be given to the variability of the sampling results over time, and the trend of the sampling results. A reduction in monitoring for Cyanide will not be granted if the contaminant has been detected above 0.2 mg/L in the source water review area or in the treated water sampling location in the past nine years.

All Regulated Volatile Organic Chemicals must not have been detected in the treated water above 0.0005 mg/L in the past nine years, or if detected, the result has been documented by the State to be invalid or reliably and consistently below 50% of the MCL.

Regulated Synthetic Organic Chemicals must not have been detected in the treated water above the defined limit in 40 CFR 141.24(g)(18) in the last nine years, or if detected, has been documented by the State to be invalid, or if detected, the result has been documented by the State to be invalid or reliably and consistently below 50% of the MCL.

The State may require monitoring of individual contaminants, and continue the waiver from
monitoring for the remainder of the SOC contaminant group, based on the above review.

ADMINISTRATIVE PROCEDURES FOR REVIEWING, APPROVING, DENYING AND REVOKING ALTERNATIVE MONITORING DECISIONS

The following steps will be followed in reviewing alternate monitoring requirements for Subpart H systems (surface and GUDI sources) evaluation:

1. A review of the analytical results will be conducted. No monitoring violations will have been issued to the system for the last nine years. Inorganic analytical results must be consistently at or below 50% of the Maximum Contaminant Level for the past nine years. Fluoride, which has a secondary maximum contaminant level which requires a special public notice, will be set at 25% of the primary MCL. There must be at least nine years of monitoring data for Volatile Organic Chemicals with no detections above .0005 mg/L, or a determination that the results are consistently and reliably below 50% of the Maximum Contaminant Level, before a monitoring waiver will be issued. There must be at least three analyses for each three year compliance sample for Synthetic Organic Chemicals with no results above the defined detection levels as defined in 40 CFR 141.24 (g) (18), or a finding that the results are consistently and reliably below 50% of the Maximum Contaminant Level, before a waiver will be issued.

2. A review will be made of the latest Sanitary Survey to determine if any sanitary defects in the source or treatment system have been identified. Any moderate or major deficiency listed for the source or treatment will be considered reasons not to allow alternative monitoring for these groups of contaminants.

3. A review of the documents for the Well Head Protection Area (if applicable) and the Source Water Assessment Report will be reviewed for completeness. A review of potential sources of Inorganics, Volatile Organics and Synthetic Organics in the area and the geologic setting will be considered in approving or denying an alternative monitoring schedule.

4. If an alternative monitoring schedule appears to be appropriate at this point, the District Office will review the source and treatment for any potential sanitary deficiencies, if the Sanitary Survey is more than one year old, and also review the WHPA(if applicable) and SWPA for possible additional contamination sites if these evaluations are over one year old. Any additional information from the District Office will be taken into consideration in making a final determination on whether to grant an alternative monitoring schedule.

5. If an alternative monitoring schedule is approved, the schedule will go into effect at the beginning of the next triennial monitoring period (e.g. A decision is made that a system
West Virginia Public Water System Alternative Monitoring Strategy

qualifies for an alternative monitoring schedule on February 18, 2005, the alternative monitoring schedule will go into effect on January 1, 2008.). The system will be notified of the approval of the alternative monitoring schedule in writing. The letter will require the public water system to notify the State whenever they become aware of any activity that may affect the potential of higher contaminant levels. Information provided will be evaluated for potential revocation of the alternative monitoring schedule. The state will require that a test be conducted at least once every nine years.

(6) In conjunction with a Sanitary Survey or a regularly scheduled site visit, the alternative monitoring schedule will be re-evaluated approximately every three (3) years to determine continuation or revocation. The re-evaluation process should identify any moderate or significant sanitary defects in the source water or treatment process and update any potential new contaminant sites in the WHPA or SWPA. Any analytical result above 50% of the Maximum Contaminant Level will result in automatic revocation of the alternative monitoring schedule or if the State becomes aware of a land use change through other means that may result in higher levels of the contaminants in the areas of concern.

The following steps will be followed in reviewing alternate monitoring requirements for Non-Subpart H systems (ground sources) evaluation:

(1) A review of the analytical results will be conducted. No monitoring violations will have been issued to the system for the last three compliance periods. Inorganic analytical results must be consistently at or below 50% of the Maximum Contaminant Level for the past nine years. Fluoride, which has a secondary maximum contaminant level which requires a special public notice, will be set at 25% of the primary MCL. There must be at least three compliance periods of monitoring data for Volatile Organic Chemicals with no detections above .0005 mg/L, or a determination that the results are consistently and reliably below 50% of the Maximum Contaminant Level, before a monitoring waiver will be issued. There must be at least three analyses for each three-year compliance periods for Synthetic Organic Chemicals with no results above the defined detection levels as defined in 40 CFR 141.24 (g) (18), or a finding that the results are consistently and reliably below 50% of the Maximum Contaminant Level, before a waiver will be issued.

(2) A review will be made of the latest Sanitary Survey to determine if any sanitary defects in the source or treatment system have been identified. Any moderate or major deficiency listed for the source or treatment will be considered reasons not to allow alternative monitoring for these groups of contaminants.

(3) The documents associated with a Well Head Protection Area (WHPA), Source Water Assessment Report (SWAR), and Ground Water Under Direct Influence (GWUDI) study will be reviewed for completeness. A review of potential sources of Inorganics, Volatile
Organics and Synthetic Organics in the area and the geologic setting will be considered in approving or denying an alternative monitoring schedule.

(4) If an alternative monitoring schedule appears to be appropriate at this point, the District Office will review the source and treatment for any potential sanitary deficiencies, if the Sanitary Survey is more than one year old, WHPA, and SWPA for possible additional contamination sites if these evaluations are over one year old. Any additional information from the District Office will be taken into consideration in making a final determination on whether to grant an alternative monitoring schedule.

(5) If an alternative monitoring schedule is approved, the schedule will go into effect at the beginning of the next triennial monitoring period (e.g. A decision is made that a system qualifies for an alternative monitoring schedule on February 18, 2005, the alternative monitoring schedule will go into effect on January 1, 2008.). The system will be notified of the approval of the alternative monitoring schedule in writing. The letter will require the public water system to notify the State whenever they become aware of any activity that may affect the potential of higher contaminant levels. Information provided will be evaluated for potential revocation of the alternative monitoring schedule. The state will require that a test be conducted at least once every nine (9) years.

(6) In conjunction with a Sanitary Survey or a regularly scheduled site visit, the alternative monitoring schedule will be re-evaluated approximately every three (3) years to determine continuation or revocation. The re-evaluation process should identify any moderate or significant sanitary defects in the source water or treatment process and update any potential new contaminant sites in the WHPA or SWPA. Any analytical result above 50% of the Maximum Contaminant Level will result in automatic revocation of the alternative monitoring schedule or if the State becomes aware of a land use change through other means that may result in higher levels of the contaminants in the areas of concern.

Reinstatement: If a public water system has been granted an alternative monitoring schedule, and then revoked for any reason listed above, the public water system may re-apply in writing for alternative monitoring status. If the reason for revocation was for a sanitary defect, the defect must have been corrected to the satisfaction of the State. If the reason was for an analytical result higher than 50% of the MCL, there must be at least three years of subsequent results no higher than 50% of the MCL before consideration of reinstatement. If the reason was for failure to monitor, the system must have at least three years of no monitoring violations for the contaminant for consideration of reinstatement. Other reinstatements will be considered on a case by case basis.
**DIOXIN ANALYSES SUMMARY**
Current MCL = 30 pg/L

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# ASBESTOS IN DRINKING WATER SUMMARY

Current MCL = 7.0 MFL

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<td>Landis Residence, Rt. 3 Box 118L</td>
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</table>
August 18, 2004

Charles Robinette  
Office of Environmental Health Services  
813 Quarrier St. Suite 411  
Charleston WV 25301

Dear Mr. Robinette:

I have reviewed the "Regulated / Unregulated Pesticide / Synthetic organic Chemical listing as provide by your office that are regulated under the Safe Drinking water Act. Fourteen of the thirty three compounds listed are currently registered in West Virginia. The following compounds are either discontinued (D), unregistered in West Virginia (UR), or are fumigants (F), that totally dissipate. Other compounds (O), are not regulated under the West Virginia Pesticide Control Act of 1990;

Chlordane (D)  
Dibromochloropropane (F)  
Ethylene dibromide (F)  
Heptachlor (D)  
Heptachlor epoxide (D)  
Polychlorinated biphenyls (O)  
Pentachlorophenol (D)  
Toxaphene (D)  
2, 4, 5-TP (D)  
Benzo[a]pyrene (O)  
Dalapon (NR)  
Di(2-ethylhexyl) adipate (O)  
Di(2-ethylhexyl) phthalate (O)  
Dinoseb (D)  
Endrin (D)  
Hexachlorobenzene (NR)  
Hexachlorocyclopentadiene (O)  
2,3,7,8-TCDD (O)

If you have any additional questions please do not hesitate to contact me.

Sincerely,

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