

Requesting an Exception to UAC Rules R-309-500 through R309-550

If a Public Water System is unable to meet a design or construction requirement found in Utah Administrative Code R309-500 through R309-550 but can use an alternative means or design that protects public health to an equal degree, it may be eligible for an exception to the rule. An exception may also be used to resolve Improvement Priority System (IPS) deficiency points that the Division of Drinking Water has assigned to a Public Water System because of physical deficiencies.

In certain circumstances, a Public Water System may find that it is physically or economically impractical to comply with a particular construction, design, or operation requirement in Utah Administrative Code R309-500 through R309-550. If the Public Water System can demonstrate that public health will not be jeopardized by its inability to meet the requirement, the Director of the Division of Drinking Water may grant an exception to the rule.

Paragraph (2)(b) of Utah Administrative Code Section R309-105-6, *Construction of Public Drinking Water Facilities*, gives the Director of the Division of Drinking Water the authority to grant exceptions to the requirements of R309-500 through R309-550 and describes the procedure that a Public Water System must follow when requesting an exception. To request an exception, a Public Water System must do the following:

1. Submit a written request, preferably on water system letterhead, from the management of the Public Water System to the Director of the Division of Drinking Water
2. Cite the specific rule to which the exception is being requested
3. Provide a detailed explanation of why the requirements of the rule cannot be met (include drawings if appropriate)
4. Describe what will be done to meet the intent of the rule in place of meeting the requirements of the rule (include drawings if appropriate)
5. Provide an alternative to the rule requirements and justification of how it will meet or exceed the public health requirements of the rule that cannot be met

Submit the written exception request to the Director, Utah Division of Drinking Water, P.O. Box 144830, Salt Lake City, UT 84114-4830. If you have questions about requesting an exception to UAC Rules R309-500 through R309-550, call the Utah Division of Drinking Water at (801) 536-4200 and ask to speak to a plan review engineer.