EPA file
Lee Thomas

MAY 29 1985

Mr. Douglas H. Ginsburg
Administrator Office of Information
and Regulatory Affairs
Office of Management and Budget
Washington D.C. 20503

Dear Mr. Ginsburg:

I have received your comments on the notice of proposed rule-making (NPRM) for fluoride in your letter dated April 26, 1985 with corrections dated April 29, 1985. The Agency has decided to proceed with the NPRM in accordance with the schedule of the consent decree agreed upon with the State of South Carolina.

While your comments were received too late to be fully addressed in the NPRM, the Agency expects that the notice's request for comment section will result in further discussion of many of the issues you have raised.

I would like to respond to two of the points raised in your letter: first, the basis of the finding of no adverse effect; and second, the issue of unnecessary monitoring.

The primary basis for the proposed Recommended Maximum Contaminant Level (RMCL) at 4.0 mg/L is EPA's assessment of the available scientific evidence. The assessment is supported by the finding of the Surgeon General's Medical Advisory Panel that at this level "no known or anticipated adverse effects on health occur," and that this will "allow an adequate margin of safety." In fact, this is the specific requirement under the Safe Drinking Water Act for establishing RMCLs.

The Agency is sensitive to the need to avoid unnecessary fluoride monitoring, and we fully intend to limit the monitoring requirement to those communities likely to exceed the ultimate Maximum Contaminant Level (MCL) or the Secondary Maximum Contaminant Level (SMCL). As you have pointed out, available occurrence data indicate that the vast majority of public water supplies will not have fluoride concentrations exceeding the RMCL of 4 mg/L. Further, public water supplies currently have information on the natural levels of fluoride as a result of the monitoring requirement under the interim fluoride standard. These points were

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* "Re-written" version

discussed in meetings between staff of our respective offices and we added a statement to the Federal Register that recognized the need for flexible monitoring requirements. The Agency will address the specifics of flexible monitoring as part of the MCL and SMCL proposals.

The Agency plans to carefully review all of your comments as part of its rulemaking process. We look forward to meeting with you in the near future to discuss your comments in detail.

Sincerely,

Lee M. Thomas

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