

DRINKING WATER:

EPA is sued for documents on radioactivity guidelines

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The nonprofit **Public Employees for Environmental Responsibility** sued U.S. EPA today, accusing the agency of withholding records on its contentious guidelines for radioactivity in drinking water.

The **lawsuit** filed in the U.S. District Court for the District of Columbia, says EPA failed to respond "within the statutory deadline" to a Freedom of Information Act request for the draft **protective action guide** for drinking water after a radiation accident.

EPA says the guide, which is expected to be finalized before the next president's inauguration, would help state and local agencies formulate plans to prevent the acute and chronic effects of radiation from water.

PEER and other critics of the rule say EPA is suggesting radiation levels that exceed Safe Drinking Water Act thresholds.

"We hope the lawsuit draws attention to the fact that this isn't ready for finalization," said Jeff Ruch, PEER's executive director.

For example, while the law's maximum level for iodine-131 is 3 picocuries per liter, the proposed guideline's limit is 10,350 picocuries per liter.

The statute's limit for strontium-90 is 8 picocuries per liter, while the proposed guide's is 7,400 picocuries per liter.

The complaint says EPA has failed to produce records in response to PEER's Sept. 6 document request.

The guide was initially proposed at the end of the George W. Bush administration but wasn't finalized. The end-of-the-year push under President Obama is similar to EPA's attempts eight years ago.

"For us, it's sort of like déjà vu all over again," Ruch said.

In comments to EPA, many state regulators praised the guide for providing the clarity they need to prepare for emergencies.

"Such effort has been a long time coming," wrote Joseph Crisologo, senior engineer for the California State Water Resources Control Board's Division of Drinking Water.

EPA declined to comment on the lawsuit, saying it does not comment on pending litigation.

The White House Office of Management and Budget completed its review last week of a manual with radiation dose guidelines to prevent or minimize radiation exposure after incidents. It does not include guidance on drinking water.

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