

# General Administration of Drinking Water Program

## Rule R309-101 Summary

### **Summary**

This rule deals with general issues involving public drinking water systems and covers the following: a) The characteristic of water system for which the Division's rules apply, b) The need to obtain "plan approval" for Public Water System improvement Projects, c) The ability to obtain a "Feasibility Review" on proposed water systems, d) Sanitary Surveys, e) Rating System, f) Enforcement Orders and Emergency Actions, g) Variances, h) Exemptions and i) Definitions.

### **Coverage**

The Division's rules apply to any drinking water system which:

- a. Serves at least 15 service connections at least 60 days out of the year, or
- b. Serves an average of at least 25 individuals at least 60 days out of the year. Such systems are further divided into three categories as follows:
  - c. A "Community water system" is a system which serves year-round residents.
  - d. A "Non-transient, non-community system" is a system which is not a community water system, but serves the same people for at least six months per year.
  - e. A "Non-community water system" is a system which is not a community water system or a non-transient, non-community water system.

### **Approval of Plans and Specifications for Public Water Supply Projects**

The Executive Secretary must approve, in writing, all engineering plans and specifications for public drinking water projects prior to construction.

### **Feasibility Reviews**

At the request of a local health department, the Division will conduct a review to determine the "feasibility" which is to determine the adequacy of a proposed water system.

### **Sanitary Surveys**

Sanitary Surveys can and will be conducted by Division of Drinking Water staff, District Engineers, Local Health Department personnel, Rural Water Association of Utah Circuit Riders and US Forest Service personnel. After considering information gathered during sanitary surveys and facility evaluations, the Division or the Executive Secretary may make determinations of regulatory significance including: monitoring reductions or increases and the need for treatment works.

### **Rating System**

The Executive Secretary shall assign a rating to each public water supply in order to provide a concise indication of its condition and performance. The criteria to be used for determining a water system's rating is set forth in the Water System Rating Criteria Rule.

### **Enforcement Orders and Emergency Actions**

For situations where a public water system fails to meet the regulations, an "Order" to a water supplier to take appropriate protective or corrective measures may be issued. The Executive

Secretary may also respond to emergency situations in a manner deemed appropriate to protect the public health.

### **Variations**

A water system may be granted a “Variation” to meeting the MCL’s. A variance will be granted only if doing so will not result in an unreasonable risk to health. No variance from the maximum contaminant level will be granted for any contaminant involving an acute health risk (i.e. total coliforms, Nitrate and Nitrite). No variance from the minimum filtration and disinfection requirements will be permitted for sources classified by the Executive Secretary as directly influenced by surface water. Within one year of the date when any variance is granted, the Division will establish a schedule by which the water system will come into compliance with the MCL in question.

### **Exemptions**

A water system may be granted an “exemption” from meeting the MCL requirements if:

1. Due to compelling factors (including economic factors), the public water system is unable to comply with MCL’s or treatment technique requirements, and
2. The public water system was in operation on the effective date of such MCL or treatment technique requirement, and
3. The granting of the exemption will not result in an unreasonable risk to health.
4. No exemptions from the MCL for total coliforms, Nitrate and Nitrite are permitted.
5. No exemptions from the minimum disinfection requirements will be permitted for sources classified by the Executive Secretary as directly influenced by surface water.

Within one year of the granting of an exemption, the Division will prescribe a schedule by which the water system will come into compliance with contaminant level or treatment technique requirement.