



## Fiscal Year 2021 Division of Drinking Water Fee Schedule – Detailed Explanations

The DEQ Fiscal Year 2021 Fee Schedule targets drinking water noncompliance issues. The objective is to recover costs and return resources to proactive assistance activities that benefit all water systems. The services and application of each fee is described below.

- **Unapproved Construction** - The fee for constructing a facility without prior approval from the Division has been in place for several years. This fee is assessed if a system fails to follow the required plan review procedures to ensure that construction standards are being met before the infrastructure is built.
- **Unauthorized Operation** - The fee for operating an unapproved facility is related to using a facility or process without obtaining the required approval or an operating permit from the Division.
- **Monitoring Violation** - Routine water quality monitoring is vital to ensuring safe drinking water. The monitoring violation fee will be based on the Division's records of appropriately submitted compliance data. The public water system will be allowed to correct errors in the Division's records prior to paying this fee. If the sample was collected but not submitted as required, the Division will transition to a reporting violation which has a lower associated fee. This fee will be reassessed every compliance period for each missing sample until the violation is resolved.
- **Reporting Violation** - Accurate data tracking and reporting is a critical component to ensuring safe drinking water. The reporting fee will be based on the Division's records of submitted sample results, operational reports, sample site plans, etc. If the public water system can demonstrate the correct data was submitted on time, through appropriate methods, the Division will remove the violation and associated fee.

### Division of Drinking Water Mission:

*To protect public health by ensuring the quality and quantity of Utah's drinking water supply. Provide construction standards for a safe and reliable drinking water infrastructure.*

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- **Consumer Confidence Reporting Deficiency** - Transparency of drinking water quality is a critical component of the Safe Drinking Water Act. Failure to prepare, disseminate to the public, or certify to the Division the required Consumer Confidence Report will result in this fee being assessed every calendar quarter until the system complies. Missing an annual or semi-annual cycle is not resolved by complying with a subsequent cycle. For example, if a water system failed to complete the 2015 CCR requirement and is compliant in 2016, they are still in violation for the 2015 report until all 2015 CCR requirements are met and failure to complete the 2017 report would be a separate and additional violation.
- **Public Notification Deficiency** - Public notification of possible health risks to the public is fundamental for all water systems. Failure to distribute notification in a manner consistent with the applicable Tier requirement will result in this fee. It will be reassessed for each compliance period, based on the public notification tier set forth in rule.
- **Failure to Fix Deficiency** - Properly maintained infrastructure is critical to protect against contamination of the drinking water supply. These deficiencies are identified through a variety of ways; the most common is through inspections. The Division maintains a list of deficiencies that are determined to be “significant” and an unlisted deficiency is at the discretion of the Director as to whether it is a significant risk to public health. Water systems will continue to be allotted a specific grace period to fix deficiencies based on risk to public health. If this time is not sufficient, they may request a Compliance Action Plan or other formal agreement with the Division to extend the timeframe. If a water system fails to correct a significant deficiency in the given timeframe, this fee will be assessed every calendar quarter for each deficiency until the water system provides evidence of resolution.
- **Compliance Triggered Inspections** - When the Division conducts an inspection or assessment, in addition to the sanitary survey required every three years, the system will be assessed this fee. The additional inspections or assessments are triggered by compliance issues, public health concerns, or operational concerns. If the Division’s actual costs go beyond this fee the system may be charged actual costs through the Special Survey fee.
- **Enforcement Orders** - If a system is in significant non-compliance to the point of requiring an enforcement order they will be charged one of these fees. An Administrative Order is a unilateral, customized, specific order, and will incur the highest fee. A Stipulated Enforcement Order is mutually agreed to by both parties. This order requires more Division resources to prepare; however, they are preferred by the Division, therefore, the fee is lower to encourage higher utilization. Simple orders, such as downgrading a water system status from Approved to Not-Approved or a failure to comply with a previous order, will result in the lowest fee.