

Substantive New or Changed Requirements for Proposed Amendments to R309-500

R309-500-4(1)(a): Add the following: “All submittals shall be from the public water system or its agent.” The current rule states, in R309-500-6(1), that project notification “shall be made by the management of the regulated public water system,” which is deleted.

R309-500-5(1)(c)(iii): “a change or addition of a water treatment process” is added as an example of a public drinking water project. This replaces the current example of a public drinking water project as “a change or addition of any primary coagulant water treatment chemical (excluding filter, flocculent or coagulant aids) when the proposed chemical does not appear on a list of chemicals pre-approved by the Director for a specific treatment facility.”

R309-500-5(1)(c)(v): “deepening a well” is added as an example of a public drinking water project.

R309-500-6(1): The following list of information required to be included on a project notification form is deleted. The revised rule only requires that project notification to be made on a form provided by the Division.

- (a) whether the project is for a new or existing public drinking water system,
- (b) the professional engineer, registered in the State of Utah, designing the project and his/her experience designing public drinking water projects within the state,
- (c) the individual(s) who will be inspecting the project during construction and whether such inspection will be full-time or part time,
- (d) whether required approvals or permits from other governmental agencies (e.g. local planning commissions, building inspectors, Utah Division of Water Rights) are awaiting approval by the Director, the agency's name and contact person,
- (e) the fire marshal, fire district or other entity having legal authority to specify requirements for fire suppression in the project area,
- (f) for community and non-transient non-community public water systems or any public water system treating surface water, the name of the certified operator who is, or will be, in direct responsible charge of the water system,
- (g) whether the water system has a registered professional engineer employed, appointed or designated as being directly responsible for the entire system design and his or her name and whether the system is requesting waiving of plan submittal under conditions of R309-500-6 (3),
- (h) the anticipated construction schedule, and

(i) a description of the type of legal entity responsible for the water system (i.e. corporation, political subdivision, mutual ownership, individual ownership, etc.) and the status of the entity with respect to the rules of the Utah Public Service Commission.

R309-500-6(2)(b): The revised rule adds the following examples of information that may be required to be submitted to the Division prior to construction: “hydraulic analyses of the existing system and additions, local requirements for fire flow and duration, proximity of sewers and other utilities.”

R309-500-6(2)(c): The current rule requires that plans and specifications “be sufficiently detailed to assure that the project shall be properly constructed.” The revised rule replaces that with the requirement that plans and specifications “be complete and sufficiently detailed for actual construction.”

R309-500-6(2)(b): The following qualification is added to the requirement to submit plans and specifications prior to construction: “In some cases, a profile drawing may be required to show potential water line conflicts and clearances.”

R309-500-6(2)(d): The following restriction on the size of plans submitted is deleted: “Drawing size shall not exceed 30” x 42” nor be less than 8 ½” x 11”.

R309-600-6(3): The Plan Submittal Waiver provision is entirely rewritten. The waiver program remains largely the same with two exceptions: 1.) Pressure Reducing Valves are no longer excluded from waivers and 2.) Projects that qualify for Plan Submittal Waivers no longer require Operating Permits. The current rule requires the projects to obtain Operating Permits. In place of obtaining an Operating Permit, the following is required: “submit a certification by a professional engineer, who is responsible for the design and construction of the project or has been designated by the water system in writing as the professional engineer directly responsible for the design of the entire water system, indicating that design and construction will meet the requirements of R309-500 through 550, that proper flushing and disinfection will be completed according to the appropriate ANSI/AWWA standard, that satisfactory bacteriological sampler results will be obtained prior to placing the facilities into service, and that the water system will receive a copy of as-built or record drawings.”

R309-500-7: The “Department of Environmental Quality” is added to the list of agencies authorized to visit drinking water construction sites.

R309-500-10: The revised rule states that as part of the drinking water plan approval process, public water systems may be required to provide evidence that “the method of waste and wastewater disposal have been approved or accepted by the Utah Division of Water Quality, the local health agency, or the local authority for new drinking water facilities, including discharges from treatment facilities, discharges related to construction, etc., and new drinking water facilities serving proposed developments.” The current rule restricts the Director from approving plans and specifications “for new water systems, or facilities required as a result of proposed subdivision additions to existing water systems” unless the method of wastewater disposal has been approved.

R309-500-11: The *Financial Viability* section is deleted in its entirety.

R309-500-12: The current rule states that “local, county or other state permits may also be necessary before beginning construction of any drinking water project.” The revised rule/ is more expansive: “Local, county, federal, and other state authorities may impose different, more stringent, or additional requirements for public drinking water projects. Water systems may be required to comply with other permitting requirements before beginning construction of drinking water projects or placing new facilities into service.”

R309-500-14: The *Reference Documents* section is deleted in its entirety.

R309-500-15: The *Violations of These Rules* section is deleted in its entirety.

(January 9, 2015)