

Final Proposed Filing - Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms shall be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Vermont Water Supply Rule

/s/ Julia S. Moore

(signature)

, on 9/22/25
(date)

Printed Name and Title:

Julia S. Moore

Secretary, Agency of Natural Resources

RECEIVED BY: _____

- ☐ Coversheet
- ☐ Adopting Page
- ☐ Economic Impact Analysis
- ☐ Environmental Impact Analysis
- ☐ Strategy for Maximizing Public Input
- ☐ Scientific Information Statement (if applicable)
- ☐ Incorporated by Reference Statement (if applicable)
- ☐ Clean text of the rule (Amended text without annotation)
- ☐ Annotated text (Clearly marking changes from previous rule)
- ☐ ICAR Minutes
- ☐ Copy of Comments
- ☐ Responsiveness Summary

1. TITLE OF RULE FILING:

Vermont Water Supply Rule

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

24P 047

3. ADOPTING AGENCY:

Vermont Agency of Natural Resources

4. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Ben Montross

Agency: ANR Department of Environmental Conservation

Mailing Address: 1 National Life Drive - Davis 4,
Montpelier, VT 05620

Telephone: 802-498-8981 Fax: 802-828-1541

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Web URL *(WHERE THE RULE WILL BE POSTED)*:

<https://dec.vermont.gov/water/laws>

5. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Kassandra Diederich

Agency: ANR OGC

Mailing Address: 1 National Life Drive - Davis 2,
Montpelier, VT, 05620

Telephone: 802-798-6727 Fax: 802-828-1541

E-Mail: kassandra.diederich@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

10 V.S.A. 1672 in Chapter 56

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

The Agency has authority to implement the Rule under 10 V.S.A. 1672. Additionally, much of the Rule constitutes the State's implementation of the Federal Safe Drinking Water Act, and the EPA has delegated primary authority to the Agency to implement the Rule and the public drinking water program.

9. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

In 2024, EPA promulgated new PFAS regulations, including Maximum Contaminant Levels (MCLs are enforceable drinking water standards that apply to public water systems). This Rule adopts this federal regulation, but expedites the compliance timeline due to the level of PFAS data and regulation that already exists in Vermont. The Rule also updates state technical standards for PFAS treatment and regulations of bottled water in Vermont. Additionally, EPA promulgated updated regulations pertaining to Consumer Confidence Reports, a form of public notice providing essential information to be conveyed annually to water systems users. This Rule revision will incorporate those federal changes as well.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

Updates to the Rule are necessary to maintain primary enforcement authority of the State's Public Drinking Water Program under the Safe Drinking Water Act. The State currently has a 20 ppt (parts per trillion) standard for 5 PFAS compounds (PFHxS, PFHpA, PFNA, PFOS and PFOA) individually or combined. Since the adoption of this standard, science and the understanding of the risks associated with PFAS shows that it is harmful at levels much lower than the current 20 ppt value. State specific revisions to require compliance with the more protective MCLs are necessary based on the amount of data for PFAS in public drinking water, as well as the current federal funding available for treatment. The Rule also makes technical updates to treatment equipment standards to reflect current technology and treatment design. The updated Consumer Confidence Report regulation is also required as a component of state primacy and is a key way that public community water systems engage with their users.

16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

This Rule is not arbitrary because implementation of these new standards is required for the State to maintain primary authority over its public drinking water regulation. Additionally, the Rule is supported by a significant federal rulemaking process. This Rule revision seeks to address a contaminant that both ANR and other State agencies agree poses a threat to human health within Vermont. Human health protection is one of the underlying purposes of 10 V.S.A. Ch. 56. This Rule was also developed giving consideration to the revised Vermont Health Advisory that recognizes adverse health impacts from PFAS at very low concentrations.

17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

Public Community Water Systems and Public Non-Transient Non-Community Water Systems will be required to adhere to the PFAS regulations set forth in the Rule. Some water system owners and operators will therefore be impacted; this can include cities, towns, fire districts, private corporations, homeowners associations, schools, towns, school districts, and other similar organizations. Public community water

systems need to comply with the revised Consumer Confidence Report requirements. Bottled water companies include small and large businesses (such as Nestle and Coca Cola, for example) who are authorized to sell bottled water in Vermont.

18. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

Public water systems are required to conduct initial sampling under EPA's requirements, which may create cost burdens on some smaller systems. Of the 550 public drinking water systems subject to the Rule in Vermont, DEC estimates about 33 (or 5 to 6%) current systems will exceed the MCLs and be required to install treatment for PFAS. PFAS treatment is expensive, but the State currently has federal funding available for the installation of treatment systems. The on-going costs of addressing PFAS (including operation and maintenance) will be borne by the water systems. The changing of the bottled water regulation is expected to allow more companies to sell in Vermont and the PFAS-specific requirements are not anticipated to have an impact, based on historic results on file. Other local, State, and federal funding opportunities may become available, and State funding for sampling is being contemplated.

19. A HEARING WAS HELD.

20. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING, PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 1/8/2025

Time: 05:00 PM

Street Address: 1 National Life Drive, Davis 2 (Catamount Room)

Zip Code: 05604

URL for Virtual: Microsoft Teams

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTMyOWU1ZTMtMWFmYi00MWY5LWJjNmYtNTIyM2QzNGFiZDM5%40thread.v2/0?context=%7b%22Tid%22%3a%2220b4933b-baad-433c-9c02-

70edcc7559c6%22%2c%220id%22%3a%22aec5cd4c-7e16-47e2-a2a5-a1f2f85ce5c4%22%7d

Meeting ID: 241 292 038 046

Passcode: Uy3ZQ6bg

Date: 1/9/2025

Time: 11:00 AM

Street Address: ----

Zip Code: ----

URL for Virtual: Microsoft Teams

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzkwNDU5MGYtMWQzMjY0OOWEzLThkOTEtM2FjOGNmZTU0ZmU0%40thread.v2/0?context=%7b%22Tid%22%3a%2220b4933b-baad-433c-9c02-70edcc7559c6%22%2c%220id%22%3a%22aec5cd4c-7e16-47e2-a2a5-a1f2f85ce5c4%22%7d

Meeting ID: 271 539 818 963

Passcode: aa2Hf67a

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

21. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

1/16/2025

KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Drinking Water

PFAS

MCL

PFOA

PFOS

GAC

Anion Exchange

Consumer Confidence Report

CCR

MCL

Maximum Contaminant Level

Initial Sampling

Bottled Water

Economic Impact Analysis

Instructions:

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn’t appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

1. TITLE OF RULE FILING:

Vermont Water Supply Rule

2. ADOPTING AGENCY:

Vermont Agency of Natural Resources

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

Parties affected will be owners and operators of public community and public non-transient non-community water systems. In some cases, costs may be transferred to taxpayers, customers, rate payers, tenants, or other system users. The impacted systems may include municipalities, homeowners associations, small businesses, schools, industrial facilities, and other

similar entities. Initial monitoring and sampling costs will likely be between one and two thousand dollars for systems that need to sample, and the approximately 30 water systems who will be required to install treatment in response to PFAS contamination will be faced with treatment purchasing and installation costs that will vary, but that can be very expensive. As noted, the State anticipates having enough federal funding available to cover or significantly offset many costs for the design and installation of treatment, however, there will be considerable on-going costs to operate and maintain PFAS treatment. Treating contaminated water minimizes both public health and environmental impacts, which will result in long-term monetary benefits to the State, as well as the benefit of environmental conservation and a mitigation of negative long term health impacts to Vermonters. The anticipated economic impacts to the water systems for the distribution of the Consumer Confidence Reports are negligible. Community water systems are already required to distribute reports to users annually, the contents of which will change, however the State provides templates which are at least 90% completed in advance. There are 8 water systems that will need to distribute reports twice per year, the "second" distribution is a new requirement so the cost to copy and distribute will increase for those 8 water systems (the largest systems in the State). There are 133 bottled water 'systems' authorized to sell bottled water in Vermont; of which there are approximately 35 companies/entities that run those different locations and product lines.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:

Schools owning or operating public community and public non-transient non-community water systems will bear initial sampling costs. Schools with PFAS contamination who must install treatment under the Rule will be eligible for at least partial if not total federal

funding support however, on-going operation and maintenance costs will be the responsibility of the water system owner. DEC's proposed timeline for compliance ensures that schools needing to install treatment under the Rule will have access to funding while it is available from the federal government.

5. *ALTERNATIVES: CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

One alternative was providing additional time for schools to demonstrate full compliance with the new PFAS treatment requirements. While extending the timeline allows systems more time to find and install treatment, it is uncertain whether sufficient funding sources will be available for these systems as currently-available federal funding will cease after 2027. Extending the timeline also increases the amount of time the school population is exposed to PFAS. Allowing schools to rely on bottled water was considered. However, that would only delay the requirement to install treatment, resulting in schools bearing the expense of purchasing bottled water.

DEC's proposed timeframe requires systems to conduct initial sampling by the summer of 2027, which will ensure that systems start working on compliance earlier while funding is still available.

There is not an alternative to the Consumer Confidence Report. It is an existing federal requirement which was recently updated to require Vermont's largest systems to distribute it twice annually.

6. *IMPACT ON SMALL BUSINESSES:*

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):

Similar to schools, any small business operating a public community or public non-transient non-community water system will be required to meet initial sampling requirements, and some may be required to install treatment in order to comply with the regulation.

7. **SMALL BUSINESS COMPLIANCE:** *EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.*

Some small businesses can take advantage of the large amounts of federal funding currently available that would apply to installation of treatment.

8. **COMPARISON:**

COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

For the approximately 30 systems DEC expects will be required to implement PFAS treatment and comply by summer of 2027 pursuant to the Rule, it is anticipated that treatment installation and construction costs will be offset by available federal funding. A Rule with separate requirements for small businesses would not meet EPA requirements, nor would having no rule.

9. **SUFFICIENCY:** *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

EPA's timeline was closely compared to DEC's proposed timeline and currently-available funds were considered within the context of each timeline. DEC's proposed timeline operates in a space where federal funding is anticipated to be available for systems to install treatment as required by the EPA. It also takes into account that Vermont has been regulating PFAS in public drinking water systems since 2019, unlike most of the rest of the country who are just now starting to require sampling. Under EPA's timeline, federal funding may run out before systems seek to comply--we cannot know how much funding will be dedicated to public agencies and to drinking water in the coming years. Also, there will be greater nation-wide demands on resources if all states follow the EPA timeline and framework, in which Vermont will likely be out-competed. Without information as to the future availability and accessibility of federal funding, DEC determined its proposed approach to be most beneficial to public drinking water systems in the state who may

be impacted by the rule, and ensuring these systems comply when funding exists is imperative.

Environmental Impact Analysis

Instructions:

In completing the environmental impact analysis, an agency analyzes and evaluates the anticipated environmental impacts (positive or negative) to be expected from adoption of the rule; compares alternatives to adopting the rule; explains the sufficiency of the environmental impact analysis. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Examples of Environmental Impacts include but are not limited to:

- Impacts on the emission of greenhouse gases
- Impacts on the discharge of pollutants to water
- Impacts on the arability of land
- Impacts on the climate
- Impacts on the flow of water
- Impacts on recreation
- Or other environmental impacts

1. TITLE OF RULE FILING:

Vermont Water Supply Rule

2. ADOPTING AGENCY:

Vermont Agency of Natural Resources

3. GREENHOUSE GAS: *EXPLAIN HOW THE RULE IMPACTS THE EMISSION OF GREENHOUSE GASES (E.G. TRANSPORTATION OF PEOPLE OR GOODS; BUILDING INFRASTRUCTURE; LAND USE AND DEVELOPMENT, WASTE GENERATION, ETC.):*

This Rule does not directly impact greenhouse gas emission.

4. WATER: *EXPLAIN HOW THE RULE IMPACTS WATER (E.G. DISCHARGE / ELIMINATION OF POLLUTION INTO VERMONT WATERS, THE FLOW OF WATER IN THE STATE, WATER QUALITY ETC.):*

This Rule seeks to improve drinking water quality at public water systems in Vermont, through more closely regulating PFAS contamination. Contaminated water systems will be required to install treatment, which removes PFAS from the distribution stream and keeps it from entering into wastewater. Removing PFAS and

keeping it out of wastewater reduces the amount of PFAS entering into surface water and groundwater.

5. **LAND:** *EXPLAIN HOW THE RULE IMPACTS LAND (E.G. IMPACTS ON FORESTRY, AGRICULTURE ETC.):*

This Rule will not directly impact forestry and agriculture.

6. **RECREATION:** *EXPLAIN HOW THE RULE IMPACTS RECREATION IN THE STATE:*

This Rule will not directly impact recreation in the State.

7. **CLIMATE:** *EXPLAIN HOW THE RULE IMPACTS THE CLIMATE IN THE STATE:*

This Rule does not directly impact climate in the State.

8. **OTHER:** *EXPLAIN HOW THE RULE IMPACT OTHER ASPECTS OF VERMONT'S ENVIRONMENT:*

9. **SUFFICIENCY:** *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

These determinations were made by looking to the narrow scope of Rule revisions proposed. The Rule contains Vermont's implementation of the Safe Drinking Water Act, which is limited to drinking water. The narrow revisions speak to the regulation of one set of contaminants, which Vermont already regulates on its own volition. Regulating a contaminant that is already regulated by the State to a more protective standard in a drinking water context does not result in any additional direct impacts to climate, land, air, or recreation, and the revision does not include provisions that contemplate any of these areas.

Public Input Maximization Plan

Instructions:

Agencies are encouraged to hold hearings as part of their strategy to maximize the involvement of the public in the development of rules. Please complete the form below by describing the agency's strategy for maximizing public input (what it did do, or will do to maximize the involvement of the public).

This form must accompany each filing made during the rulemaking process:

1. TITLE OF RULE FILING:

Vermont Water Supply Rule

2. ADOPTING AGENCY:

Vermont Agency of Natural Resources

3. PLEASE DESCRIBE THE AGENCY'S STRATEGY TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE, LISTING THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO COMPLY WITH THAT STRATEGY:

As noted below, DEC engaged with stakeholders, including the Vermont Rural Water Association (VRWA) and the Green Mountain Environment Association (GMEA), ahead of the rulemaking process to elicit feedback on the revised Rule. VDH has also been involved in conversations about the Rule revision. DEC will additionally hold at least two public meetings and will ensure at least one meeting has a virtual participation option for members of the public who are unable to attend in person. These meetings will provide an overview of the revised provisions in the Rule and will provide background on EPA's new requirements. Information about the Rule revision will be made available on DEC webpages in addition to baseline public notification requirements. The stakeholders listed above, as well as water system operators, industry professionals, public water systems and bottled water providers, will be contacted with information regarding the posting of Rule revisions, public meetings and the opportunity to provide public

Public Input

comments as the rulemaking process continues. As with the previous rule revision, if DEC makes substantive changes after the public comment period and before LCAR, it will hold an additional public comment period to ensure stakeholders and members of the public can review and comment on any subsequent changes.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

VRWA and GMEA were provided the opportunity to review and comment on the draft Rule prior to the formal rulemaking process. DEC met with stakeholders ahead of filing for ICAR to discuss comments and proposed edits and to provide explanations behind different revised provisions. Further stakeholder involvement with the stakeholders listed above, as well as water system operators, industry professionals, public water systems and bottled water providers, will be solicited as the rulemaking process continues.

Scientific Information Statement

THIS FORM IS ONLY REQUIRED IF THE RULE RELIES ON SCIENTIFIC INFORMATION FOR ITS VALIDITY.

PLEASE REMOVE THIS FORM PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the Scientific Information Statement, an agency shall provide a summary of the scientific information including reference to any scientific studies upon which the proposed rule is based, for the purpose of validity.

1. TITLE OF RULE FILING:

Vermont Water Supply Rule

2. ADOPTING AGENCY:

Vermont Agency of Natural Resources

3. BRIEF EXPLANATION OF SCIENTIFIC INFORMATION:

This Rule revision incorporates the new PFAS MCLs in the 2024 federal regulations and underlying health advisories published by EPA, which showed adverse health effects from certain PFAS at very low concentrations. These advisories were made based on new peer reviewed studies from authoritative agencies (federal, state, and international health agencies), and examined the practical quantitation limit and the economic impacts of the MCL.

4. CITATION OF SOURCE DOCUMENTATION OF SCIENTIFIC INFORMATION:

Vermont PFAS Health Advisory, Vermont Department of Health (2024); PFAS National Primary Drinking Water Regulation, 89 FR 325332 (4/26/24); Human Health Toxicity Assessment for Perfluorooctanoic Acid (PFOA), <https://www.epa.gov/sdwa/human-health-toxicityassessment-perfluorooctanoic-acid-pfoa>; Human Health Toxicity Assessment for Perfluorooctane Sulfonic

Acid (PFOS) <https://www.epa.gov/sdwa/human-health-toxicityassessment-perfluorooctane-sulfonic-acid-pfos>.

5. INSTRUCTIONS ON HOW TO OBTAIN COPIES OF THE SOURCE DOCUMENTS OF THE SCIENTIFIC INFORMATION FROM THE AGENCY OR OTHER PUBLISHING ENTITY:

All information and internally cross-referenced information should be available online. Information not available may be requested from Mr. Montross or Ms. Diederich using the contact information provided herein.

Incorporation by Reference

THIS FORM IS ONLY REQUIRED WHEN INCORPORATING MATERIALS BY REFERENCE. PLEASE REMOVE PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the incorporation by reference statement, an agency describes any materials that are incorporated into the rule by reference and how to obtain copies.

This form is only required when a rule incorporates materials by referencing another source without reproducing the text within the rule itself (e.g., federal or national standards, or regulations).

Incorporated materials will be maintained and available for inspection by the Agency.

1. TITLE OF RULE FILING:

Vermont Water Supply Rule

2. ADOPTING AGENCY:

Vermont Agency of Natural Resources

3. DESCRIPTION (*DESCRIBE THE MATERIALS INCORPORATED BY REFERENCE*):

As in previous Rule versions, this Rule requires that Public Community Water Systems comply with provisions of 40 CFR § 141 Subpart O – Consumer Confidence Reports.

4. FORMAL CITATION OF MATERIALS INCORPORATED BY REFERENCE:

40 CFR § 141 Subpart O – Consumer Confidence Reports

5. OBTAINING COPIES: (*EXPLAIN WHERE THE PUBLIC MAY OBTAIN THE MATERIAL(S) IN WRITTEN OR ELECTRONIC FORM, AND AT WHAT COST*):

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141/subpart-O>, or contacting Mr. Montross or Ms. Diederich using the contact information provided herein.

6. MODIFICATIONS (*PLEASE EXPLAIN ANY MODIFICATION TO THE INCORPORATED MATERIALS E.G., WHETHER ONLY PART OF THE MATERIAL IS ADOPTED AND IF SO, WHICH PART(S) ARE MODIFIED*):

Run Spell Check

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Drinking Water and Groundwater Protection Division

ENVIRONMENTAL PROTECTION RULES
CHAPTER 21
WATER SUPPLY RULE

Original Effective Date: September 24, 1992

REVISION DATE: _____

NOTE: The complete rule consists of the following parts:

Subchapters 1 - 16

Appendix A, Parts 1 - 10 - General Standards

Appendix A, Part 11 - Non-Community Water Systems

Appendix A, Part 12 - Construction & Isolation Standards for Wells

Appendix B - Long Range Plan Requirements

Appendix C - Bacteriological Monitoring Requirements

Appendix D - Operation & Maintenance Manual Standards

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INTRODUCTION

Applicability of This Rule

This rule, known as the Water Supply Rule, applies to **all Public** water systems in Vermont, which include **Public** water systems, and bottled water systems. Only portions of this rule apply to each type of water system. The section below, entitled "Types of Water Systems," helps the reader identify their type of water system. There may also be other jurisdictions with regulations affecting water systems. This rule does not affect, modify or repeal existing orders of the Board of Health.

Purpose of This Rule

This rule is intended to serve a number of purposes. First, and most importantly, the rule's primary purpose is to regulate water systems in the state so that they provide clean and safe drinking water to Vermont's citizens. The rule also establishes well construction standards (contained in Part 12 of Appendix A) .

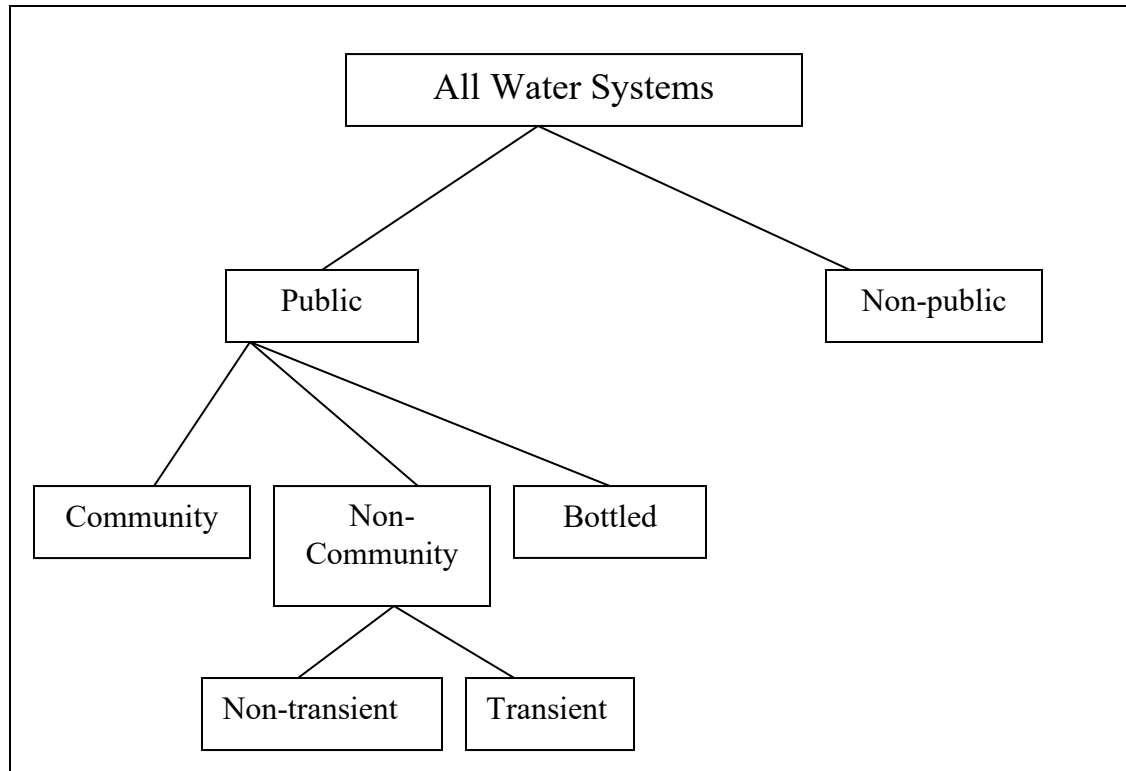
Second, by implementing this rule, Vermont qualifies to retain "primacy" for the Safe Drinking Water Act from the federal US Environmental Protection Agency (EPA). Primacy means that the state will administer the federal regulations that apply to all **Public** water systems in the country, instead of EPA. Without state regulations that are at least as strict as the federal ones, Vermont may not administer the federal regulations.

Having primacy represents an advantage to Vermont's water systems. The federal regulations contain some optional provisions that create exceptions to the regulations when mitigating factors make it difficult or impossible to follow the regulations. Also, there are situations where interpretations of the federal regulations can be made by states with primacy that provide some benefit to the **Public** water systems. EPA has stated that, in the event that they have to administer their own rules in a state without primacy, they will not have the resources to provide most of these permitted exceptions to the regulations.

Types of Water Systems

This rule varies in its applicability to the different types of water systems. Due to the comprehensive nature of this rule, and for the convenience of the reader, the water systems have been categorized into groups, and the introduction at the beginning of each subchapter in the rule explains which sections apply to which water systems. Also, when these categories of water systems are referred to in this rule, they are displayed in **bold type**. The following figure displays the different categories in graphical format, although the reader is cautioned that there are formal definitions for each type of water system contained in the Rule.

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Public and Non-Public

All water systems are initially classified as either **Public** water systems or **Non-Public** water systems. Classification as a **Public** water system depends on the number of service connections (15 or more) or people served (25 or more) by the system, as is explained in the definition for **Public** water systems in Subchapter 21-2.

Community and Non-Community

Public water systems are further subdivided into **Public Community** water systems and **Public Non-Community** water systems. Generally, **Public Community** water systems are those which serve residents on a year-round basis, while **Public Non-Community** water systems serve non-residential groups of people (e.g., restaurants, schools).

Non-Transient and Transient

Public Non-Community water systems are further subdivided into those systems who serve non-residential users who don't change over time (**Public Non-Transient Non-Community** water system), such as schools and offices, and those non-residential users who do change over time (**Public Transient Non-Community** water system), such as restaurants and motels.

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Bottled water systems are considered to be a special case of **Public** water systems, and are regulated specifically under Subchapter 21-11. They are not included in the categories addressed here.

In summary, then, there are four categories of water systems referred to throughout this rule and grouped for convenience:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Bottled** water systems.

The formal definitions for (a) through (d) above (i.e., the **Public** water systems) are contained in Subchapter 2, Definitions. **Public** water systems are also subject to regulation under the federal Safe Drinking Water Act. By enacting this rule, the federal regulations will be administered by the Department of Environmental Conservation when it has primacy.

The design and construction standards for **Public Non-community** water systems are contained in Appendix A, Part 11. Continued operating requirements, including operating permits and fees, are administered by the Drinking Water and Groundwater Protection Division of the Department of Environmental Conservation.

Organization of the Rule

The complete Water Supply Rule consists of sixteen subchapters and four appendices. The chapters are divided into Sections (e.g., 2.12) and Subsections (e.g., 2.18(a)(1)). Each subchapter contains a brief introduction which identifies which type(s) of water systems are regulated by that subchapter. These subchapters contain regulatory requirements that water systems must follow.

Appendix A of the rule contains the Vermont Standards for Water System Design, Construction, and Protection. These are technical standards that apply to persons designing, constructing, and operating water systems. This appendix contains twelve Parts, and the introduction at the beginning of the appendix identifies which parts of the appendix apply to which water systems. The numbering in Appendix A is divided into Parts (e.g., 5) and Subparts (e.g., 5.1.2(a)).

Parts 1 through 9 of Appendix A apply to **Public Community** water systems and **Bottled** water systems with sources in Vermont. Part 11 contains the technical standards for **Public Non-community** water systems which are considerably simplified from those for **Public Community** systems. Finally, Part 12 contains standards for water sources for which permits are required from the Drinking Water and Groundwater Protection Division.

Appendix B contains the requirements for the Long Range Plan, a document required under the rules, whose purpose is to assist water systems in proper planning for the continued viability of their systems.

Appendix C is a table of the sampling frequencies required for bacteriological monitoring.

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Appendix D contains the standards for Operation & Maintenance (O&M) Manuals, which are also required under this rule.

Subchapter 21-1 AUTHORITY AND PURPOSE

Introduction

This subchapter applies to all water systems.

1.1 Authority

This rule is adopted under the authority of 10 V.S.A. Chapter 48, Groundwater Protection; 10 V.S.A. Chapter 56, Public Water Supply; and 18 V.S.A. §1218. Related statutes include: 3 V.S.A. § 2822 (j), regarding fees; 18 V.S.A. §501b, regarding certification of laboratories; 18 V.S.A. §503, regarding use of laboratory by people; and 24 V.S.A. Chapter 120, regarding funding of public water supply planning and construction.

This rule refers to and adopts the authority of the Federal Safe Drinking Water Act: 42 U.S.C. 300 f. *et. seq.* and except as explicitly provided herein, the rule adopts and incorporates by reference the National Primary Drinking Water Regulations, 40 CFR 141 (July 1, 2009), the National Primary Drinking Water Regulations Implementation, 40 CFR 142 (July 1, 2009), the National Secondary Drinking Water Regulations, 40 CFR 143 (July 1, 2009), the Revised Total Coliform Rule, 40 CFR 141, 142 (February 13, 2013), and the Consumer Confidence Rule Revisions 40 CFR 141, 142 (May 24, 2024) under an agreement with the US Environmental Protection Agency, by which the State of Vermont has primary enforcement authority (primacy) in Vermont for the Safe Drinking Water Act.

Where necessary to protect the public health, but subject to appeal, the Secretary may require additional drinking water permit conditions under this rule.

1.2 Purpose

The purpose of this rule is to protect the public health by assuring safe, affordable drinking water from **Public** Water systems, and to implement and enforce the provisions of the Federal Safe Drinking Water Act and Vermont statutes.

The granting of a permit under this rule does not relieve the water supplier of the responsibility for the satisfactory functioning of the water system, nor limit their responsibility or liability under other statutes or rules.

Subchapter 21-2 DEFINITIONS AND ABBREVIATIONS

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community (NTNC)** water systems;
- (c) **Public Transient Non-Community (TNC)** water systems; and
- (d) **Domestic and Imported Bottled Water** systems.

Additional definitions applying only to **Non-Community** water systems and **Non-public** water systems requiring permits are contained in Part 11 of Appendix A.

Additional definitions are also contained in 40 CFR, Sections 141.2, 142.2, and 143.2 which are adopted herein. These definitions apply to federal regulations which affect **Public** water systems (see below for definition of **Public** water systems).

2.1 General

The following definitions and abbreviations shall apply in the interpretation and enforcement of this rule.

2.2 Definitions

ACTION LEVEL means the concentration of a substance in drinking water which clearly provides adequate public health protection, as determined by the Vermont Department of Health.

AGENCY means the Vermont Agency of Natural Resources.

BOTTLED WATER means any non-carbonated, non-flavored water placed in a sealed container for sale or distribution to the public with the express or implied intent of providing water for human consumption.

BOTTLED WATER SYSTEM means a **Public** water system which bottles drinking water for public distribution and sale. A Domestic Bottled Water System is a Bottled Water System with at least one source located within Vermont. An Imported Bottled Water System is a Bottled Water System with all sources located outside of Vermont.

BULK WATER means drinking water delivered to consumers or water purveyors by means other than pipeline or bottled water.

CAPACITY means that a **Public** water system has the technical, financial, and management capabilities to consistently comply with current performance standards, including the requirements of this rule and the Safe Drinking Water Act, 42 U.S.C. Section 300f *et. seq.*, as amended.

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CERTIFIED OPERATOR means any person who has a responsibility for the operation of any water system and holds the class of certification equal to or greater than the class of the water system.

CLEAN COMPLIANCE HISTORY means having no *E. coli* violations, no monitoring violations under 40 CFR 141 Subpart Y, no coliform Treatment Technique trigger exceedances, or coliform Treatment Technique Violations.

COLIFORM TREATMENT TECHNIQUE VIOLATION means a violation that occurs when a water system exceeds a treatment technique trigger pursuant to 40 C.F.R. § 141.859 and fails to conduct the required assessment or corrective actions within the timeframe specified, or when a seasonal system fails to complete a state start-up procedure.

COLOR UNIT means the color produced by 1 mg/l platinum in the form of the chloroplatinate ion.

COMMISSIONER means the Commissioner of the Vermont Department of Environmental Conservation or the Commissioner's designee.

CONFINING LAYER means a continuous, extensive geologic unit of low permeability.

CONSECUTIVE WATER SYSTEM means a **Public** water system that is permitted to receive some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems or a non-piped connection via water delivery via tanker truck or trailer.

CROSS CONNECTION means any actual or potential connection between the public water supply and a source of contamination or pollution.

DEPARTMENT means the Vermont Department of Environmental Conservation.

DESIGNATED CERTIFIED OPERATOR means the certified operator designated by the water facility owner to be responsible for quality, quantity, process control, and system integrity decisions involving public health, treatment, storage, distribution, and standards compliance. The Designated Certified Operator shall hold a valid certification equal to or greater than the classification of the treatment facility or distribution system, or both. This individual may delegate responsibilities to Certified operators or uncertified on-site personnel. Compliance with the requirements of this rule with respect to any delegated tasks are the ultimate responsibility of the Designated Certified Operator.

DRINKING WATER means non-carbonated, non-flavored water that is intended for human consumption or other consumer uses whether provided by a **Public** water system or in a container, bottle or package or in bulk, including water used for production of ice, foodstuffs or other products designed for human consumption.

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DRINKING WATER FACILITY means a bottled or bulk water facility requiring a permit to operate under this rule.

ENTRY POINT TO THE DISTRIBUTION SYSTEM: (also referred to as “entry point”) The location at which water enters the distribution system from any applicable source(s), storage tank, pumping facility, treatment plant or other water system facility immediately prior to or at the first location where water can be consumed. This location reflects all applicable source water treatment and disinfection contact time.

EMERGENCY SOURCE means a water source which is not permitted for use by a **Public** water system. It is identified only as an alternate water source that may be used for a limited duration emergency in the event of an unforeseen circumstance that prevents the water system’s permitted sources from supplying either adequate quantity or quality of water.

GROSS BETA ACTIVITY means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

GROUNDWATER means water below the land surface in a zone of saturation.

HAZARD INDEX (HI) is the sum of component hazard quotients, which are calculated by dividing the measured regulated PFAS component contaminant concentration in water (e.g., expressed as parts per trillion (ppt) or nanograms per liter (ng/l)) by the associated health-based water concentration (HBWC) expressed in the same units as the measured concentration (e.g., ppt or ng/l). For PFAS, a mixture Hazard Index greater than 1 (unitless) is an exceedance of the MCL.

HAZARD QUOTIENT means the ratio of the measured concentration in drinking water to the health-based water concentration (HBWC).

HEALTH-BASED WATER CONCENTRATION (HBWC) means the level below which there are no known or anticipated adverse health effects over a lifetime of exposure, including sensitive populations and life stages, and allows for an adequate margin of safety.

HYDROGEOLOGIST means a person with training or experience in bedrock geology, glacial geology, and groundwater hydrology sufficient to prepare adequately the hydrogeologic analyses required by this rule.

INFILTRATION GALLERY means a subsurface collection system located so as to intercept ambient groundwater or surface water flow and generally designed with roughly horizontal collection pipes.

LABORATORY CERTIFICATION means that a laboratory meets the minimum Vermont Department of Health requirements for specific parameters and that the laboratory is granted approval for analyses of these parameters for a maximum of three (3) years.

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LEVEL 1 SITE ASSESSMENT means, as defined in 40 C.F.R. § 141.2, a detailed inspection by the water system's operator or an operator of the same or higher class, that looks for all possible sanitary defects that could allow bacterial contamination into the system and examines sample protocols, methods, and sampling equipment used in collecting coliform samples. This is a form comprised of yes/no answers to assist in the operator's ability to assess the system.

LEVEL 2 SITE ASSESSMENT means an event triggered under the requirements of 40 C.F.R. § 141.859(2)i-iii. The site assessment is a comprehensive inspection performed by the State or a party approved by the State with specific training necessary to perform these detailed reviews. The question form is complex and involves detailed review of system infrastructure, interviews with system staff, and investigation of protocol, methods, and sampling equipment used in collecting coliform samples. This is a detailed form comprised of specific questions and topics designed to identify possible defects.

MAN-MADE BETA PARTICLE AND PHOTON EMITTERS means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, NBS Handbook 69, except the daughter products of thorium 232, uranium-235 and uranium-238.

MICROSCOPIC PARTICULATE ANALYSIS (MPA) means the analysis described in the US Environmental Protection Agency document, "Consensus Method for determining groundwaters under the direct influence of surface water using microscopic particulate analysis" (EPA document # 910/9-92-029).

MONITORING WELL means any well constructed for the purpose of monitoring groundwater quantity or quality.

OPERATOR means an individual who accepts responsibility for operational activities that will directly affect the quality and/or quantity of drinking water provided to consumers, and who is certified as such by the State of Vermont.

OWNER means the person(s) who owns or has an ownership interest in a **Public** water system. An OWNER may designate an authorized representative who has the authority to act on the owner's behalf in all matters regarding the **Public** water system, and is designated to be the contact person in place of the OWNER for all communications from the Secretary regarding the water system.

PFAS means per- and polyfluoroalkyl substances. For the purpose of this regulation, PFAS currently includes Perfluorooctanoic acid (PFOA), Perfluorooctanesulfonic acid (PFOS), Perfluorohexane sulfonic acid (PFHxS), Perfluorononanoic acid (PFNA), Hexafluoropropylene Oxide Dimer Acid (HFPO-DA or "GenX" chemicals) and Perfluorobutanesulfonic acid (PFBS).

PERMIT means a written document issued by the Secretary (see below) pursuant to these regulations, giving a designated person approval to operate and/or construct, alter, or renovate a specific water system or drinking water facility.

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PERSON means an individual, partnership, fire district, association, cooperative, syndicate, company, firm, trust, corporation, government corporation, municipal corporation, institution, state, federal, or municipal government department, division, bureau, agency, or any other entity recognized by law.

POTABLE WATER means water free from impurities in amounts sufficient to cause disease or harmful physiological effects, and having bacteriological, chemical, physical, and radiological quality conforming to applicable standards of the Secretary.

POTENTIAL SOURCE OF CONTAMINATION means any activity or condition which may adversely affect water quality.

PRIMARY DRINKING WATER STANDARD means a standard which:

- (a) applies to **Public** water systems and drinking water;
- (b) applies to contaminants which may have an adverse effect on the health of persons;
- (c) specifies for each such contaminant either:
 - (1) a maximum contaminant level (MCL), if, in the judgment of the Secretary, it is economically and technologically feasible to ascertain the level of such contaminants in drinking water and **Public** water systems, or
 - (2) if, in the judgment of the Secretary, it is not economically or technologically feasible to ascertain the level of such contaminant, each treatment technique known to the Secretary which leads to a reduction of the contaminants identified in Subchapter 21-6; and
- (d) contains criteria and procedures to assure a supply of drinking water which dependably complies with such maximum contaminant levels or treatment techniques.

PROTECTED SOURCE means a source that has no outstanding sanitary defects, has a valid source permit, or otherwise is acknowledged as predating the permitting program but has been recognized as a source serving the water system, has a valid Groundwater Under the Direct Influence of Surface Water determination and is determined to be groundwater, and for NTNC and Community drinking water system, does not have an outstanding Source Protection Plan or Source Protection Plan Update. This is included for the purpose of compliance with 40 C.F.R. § 141 subpart Y.

PUBLIC WATER SOURCE means any surface water or groundwater intake used, or permitted to be used, as a source of drinking water for a **Public** water system.

PUBLIC WATER SOURCE PROTECTION AREA means a surface and subsurface area from or through which contaminants are reasonably likely to reach a **Public** water system source.

PUBLIC WATER SYSTEM means any system(s) or combination of systems owned or controlled by a person, that provides drinking water through pipes or other constructed conveyances to the public and that has at least fifteen (15) service connections or serves an average of at least twenty five (25) individuals daily for at least sixty (60) days out of the year. Such term includes all collection, treatment, storage and distribution facilities under the control of the water supplier and used primarily in connection with such system, and any collection or

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pretreatment storage facilities not under such control which are used primarily in connection with such system. **Public** water system shall also mean any part of a system which does not provide drinking water, if use of such a part could affect the quality or quantity of the drinking water supplied by the system. **Public** water system shall also mean a system which bottles drinking water for public distribution and sale (see also **Bottled Water System**).

- (a) **PUBLIC COMMUNITY WATER SYSTEM** means a **Public** water system which serves at least fifteen (15) service connections used by year-round residents or regularly serves at least 25 year-round residents.
- (b) **PUBLIC NON-COMMUNITY WATER SYSTEM** means a **Public** water system that is not a **Public Community** water system.
 - (1) **PUBLIC NON-TRANSIENT NON-COMMUNITY WATER SYSTEM (NTNCWS)** means a **Public** water system that is not a **Public Community** water system and that regularly serves at least 25 of the same persons daily for more than six months per year. Examples: schools, factories, office buildings.
 - (2) **PUBLIC TRANSIENT NON-COMMUNITY WATER SYSTEM (TNCWS)** means a **Public Non-community** water system that is not a **Non-transient Non-community** system. Examples: restaurants, motels, campgrounds.

PUBLIC WATER SYSTEM CLASS means the grouping of **Public** water systems based on type of treatment technology and type of **Public** water system. A Class may, where appropriate, also be grouped according to size of population served by the system.

PUBLIC WATER TREATMENT PLANT means a facility providing for the treatment of water, or the protection of water by treatment, by any one, or any combination of the controlled processes of coagulation, flocculation, sedimentation, adsorption, filtration, disinfection, or other processes which produce potable water.

REPEAT COMPLIANCE PERIOD means any subsequent compliance period after the initial compliance period.

REGIONAL ADMINISTRATOR means the Regional Administrator of the United States Environmental Protection Agency, Region 1, in Boston, Massachusetts.

REGISTERED PROFESSIONAL ENGINEER means an engineer registered with the Vermont Board of Professional Engineering.

RESPONSIBLE CHARGE means the operator(s) in responsible charge is defined as the person(s) designated by the owner to be the certified operator(s) who makes decisions regarding the daily operational activities of a **Public** water system, water treatment facility and/or distribution system that will directly affect the quality and/or quantity of drinking water.

RUNNING ANNUAL AVERAGE means the average of all sample analytical results taken during the previous four calendar quarters.

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SANITARY DEFECT means a defect that could provide a pathway of entry for microbial contamination into the water system or that is indicative of a failure or an imminent failure of an existing barrier.

SANITARY SURVEY means an onsite review of the water source, facilities, equipment, operation and maintenance of a **Public** water system for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

SEASONAL SYSTEM means the only type of system in Vermont to be categorized as a seasonal water system are select TNC systems. These systems must startup and shutdown throughout the year and be closed for an entire calendar quarter (January – March; April – June; July – September; or October – December). If the water system serves water in each calendar quarter of the year, they are considered year-round, even if they close for part or most of the monitoring period. Seasonal systems may or may not completely depressurize during their off-season. It is possible for a water system to have multiple seasonal periods in which they serve public population(s).

SECONDARY DRINKING WATER STANDARD means a standard which is not a primary standard, which applies to **Public** water systems, and specifies the maximum contaminant levels which, in the judgment of the Secretary, are requisite to protect the public welfare. Such standards may apply to any contaminant in drinking water which may:

- (a) adversely affect the odor or appearance of such water and consequently may cause a substantial number of persons served by the **Public** water system providing such water to discontinue its use, or
- (b) otherwise adversely affect the public welfare.

SECRETARY means the Secretary of the Agency of Natural Resources or the Secretary's designee.

SERVICE CONNECTION means each single family home, each living unit within a condominium, single rental unit, mobile home, store, or other commercial, educational, or industrial establishment, or other living unit which obtains water from a water system.

SHALL means that the person or system designated must comply with the associated action verb or be subject to enforcement action (see **SHOULD**).

SHOULD means that compliance with the associated action verb is recommended, but not required and that no enforcement action will follow (see **SHALL**).

SOURCE PROTECTION AREA means a **PUBLIC WATER SOURCE PROTECTION AREA** (see above).

SPRING means a groundwater source entirely dependent on gravity to move water from the source to the distribution system.

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SURFACE WATER (for purposes of determining isolation distance from a groundwater source under Subsection 3.5.8) means any body of surface water including rivers, streams, creeks, brooks, reservoirs, natural or artificial ponds, lakes, swamps and marshes which have discernible edges and in which terrestrial vegetation does not grow.

TURBIDITY UNIT (TU) means the unit of measurement of particulate matter in a water sample based upon a comparison of the intensity of light scattered by the sample under defined conditions with intensity of light scattered by a standard reference suspension under the same conditions.

UNCERTIFIED ON-SITE PERSONNEL means any person who performs activities or tasks related to water system operation but does not hold a valid certification from the State of Vermont or holds a certification lower than what is required for the subject water system. This individual is performing activities under the direction and certification of the Designated Certified Operator. This person may not make process control/system integrity decisions about water quality and quantity that may affect public health.

VERMONT HEALTH ADVISORY LEVEL means the concentration of a substance in drinking water below which the water does not pose a public health risk, or public health hazard as defined in 18 V.S.A. Chapter 1, and for which there is no Maximum Contaminant Level identified in this rule.

VIRUS means a virus of fecal origin which is infectious to humans by waterborne transmission.

VOLUNTARY LEVEL 2 SITE ASSESSMENT means a site assessment that is not triggered due to any of the reasons established in 40 CFR 141.859, however is required for the system to change from monthly monitoring to quarterly monitoring as established in 40 CFR 141.854(g). This site assessment will use the same form as the triggered Level 2 Site Assessment and must be completed by the State or a party approved by the state having received special training necessary to perform the detailed reviews.

VULNERABLE means a **Public** water system, or source, which is at risk of contamination by a constituent or constituents because of known conditions in the water system, geologic setting, or land uses in the source protection area.

WATER SUPPLIER means any person who owns or operates a **Public** water system or who provides or sells bottled or bulk drinking water.

WATER VENDING MACHINE shall mean a water-connected vending machine designed to dispense drinking water, and to reduce or remove turbidity, off-tastes and odors and to provide disinfection. Processes for dissolved solids reduction or removal may also be used.

WELL means any hole drilled, driven, bored, excavated, or created by similar method into the earth to locate, monitor, extract, or recharge groundwater where the water table or potentiometric surface is artificially lowered through pumping.

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2.3 Abbreviations

AIX means Anion Exchange

ANSI means the American National Standards Institute

API means the American Petroleum Institute

ASME means the American Society of Mechanical Engineers

ASSE means the American Society of Sanitary Engineering

ASTM means the American Society for Testing Materials

AWWA means the American Water Works Association

BOCA means the Building Officials and Code Administration

CDC means the Center for Disease Control

CEUs means Continuing Education Units

CFR means Code of Federal Regulations

CT means "Concentration X Time" (see definition in 40 C.F.R. Subpart A)

DPD means N,N-diethyl-p-phenylenediamine or ferrous titrimetric

EPA means the Environmental Protection Agency, of the United States

EPTDS means Entry Point to the Distribution System

GAC means Granular Activated Carbon

GMPRs means Good Manufacturing Practice Regulations

HAV means Hepatitis A Virus

NIOSH means National Institute for Occupational Safety and Health

NSF means the National Sanitary Foundation

NTNC means Non-Transient Non-Community

MPA means Microscopic Particulate Analysis

MCL means Maximum Contaminant Level

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MCLG means Maximum Contaminant Level Goal

mg/l means milligram per liter

MRDL means Maximum Residual Disinfection Level

ng/l means nanogram per liter

NTNCWS means Non-Transient Non-Community Water System

O&M means Operation and Maintenance

OIT means Operator-In-Training

OSHA means the Occupational Safety and Health Administration

PE means Professional Engineer

PFAS means per- and polyfluoroalkyl substances

ppb means parts per billion

ppm means parts per million

ppt means parts per trillion

PSI means pounds per square inch.

PSOC means Potential Sources Of Contamination

PVC means Polyvinyl Chloride

RTCR means Revised Total Coliform Rule

ROW means Right Of Way

SMCL means Secondary Maximum Contaminant Level

SPA means Source Protection Area.

SPP means Source Protection Plan

TDS means Total Dissolved Solids

TNC means Transient Non-Community

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TNCWS means Transient Non-Community Water System

TU means Turbidity Unit

µg/l means microgram per liter

USC means United State Code

USGS means the United States Geological Survey

UV means Ultraviolet

VOSHA means the Vermont Occupational Safety and Health Administration

VDH means the Vermont Department of Health

VHA means Vermont Health Advisory

VOC means Volatile Organic Chemicals

V.S.A. means Vermont Statute Annotated

Subchapter 21-3 PERMITS - ADMINISTRATION

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic and Imported Bottled** water systems.

This subchapter applies to Source Permits, Construction Permits, Operating Permits, and Approvals to Sell Bottled Water in Vermont.

3.0 Prohibitions

- 3.0.1 No person shall modify, construct, or operate a **Public** water system without first obtaining the appropriate permit from the Secretary.
- 3.0.2 No person shall modify or construct a new **Public** or **Domestic Bottled** water system source, change an existing water source into a **Public** or **Domestic Bottled** water system source, or operate a **Public** or **Domestic Bottled** water system source without first obtaining a permit from the Secretary.
- 3.0.3 No person shall use or connect an unpermitted water source, including an emergency source, to a **Public** Water System, except
 - (a) following public notice to the water system customers (according to Agency public notification requirements);
 - (b) providing notice to the Secretary as soon as possible, but no later than within 12 hours of its connection or use; and
 - (c) in an emergency situation for a limited duration, no more than 90 cumulative days without prior written approval of extension by the Secretary.

3.1 Permits

- 3.1.1 The Secretary may issue, renew, deny, suspend, or revoke a **Public** water system or drinking water facility permit.
- 3.1.2 For each application for a new source for a **Public water system or Domestic Bottled** water system, the Secretary shall provide notice and opportunity for hearing or written comment, or both, in accordance with 10 V.S.A., §1675.

3.2 Suspension or revocation of permit

- 3.2.1 Any permit issued under these regulations may be suspended or revoked if the Secretary finds that the **Public** water system or drinking water facility is maintained or operated in

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violation of this rule or of any applicable law, rule, order, ordinance, or regulation, or is in violation of the conditions stated in the permit, or that the water supplier has submitted false or misleading information to the Secretary.

- 3.2.2 The Secretary shall comply with 10 V.S.A. §1675 and 3 V.S.A. §814 prior to revocation or suspension of a permit.
- 3.2.3 When a permit has been denied, suspended, or revoked, emergency orders to protect the users may be issued and remain in effect until the operating permit is validated.

3.3 Emergency Permits to Construct

- 3.3.1 The Secretary may issue an emergency permit to construct for modifications to a water system needed to address an exceedance of a maximum contaminant level pursuant to a Secretary-approved emergency response plan.
- 3.3.2 Emergency permits to construct shall be limited to authorizing measures identified in a Secretary-approved emergency response plan.
- 3.3.3 Emergency permits to construct shall be issued for not more than 180 days and may be renewed.
- 3.3.4 Emergency permits to construct shall follow the process for public notice and involvement established under 10 V.S.A. § 7716 (Type 5).

3.4 Appeals

- 3.4.1 Final decisions made by the Secretary regarding permit issuance, renewal, denial, revocation, and suspension, for **Public** water systems, may be appealed formally as provided by 10 V.S.A. §1680 (or 10 V.S.A. §1977 for **Non-Public** water systems).

3.5 Transfer or Assignment of Permits

- 3.5.1 Operating Permits (see Subchapter 21-5), Source Permits, and **Public** Water System Construction Permits are not transferable or assignable and shall automatically become invalid upon a change of ownership or upon suspension or revocation. A new owner shall obtain a new permit prior to operation of the water system.

3.6 Requirements of Other Statutes and Permitting Authorities

A permit issued under this rule allows the permittee to take specific actions. However, it does not relieve the permittee of obligations they may have under other statutes, regulations, or permitting authorities including but not limited to Act 250, Agency of Natural Resources, Department of Public Safety, Department of Agriculture, Food and Markets, Department of Education, Public Service Board, Agency of Human Services, and Department of Public Service.

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3.7 Variances from Technical Standards

3.7.1 General

A request for approval of alternatives to the requirements of the *Vermont Standards for Water System Design, Construction and Protection* (Appendix A) shall be filed in writing. The application for a variance shall state the manner in which the proposed system or design varies from the specified criteria of these standards, and a basis for finding the proposal meets the criteria set forth in Subsection 3.7.2 below. Requests for approval under this section shall be reviewed by the Secretary within 30 days of application.

For **Public Transient Non-Community** Construction Permits, variances may only be issued under the criterion in Subsection 3.7.2(e), below.

The Secretary shall maintain a file available to the public of all decisions issued under this section.

3.7.2 Variances Criteria

The Secretary may permit an alternative to the requirements of the standards in Appendix A upon finding that:

- (a) The proposal is designed to achieve the purpose of the standards as set forth in Section 1.2;
- (b) The proposed design is based on established engineering and/or hydrogeologic principles and can be expected to perform at the same level of reliability and health protection as the design criteria and standards included in this rule;
- (c) The proposed project will comply with all drinking water quality standards and not create a public health hazard or significant risk to public health;
- (d) The public and persons using the water system are protected from health hazards, health risks, pollution, and increased costs in the event that the proposed alternative does not meet the purpose of this rule; and
- (e) In the case of remediation of existing health hazards, the proposal shall be in compliance, as closely as possible with Appendix A of this rule, shall not be to accommodate new growth, and shall not violate drinking water quality standards.

3.7.3 Performance Security

The Secretary may require bonding or other security of an appropriate amount to ensure performance or replacement of any alternative in the event that it fails to meet the purpose of this rule. Security or bonding shall be established for a specified time period in each case.

3.7.4 Decision and Notice

The Secretary shall make the decision to allow or deny an alternate proposal in writing and shall state the reasons of the decision. A copy of each decision granted or approved under this section shall be posted for at least one month in the offices of the water system ownership and/or

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management. Additionally, when deemed appropriate by the Secretary based on actual or perceived potential direct impact to system users, the Secretary shall direct the **Public** water system to provide public notification to the users of the system in accordance with the provisions of Subchapter 21-10.

3.8 Petition for Declaratory Ruling

On petition of a person who may be affected by a statute or rule administered by the Agency, the Secretary shall issue a declaratory ruling as to the applicability of any statutory provision or any rule as provided for in 3 V.S.A. §808.

3.9 Compliance with Permits

The Secretary may issue a permit to the applicant subject to the conditions consistent with the purposes of this rule. No person shall proceed with a construction project except in accordance with the terms and conditions of the permit.

Subchapter 21-4 SOURCE and CONSTRUCTION PERMITS

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic Bottled** water systems.

4.0 General

Source permits for **Public Community** and **Domestic Bottled** water systems shall be governed by Section 4.1 of this subchapter, and the requirements of Appendix A, Part 3. Source permits for **Public Non-Community** water systems shall be governed by Appendix A Part 11.

Construction permits for, or improvements to, **Public Community** and **Domestic Bottled** water systems shall be governed by Section 4.2 of this subchapter, as well as the requirements of Appendix A, Parts 1 through 10, and 12.

Construction permits for **Public Non-Community** water systems shall be governed by Sections 4.2.4, and 4.2.8 of this subchapter and the requirements of Appendix A, Parts 11 and 12. For **Public Non-Community** water systems, some provisions of Parts 1-10 apply and are clearly noted in the text of Part 11 of Appendix A.

4.0.1 Prohibitions

No person shall begin construction of, alter, renovate, or convert for use as a **Public** water system, any system or any portion thereof, except as provided in Section 4.0.2 of this subchapter, without first receiving a Source Permit or Construction Permit from the Secretary.

4.0.2 Exemptions from Source and Construction Permits

No Construction Permit for **Public** water systems will be required for minor system improvements such as replacement of hydrants on existing distribution line(s), pipe extension projects of less than 500 feet, minor alterations or maintenance of an existing water system, and no source permit will be required for minor maintenance such as replacement of source pump or source structure repair, which would not in and of itself affect the quality or quantity of water service rendered, providing work is done according to the *Vermont Standards for Water System Design, Construction and Protection* (see Appendix A of this rule). It is recommended that the water supplier contact the Secretary for consultation on plans for minor improvements.

4.0.3 Applicability of Vermont Standards

In addition to meeting the applicable requirements of this rule, all water system changes including construction, alteration, renovation, installation, extension and/or connection after the

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date this rule become effective shall conform to the *Vermont Standards for Water System Design, Construction and Protection* in Appendix A.

4.1 Source Permits

4.1.0.1 Application Requirements

- (a) Source Permits are required for new **Public** water systems and **Domestic Bottled** water system sources and an increase in approved yield of existing **Public Community, Public Non-Transient Non-Community, and Bottled** water system sources, including but not limited to hydrofracturing and deepening of sources and other methods determined by the Secretary to impact quantity or quality of the well.
- (b) General procedural requirements for **Public Community** and **Domestic Bottled** water system Source Permits are outlined in subsection 4.1.1 below. Technical requirements for surface water are outlined in Appendix A, Subpart 3.2 and for groundwater in Appendix A, Subpart 3.3.
- (c) General procedural requirements for **Public Non-Community** water system Source Permits are outlined in Appendix A Parts 11 and 12.
- (d) Any permitted **Public Community, Non-Community, or Domestic Bottled** water source which has not been connected to the water system for a period of time greater than two years, may at the discretion of the Secretary, be required to obtain a valid Source Permit prior to connection of the source.

4.1.0.2 First-In-Time

For the purpose of determining first-in-time for rights to water source development or groundwater degradation, and to accommodate compatible land uses, the following shall be recognized as initiating a project:

- (a) Submittal of a substantially complete application for approval of a drinking water source;
- (b) Submittal of a substantially complete application for a building permit or sewage disposal permit for a non-state regulated project;
- (c) Submittal of a substantially complete application for a State Permit to dispose, discharge, or use any substance which may affect water quality;
- (d) Existing land and groundwater uses; or
- (e) Other state and local planning actions as reviewed on a case by case basis.

4.1.1 Water System Source Permit Process and General Requirements

The Secretary uses a step-by-step process culminating in the permitting of a **Public Community, Non-Community and Domestic Bottled** water source. No Source Permit or Construction Permit will be issued until all of the Secretary's concerns are addressed.

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Applicants for a Source Permit shall apply for and receive, as appropriate:

- (a) Source Construction approval;
- (b) Source Testing approval; and
- (c) Source Evaluation Report approval.

4.1.1.1 Step 1. Source Permit Application

Application Form

The purpose of the Source Permit Application is to record information required to determine whether the site at the proposed location is suitable for source construction.

Applications for a Source Permit shall be submitted on forms provided by the Secretary that request information such as maps indicating source locations, nearby land use activities, project plans, and property ownership.

4.1.1.2 Step 2. Site Inspection

At the discretion of the Secretary, a site inspection shall be conducted by the Drinking Water and Groundwater Protection Division, along with the applicant and/or consultants.

4.1.1.3 Step 3. Source Application Public Notice and Source Construction

- (a) For site(s) approved by the Secretary, and prior to construction of source, the applicant shall provide the Secretary with certification that all landowners adjoining the parcel containing the proposed source have been notified of the proposed source. Certification shall be provided prior to receiving source construction approval.
- (b) The Secretary will review their findings and write a review letter requesting more information, or one of site approval, conditional approval, or denial of approval for the proposed site.
- (c) Source Construction approval shall be valid for two years and may be renewed upon written request by the applicant at the discretion of the Secretary.
- (d) The applicant may then construct the proposed source per the Secretary's approved plans.

4.1.1.4 Step 4. Source Testing Application/Source Testing

The purpose of the source testing application is to provide the applicant and Secretary with a review of the information needed to determine that the testing and data to be collected will address the concerns of the Secretary with respect to source yield, quality, site, interference/allocation, source protection area delineation, ground water under the direct influence of surface water, and the risk from potential sources of contamination.

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- (a) Applications for Source Testing approval shall be submitted on a form provided by the Secretary. The form will request information regarding the source, such as pump test specifications, data collection, and other water uses in the area.
- (b) The Secretary will review a completed application and write a letter of approval, conditional approval, or denial.
- (c) Source Testing approval shall be valid for two years and may be renewed upon written request of the applicant at the discretion of the Secretary.

4.1.1.5 Step 5. Source Evaluation Report

Source evaluation reports must be prepared under the supervision of a hydrogeologist or engineer, knowledgeable in the field of well hydraulics and contaminant hydrogeology. Each report must consider and comment on the following:

- (a) Site isolation zone, ownership and/or easements;
- (b) Water Quality Results for the primary and secondary contaminants contained in Table 6-5 and Table 6-7 (Appendix A Subpart 3.2.4 includes information about additional monitoring that may be required);
- (c) Water Quantity (See Appendix A, subparts 3.2.3 and 3.3.3);
- (d) Source construction, as built engineering plans shall be included;
- (e) Interference with other water supply withdrawals as appropriate;
- (f) Source Protection Area and Protection Plan (See Subchapter 21-16);
- (g) Agricultural lands in source protection area; and
- (h) Additional studies as required by the Secretary.
- (i) For pumped groundwater sources the report shall include but not be limited to the following:
 - (1) A summary of the test design, test method, problems encountered, analysis used, and detailed hydrogeologic setting. Include a drawdown/discharge vs. discharge graph (Sw/Q vs Q) and evaluation of step test data using published methodologies acceptable to the Secretary.
 - (2) Published analytical method or any preapproved proprietary method proposed by the consultant and approved by the Secretary for safe yield appropriate to the hydrogeologic setting based on data collected from the constant discharge and recovery tests. Rationale for choice of analytical method.
 - (3) All calculations used in the determination of source yields, source protection areas, and interference with other source withdrawals.
 - (4) Plots of time drawdown data on log-log or semi-logarithmic paper for source yield tests.
 - (5) Plot of discharge vs time on the same semi-log plots of time vs drawdown for proposed production and observation wells. Plot of distance vs drawdown (if 2 or more observation wells are available).
 - (6) Plots of precipitation and temperature conditions occurring before, during, and after the testing, when appropriate.
 - (7) All raw data including drawdown, discharge, and recovery.

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- (8) A final source protection area delineated on a USGS topographic map or other base map as approved by the Secretary and include rationale, calculations and information specified in Appendix A, Subpart 3.3.6.2.
- (9) Geologic cross sections and groundwater contour maps when data are available.
- (10) Hydraulic information as requested on forms provided by the Secretary.
- (11) Well Completion Report on Agency form.
- (12) Calculations and tables of aquifer coefficients.
- (13) Information as necessary to evaluate whether groundwater is under the direct influence of surface water. See Appendix A, Subpart 3.4.
- (j) A source protection plan, including a contingency plan, for emergency actions in cases of loss of source use. See Subchapter 21-16.

4.1.1.6 Step 6. Source Protection Area Public Notice and Hearing

The Secretary shall give public notice of each proposed Public water source protection area through the Environmental Notice Board. The Secretary shall also give notice to landowners within the source protection area and all appropriate officials of municipalities and state agencies. The Secretary shall provide an opportunity for written comment or a public hearing, or both, on the proposed area before designating the area.

4.1.1.7 Issuance of Source Permit

- (a) Following the public comment period the Secretary will review a completed Source Evaluation Report and write either a Source Permit containing any required permit conditions or a letter of denial.
- (b) If the Secretary finds there are agricultural lands in the Source Protection Area which are likely to affect the proposed source but not likely to constitute a public health hazard, the secretary shall require the applicant to certify in the permit that the proposed source will be abandoned, replaced or treated if it becomes contaminated by agricultural activities conducted on the agricultural lands.
- (c) A Source Permit shall be valid for a period of two years and may be renewed upon written request of the applicant at the discretion of the Secretary if the source is not connected to the **Public** water system.
- (d) Once the permitted source is connected to the water system it shall then become a permitted component of the water system's infrastructure, and shall be referenced in the water system's Permit to Operate.

4.2 Construction Permits

4.2.1 Application Requirements

- (a) An application for a construction permit shall be made on an application form provided by the Secretary, signed by the applicant, and shall be accompanied by, but not limited to, maps and detailed plans and specifications of the **Public** water system prepared by or

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under the direction of a Registered Professional Engineer, other than exceptions as provided in Paragraph 4.0.2.

- (b) Applications for permits to construct **Public Non-Transient Non-Community** and **Public Transient Non-Community** water systems shall follow the requirements as described in Appendix A, Parts 11 and 12.

4.2.2 Long Range Plan and Engineer's Report

In addition to meeting applicable requirements of this rule, all new **Public Community** and **Non-Transient Non-Community** water systems shall submit a long range plan (including but not limited to managerial capacity and financial capacity criteria. See Appendix B) and an Engineer's Report (See Appendix A, Subpart 1.2). This plan and report must be approved by the Secretary and a determination made that the system has demonstrated capacity in accordance with Subchapter 21-15 and other applicable requirements prior to issuance of a construction permit.

4.2.3 Deviation from Approved Plans and Specifications

New water systems and modifications to water systems shall be constructed in accordance with the plans and specifications approved by the Secretary. Proposed deviations from the approved plans or specifications, operating units, the functioning of water treatment processes, or proposed change in the quality of the water to be delivered must be submitted in writing, except for minor field changes, for review and approval. A construction permit shall be obtained or amended by the Secretary before such changes are made.

4.2.4 Suspension and Revocation of Construction Permits

A construction permit may be suspended or revoked in accordance with Section 3.2 of this rule.

4.2.5 Site Restrictions

To the extent practicable, no new or expanded water system, or parts thereof, shall be located at a site which:

- (a) is subject to adverse effects from potential sources of contamination;
- (b) is subject to adverse effects from natural disasters; or
- (c) is located within the floodplain of a 100 year flood (except for sources and water lines).

4.2.6 Permit Conditions

Construction permits issued under this rule may include, but shall not be limited to, conditions which:

- (a) limit the duration of the permit;
- (b) require construction in accordance with the approved plans;
- (c) require observation of construction under the general supervision of a Registered Professional Engineer;

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- (d) require special studies or testing to evaluate risk of contamination;
- (e) state that the permit is not transferable;
- (f) require operation and maintenance manual, certified operator, and application for permit to operate before the system and/or its alterations and/or additions is placed in operation; and
- (g) require submission of record drawings prior to obtaining an Operating Permit.

4.2.7 Term of Construction Permits

For **Public Community**, **Public Non-Community**, and **Domestic Bottled** water systems, a construction permit shall be valid for two years, and may be renewed at the discretion of the Secretary.

4.2.8 Avoidance of Public Health Hazard or Risk

A construction permit for a **Public** water system shall not be issued or renewed if the Secretary determines that operation of the system will constitute a public health hazard or public health risk.

4.2.9 Public Service Board

In cases where the Public Service Board has authority over a water system, a condition of any construction permit issued will require that the applicant receive a Certificate of Public Good (CPG) from the Board prior to commencing any construction. In the event that the CPG requires material modifications to the approved plans and specifications, the applicant must receive an amended construction permit from the Secretary before beginning construction.

Water systems under the jurisdiction of the Public Service Board are specified in 30 V.S.A., §203(3), and are generally any system, not municipally owned, which sells water to one or more users. Applicants are encouraged to contact the clerk of the Public Service Board for additional information.

An applicant for a construction permit under this rule is responsible for timely application to the Public Service Board for its approval of the proposed water system and its rates.

Subchapter 21-5 OPERATING PERMITS

Introduction

This subchapter applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** water systems;
- (c) **Public Transient Non-Community** water systems and
- (d) **Domestic Bottled** water systems.

5.1 Prohibitions

No person shall conduct, control, manage, operate or maintain a **Public** water system without first receiving from the Secretary an operating permit.

5.2 Posting of Permit

The water supplier shall post the current and valid operating permit in a conspicuous place at the **Public** water system headquarters or **Public** water system treatment plant.

5.3 Operating Permits

- 5.3.1 Application for an operating permit shall be submitted to the Secretary, signed by the owner and shall contain such information as may be requested by the Secretary to enable him or her to determine whether the facility and its operation will comply with this rule.
 - (a) Application for an operating permit for a **Public** water system shall be made at least 30 days before the actual operation of the **Public** water system is to begin.
 - (b) In the event of an intended change, or an actual change, in the ownership of a **Public** water system, a written application for an operating permit shall be made by the prospective owner at least 30 days before the proposed change or actual change, and where applicable, notification shall be made to the Public Service Board (see Sections 4.2.9 and 3.6 above).
 - (c) Applications for new **Public** water systems shall include appropriate documentation to verify compliance with the construction permit conditions for the water system.
- 5.3.2 An operating permit shall be valid for the period of time specified in the permit and may be amended by the Secretary to include new standards or requirements.
- 5.3.3 A **Public** water system operating permit shall only be issued or renewed upon a finding by the Secretary, included in the permit that operation of the system will comply with this Rule and will not constitute a public health hazard or significant public health risk. Such finding shall be based on a review of the application and other applicable information. The Secretary may exempt **Public** water systems, or portions of those systems, which

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were in existence prior to September 24, 1992, and which do not pose a significant public health risk, from Appendix A requirements.

5.3.4 The owner shall be the applicant for an operating permit.

5.4 (Reserved)

5.5 Conditions

Public water system operating permits issued under this rule may include, but shall not be limited to, conditions which:

- (a) Require the construction, installation, operation and maintenance of any purification, disinfection or other water processing or treatment facility in accordance with this rule;
- (b) Require notification of the characteristics of the water provided by the system to the public by letter, notice or other means deemed appropriate by the Secretary in accordance with Subchapter 21-10 of this rule;
- (c) Limit the number of connections to the system where the water system is not suitable to serve future connections; factors limiting the number of connections to the system may include, but shall not be limited to:
 - (1) Inadequate water quantity to meet the demand of the water system as determined by the Secretary, in accordance with Appendix A of this rule;
 - (2) A water system operating without a permitted water source; or
 - (3) Repeated MCL violations.
- (d) Limit maximum and daily output of the system or source.

The maximum daily output and average daily output of the system or source shall be determined by the Secretary during the source permitting process in accordance with Part 3 of Appendix A. Factors limiting the maximum and daily output of the system or source may include, but shall not be limited to:

 - (1) type of source;
 - (2) safe yield;
 - (3) potential or actual sources of contamination;
 - (4) construction limitations; or
 - (5) interference problems.
- (e) Require the development and submission to the Secretary of a long range plan for expansion, capital improvement and future service area including items contained in Appendix B.
- (f) Contain any additional conditions, requirements, schedules, restrictions, monitoring or testing programs which are deemed necessary to assure compliance with this rule, or to prevent risk to public health.

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- (g) Require the submission of reports on the attainment of milestones established within the permit to the Secretary within fifteen (15) days after the required completion date of the milestone, signifying it has been attained. If the milestone has not been attained, the submission shall document the reasons for non-attainment and shall request in writing that the Secretary amend the permit. The Secretary shall review the permit and reasons given for non-attainment and may amend the permit or proceed with enforcement action against the **Public** water system.
- (h) Require the development, submission to the Secretary, and implementation of a water conservation plan as outlined in Appendix B.
- (i) Require the development, submission to the Secretary, and implementation of a Source Protection Plan as outlined in Subchapter 21-16.
- (j) Require the payment of permit fees.

Subchapter 21-6 DRINKING WATER QUALITY REQUIREMENTS

Introduction

This subchapter applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic and Imported Bottled** water systems.

6.1 General Requirements

- 6.1.1 **Public** water systems (except as provided by Subsection 6.1.4) shall comply with the maximum contaminant levels (MCLs), maximum residual disinfectant levels (MRDLs), monitoring requirements, routine sampling and repeat sampling requirements, treatment techniques, reporting requirements and public notification requirements for microbiological, inorganic chemical, organic chemical, radiological, and disinfection byproduct contaminants established in this subchapter, Subchapter 21-11, and in 40 CFR, Parts 141 and 143. The monitoring requirements in this subchapter and Subchapter 21-11 are minimums. Additional monitoring may be required by the Secretary to ensure protection of public health and welfare. Water suppliers are encouraged to comply with Maximum Contaminant Level Goals where they have been established (see Section 6.15). The Secretary may grant exemptions to the required monitoring for **Public** water systems which purchase their source water from other permitted systems.
- 6.1.2 Samples required in this subchapter shall be collected, transported, and analyzed according to methods approved by the Vermont Commissioner of Health, EPA's approved test methods in 40 CFR Part 141, and the methods identified in Section 6.12. The analyses shall be done only by the Vermont Department of Health laboratory or by other laboratories certified by the Vermont Department of Health, except that
 - (a) turbidity, chlorine, daily fluoride monitoring, corrosion control chemicals, color, specific conductance, temperature, residual disinfectant concentration, and pH as required by this subchapter, may be tested by certified water system operators; and
 - (b) **Imported Bottled** water systems located in the United States may submit results from laboratories inside that United States that are certified by the primacy agent for the EPA Public Water System Supervision Program in that state or accredited by a state or an authority recognized by the National Environmental Laboratory Accreditation Program. **Imported Bottled** water systems located outside the United States may submit results from laboratories outside the United States that are certified by the appropriate national, regional or provincial governing agent.
- 6.1.3 Approved analytical requirements for contaminants are established in 40 CFR, Part 141, except the approved analytical requirements for HFPO-DA, PFBS, PFHxS, PFNA,

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PFOS and PFOA, which is established in Section 6.12. The Vermont Commissioner of Health, with the concurrence of the US Environmental Protection Agency, may approve any alternate analytical technique which is substantially equivalent in both precision and accuracy to any method specified in 40 CFR, Part 141 or Section 6.12.

- 6.1.4 **Public** water systems, except **Imported Bottled** water systems, shall comply with the sampling requirements established in this section and in 40 CFR, Part 141 unless a waiver has been granted in writing by the Secretary. Waiver of sampling requirements may be for specified contaminants and may be based on a Source Protection Plan which includes a vulnerability assessment, a susceptibility assessment, and the analytical results of previous sampling and waivers will be consistent with the waiver criteria specified in 40 CFR Parts 141 and 142.
- 6.1.5 **Public** water systems, except **Imported Bottled** water systems, are required to sample and report on source water quality as part of the Source Permit process in Appendix A Part 3.
- 6.1.6 **Community and Non-Transient Non-Community and Domestic Bottled** water systems shall monitor for the contaminants as noted in Tables 6-5 and 6-7 of this section. **Transient Non-Community** water systems shall monitor for the contaminants listed in Tables A11-5 and A11-6 in Appendix A, Part 11.
- 6.1.7 Notwithstanding the reference to “all **Public** water systems” or “**Public** water systems” in Sections 6.2, 6.3, and 6.5 through 6.12 do not apply to **Imported Bottled** water systems. Subchapter 21-11 establishes the monitoring requirements for **Imported Bottled** water systems.
- 6.1.8 When applying Sections to 6.6, 6.8, 6.9, and 6.10 to **Domestic Bottled** water systems, the sampling location of “entry point to the distribution system” shall mean the following locations: locations representative of each source prior to treatment and from each finished bottled water product type.
- 6.1.9 When applying Sections to 6.2, 6.3, and 6.5 through 6.13 to **Domestic Bottled** water systems, sampling shall be at the frequency and number of samples identified in Table 6-6.
- 6.1.10 All maximum contaminant levels (MCL) are expressed in the number of significant digits permitted by the precision and accuracy of the specified analytical procedure(s). Data reported should be in a form containing the same number of significant digits as the MCL included in Table 6-5. In calculating data for compliance purposes, it is necessary to round-off by dropping the digits that are not significant. The last significant digit should be increased by one unit if the digit dropped is 5, 6, 7, 8, or 9. If the digit is 0, 1, 2, 3, or 4, do not alter the preceding number. 6.1.11 When a **Public** water system installs treatment, is permitted to blend sources, or otherwise adjusts operational controls to achieve compliance with an MCL in this section or Table A11-6, except for the *E. coli* MCL, turbidity MCL, lead and/or copper action levels, or Disinfection Byproducts

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MCLs, it shall commence sampling for that specific contaminant(s) on a quarterly basis as established by the Secretary to ensure the efficacy of the treatment, blending or operational changes. These systems shall not be eligible for a reduction in sampling frequencies established in 40 CFR 141 or detailed below. This section does not apply to monitoring and reporting of disinfectant residual(s), surface water filtration parameters, corrosion control water quality parameters, fluoride concentrations (when applied for dental benefits), and phosphate residuals (when providing corrosion control or sequestration of inorganics). Monitoring and reporting requirements for these items are established elsewhere in this rule and will have different monitoring and reporting frequencies.

6.2 Filtration and Disinfection of Surface Waters and Groundwater Under the Direct Influence of Surface Waters

- 6.2.1 All **Public** water systems using surface water sources and groundwater sources under the direct influence of surface water (see definition in 40 CFR, §141.2) must comply with the provisions of 40 CFR, Part 141, Subpart H, Filtration and Disinfection.

Waivers of the requirements of this section may be granted by the Secretary, in accordance with the provisions of Subsection 6.2.2.

- 6.2.2 The requirements of Subsection 6.2.1, to filter surface water sources and groundwater sources under the direct influence of surface water, may be waived by the Secretary, after a review conducted in accordance with the provisions of 40 CFR, §141.71, Criteria for Avoiding Filtration, and 10 V.S.A. Chapter 56, as amended.
- 6.2.2.1 The Secretary shall review each application for a construction grant under 10 V.S.A., §1624 to determine whether the project qualifies for an avoidance of filtration waiver and shall notify the applicant of the results of that review. The applicant shall be afforded the opportunity to submit information in support of a positive finding. Criteria for evaluation under this subsection shall not prohibit human activity within the watershed of the source, provided that such human activity does not constitute a public health hazard or a significant public health risk.
- 6.2.2.2 The Secretary shall grant an avoidance of filtration waiver to a **Public** water system when an applicant demonstrates that the water system has a proven record of delivering adequate quantities of clean and safe drinking water, and that adequate protection of the surface water source is or may be assured. An applicant under this section should contact the Drinking Water and Groundwater Protection Division for guidance on the demonstrations required in this section.
- 6.2.2.3 **Public** water systems must comply with 40 CFR, §141.71(a) for bacteria coliform concentrations; 40 CFR, §141.71(a)(2) for turbidity; and with the provisions of 40 CFR, §141.71(b) for site-specific conditions, in order to avoid the filtration requirements of Subsection 6.2.1.

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- 6.2.2.4 If the Secretary denies an application for avoidance from the requirement to filter surface water, the owner of the water system may appeal the decision to the Water Resources Board within 30 days of such decision.
- 6.2.3 All **Public** water systems using a groundwater source and any new proposed groundwater sources must obtain a determination by the Secretary as to whether the groundwater source is under the direct influence of surface water.

The Secretary, when making the determination under this subsection, will use the criteria established under the provisions of 40 CFR, §142.16 (b)(2)(i)(B) as set out in Appendix A, Subpart 3.4.

All water systems using groundwater sources shall provide the Secretary information necessary to determine whether a source is under the direct influence of surface water.

6.3 Enhanced Filtration and Disinfection

Public water systems that use surface water or groundwater under the direct influence of surface water and serve 10,000 people or more shall comply with the provisions of 40 CFR, Part 141, Subpart P - *Enhanced Filtration and Disinfection*. See Subsection 7.9 for Composite Correction Program requirements.

All **Public** water systems that use surface water or ground water that is under the direct influence of surface water shall comply with the provisions of 40 CFR, Subpart T Sections 141.500-571 and Subpart W Sections 141.700-723. The purpose of the Long Term 2 Enhanced Surface Water Treatment (LT2) rule is to reduce disease incidence associated with *Cryptosporidium* and other pathogenic microorganisms in drinking water.

6.4 Disinfectant and Disinfection Byproduct Monitoring Requirements and Treatment Requirements for Control of Disinfection Byproduct Precursors.

Public Community and Non-Transient Non-Community water systems which add a chemical disinfectant to the water in any part of the drinking water treatment process shall comply with the provisions of 40 CFR, Part 141, Subpart L Section 141.130-135, *Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors* and Subpart G – *National Primary Drinking Water Regulations: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels*.

The Stage 2 Disinfection Byproduct (DBP) rule applies to **Public Community and Non-Transient Non-Community** water systems that add and/or deliver water that is treated with a primary or residual disinfectant other than ultraviolet light. These systems shall comply with the provisions of 40 CFR Part 141, Subpart U Section 141.600-605 and Subpart V Section 141.620-629. The Stage 2 DBP rule builds upon earlier rules that addressed disinfection byproducts to improve drinking water quality and provide additional public health protection from disinfection byproducts.

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6.5 Lead and Copper

All **Public** water systems, except **Domestic Bottled** water systems, shall comply with the provisions of 40 CFR, Part 141, Subpart I, *Control of Lead and Copper*, including §141.80-91.

6.6 Bacteriological Monitoring Requirements

6.6.1 All **Public** water systems shall comply with the provisions of 40 CFR, Part 141, Subpart Y *Revised Total Coliform Rule* including §141.851-861 except as identified in Sections 6.6.2.1 and 6.6.2.2 below.

- a. All **Public** water systems shall maintain documentation of personnel performing sampling, monitoring, and site assessments, including, as a minimum, the name and qualifications of the personnel.
- b. All plans, procedures, proposed schedules, and requests shall be submitted in writing to the Secretary. For a request, the system shall state the request and basis for the request and include any supporting documentation.

6.6.2 All **Public** water systems shall conduct coliform sampling in accordance with 40 CFR, §141.853 General monitoring requirements for all **Public** water systems.

6.6.2.1 Routine monitoring required for all **Public** systems. All **Public** systems shall collect the number of routine samples based on their respective populations as identified in Appendix C. Reduced monitoring shall not be permissible at any public drinking water system. Baseline Monitoring frequency shall be established as follows:

- a. Community Systems shall collect routine samples on a monthly frequency;
- b. Seasonal Systems shall collect routine samples on a monthly frequency the months in which they are in operation;
- c. All systems using surface water as a source shall sample on a monthly frequency;
- d. All Non-community systems serving over 1,000 users in population, regardless of source type, shall sample on a monthly frequency.
- e. All non-community systems, using only groundwater, operational year-round, and serving 1,000 or fewer users shall collect routine samples on a quarterly frequency unless and until triggering increases monitoring as identified in 40 CFR §141.854(f)(1) - (f)(4).

6.6.2.2. Repeat Sampling: Repeat sampling under 40 CFR 141.858 directs water systems to collect repeat samples within 24 hours of notification of a total coliform or *E. coli* present sample. The system shall, on the same day, collect no fewer than three repeat samples for each total coliform-positive sample found.

- a. Should a routine sample result show the presence of *E. coli*, the water system shall collect repeat samples within 24 hours of being notified of the result. If the system is unable to collect repeat samples within 24 hours of being informed of the result, it shall implement a boil water notice until the system receives results of the repeat samples and

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documents that all repeat sample results are total coliform absent. Repeat samples shall be collected pursuant to the same procedures and notification requirements under 40 CFR 141.858 if the system violates the *E. coli* MCL under 40 CFR 141.860(a), the system must update the boil water notice to inform users of violation of the *E. coli* MCL, complete a Level 2 site assessment, address all sanitary defects identified, and collect the necessary number of samples required to lift the boil water notice based on the total water system population as identified in Appendix C.

b. Should a routine sample show only the presence of total coliform (*E. coli* absent), the twenty-four hour time limit to collect repeat samples may be extended to seven days from the date of notification of the total coliform positive sample (*E. coli* absent) when one or more of the following conditions beyond the control of the **Public** water system prevent it from complying:

- i. Collection of samples within twenty-four hours would result in the holding time being exceeded before analysis is started due to limited delivery or courier service or a laboratory not being open.
- ii. Sample bottles could not be obtained due to certified laboratories being closed on a weekend or holiday.
- iii. Extreme weather conditions create unsafe travel or on-site conditions for the person collecting the samples.

c. Upon a request from a **Public** water system, the Secretary may extend the twenty-four-hour limit on a case-by-case basis when the **Public** water system has a logistical problem collecting the repeat samples within twenty-four hours other than those specified in this paragraph or when one or more of the conditions in paragraph (b) above create an unavoidable delay longer than seven days. When an extension is granted by the Secretary, the Secretary shall specify and document how much time the **Public** water system has to collect repeat samples.

d. Results of all routine and repeat samples taken under 6.6.2.2 not invalidated by the State must be used to determine whether a coliform treatment technique trigger specified in 40 CFR 141.859(a) has been exceeded.

- 6.6.2.3 Upon triggering monthly monitoring under 6.6.2.1.e above, to return to quarterly monitoring, the groundwater, non-community system, serving under 1,000 in population, on a year-round basis shall:
- a. complete a sanitary survey or voluntary Level 2 Site Assessment by the State or a party approved by the State;
 - b. be free of sanitary defects;
 - c. have a protected source; and
 - d. have a clean compliance history for the previous 12 consecutive months.

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- 6.6.3 Seasonal water systems shall:
- conduct coliform sampling in the months in which the systems serves water to a public population.
 - complete the seasonal startup form and certification regardless of whether the system remains pressurized in the off season.
 - submit completed start up certification form within 10 days of the end of the month in which the system opens to the public.
 - collect a routine monthly coliform sample within the first month in which they open.
- 6.6.4 All **Public** water systems shall have a coliform sample siting plan that identifies sampling locations and schedules representative of the water in the distribution system. These plans shall be on a form provided by the Secretary and shall be subject to review and approval by the Secretary. Sample siting plans shall be reviewed during each sanitary survey, following water system upgrades that the Secretary identifies as impacting the sampling locations or adequate water system representation, following changes in water quality or system hydraulics, or otherwise at the discretion of the Secretary. Sample siting plans and adequacy of existing sampling locations shall be reviewed as part of the Level 1 and Level 2 Site Assessments. Sampling for compliance purposes shall be conducted according to the approved sample siting plan.
- 6.6.4.1 Special Monitoring Evaluation: Sanitary Surveys are performed at Community systems within every 3 years and every 5 years at NTNC and TNC systems. During sanitary surveys, regardless of system size, staff shall review the sample siting plan and sampling locations to ensure the plan accurately reflects the distribution system. Staff shall ask to visit or view at least one of the sampling locations, if not more, based on availability and feasibility, to ensure the sanitary integrity is not suspect and to ensure adequate representation. Rule management staff shall perform a compliance review and consultation to confirm the system is sampling according to the minimum required frequency.
- 6.6.5 Site assessments and sanitary defects:
- 6.6.5.1: Level 1 site assessments require a completed state-generated form and a validly certified drinking water system operator of the same class as or greater class than the water system shall conduct the assessment.
- 6.6.5.2: Level 2 site assessments require the completion of a state-generated form and the State or a State-approved party shall complete the assessment.
- 6.6.5.3: Sanitary defects are anything that can allow contamination into the water system or that identify an imminent failure of an existing barrier.
- 6.6.5.4
- Consultation with the State for Level 1 site assessments:
Systems shall complete the assessment and submit the form within 30 days. These are completed by any certified operator of the same class of the system or greater. The forms have contact phone numbers for Division staff to assist in the process if the system has

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questions while performing the assessment. Systems must seek an extension in writing using the Level 1 form if additional time is required for the assessment. Staff will follow-up with the necessary system personnel after manually reviewing the form if there is need for discussion.

b. Level 2 site assessments are conducted by trained individuals or Division staff. The forms have contact phone numbers for Division staff to assist in the process if the system has questions while performing the assessment. Systems must seek an extension in writing using the water system portion of the Level 2 form if additional time is required for the assessment.

Staff will follow up with the necessary system personnel after manually reviewing the form if there is need for discussion.

- 6.6.6 All **Public** water systems that use groundwater, except **Public** water systems that combine all of their ground water with surface or with ground water under the direct influence of surface water prior to treatment under Subpart H, must comply with the provisions of the Ground Water Rule 40 CFR Subpart S, Sections 141.400-141.405. For the purposes of this subpart, “ground water system” is defined as any **Public** water system meeting this applicability statement, including consecutive systems receiving finished ground water.

The fecal indicator for all **Public** water systems in Vermont shall be *E.coli*.

6.7 Turbidity Monitoring Requirements

- 6.7.1 All **Public** water systems shall meet the turbidity monitoring requirements of 40 CFR, Sections 141.22 and 141.74.
- 6.7.2 A monthly turbidity monitoring report shall be submitted to the Secretary within ten days after the end of the month (See Subchapter 21-9).

6.8 Inorganic Chemical Monitoring Requirements

- 6.8.1 All **Public** water systems shall conduct inorganic chemical monitoring in accordance with 40 CFR §141.23, *Inorganic Chemical Sampling and Analytical Requirements*. Compliance with the MCL for arsenic shall be determined by the methods described in 40 CFR 141.23.

6.9 Organic Monitoring Requirements

All **Public** water systems shall conduct organic chemical monitoring in accordance with 40 CFR §141.24, *Organic Chemical, Sampling and Analytical Requirements*.

6.10 Radionuclide Monitoring Requirements

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All **Public** water systems shall conduct radionuclide monitoring in accordance with 40 CFR, §141.26, *Monitoring Frequency for Radioactivity in **Community** water systems*.

6.11 Recycle Provisions

All **Public** water systems using surface water sources and groundwater sources under the direct influence of surface water (see definition in 40 CFR, §141.2) must comply with the provisions of 40 CFR, Part 141, Subpart H, Recycle Provisions.

6.12 Regulation of Per and Polyfluoroalkyl Substances (PFAS)

Public Community and **Non-Transient Non-Community** water systems shall comply with the provisions of this section. The Secretary may require **Public Transient Non-Community** water systems to conduct sampling for PFAS in accordance with this section when contamination is known or suspected of being present to ensure protection of public health and welfare. When being directed to do so by the Secretary, **Transient Non-Community** water systems shall comply with this section.

6.12.1 Analytical Requirements. As of the date of this regulation and for all future PFAS sampling, to demonstrate compliance with this section, water systems shall only use the following analytical methods:

a. EPA Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry, 815-B-19-020, November 2019. or

b. EPA Method 537.1, Version 2.0: Determination of Selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS), EPA/600/R-20/006, March 2020.

6.12.1.1 Analyses under this section for regulated PFAS must only be conducted by laboratories that have been certified by the EPA or the Vermont Department of Health.

6.12.1.2 For all samples analyzed for PFAS as defined in this Rule, laboratory analyses shall include data with concentrations as low as the following respective trigger level(s):

Table 6-1

Contaminant	Trigger Level
Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, PFNA)	0.5 (unitless)
HFPO-DA	5 nanograms per liter (ng/l)
PFHxS	5 ng/l
PFNA	5 ng/l
PFOA	2.0 ng/l

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PFOS	2.0 ng/l

6.12.2 PFAS monitoring requirements:

6.12.2.1 Sampling locations for PFAS monitoring:

- a. **Public Community and Non-Transient Non-Community** water systems, shall take a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment during normal operating conditions per sampling event. For the purpose of Section 6.12 of this rule, the entry point to the distribution will hereinafter be referred to as “sampling point.”
- b. If a system draws water from more than one source and the sources are combined before distribution, for that sampling site the system shall sample at a sampling point where water is representative of all sources supplying the entry point during normal operating conditions.
- c. Composite sampling among multiple sampling points shall not be used.

6.12.2.2 Monitoring frequency for monitoring of PFAS at **Public Community and Non-Transient Non-Community** water systems.

- a. Initial monitoring requirements
 - i. Water systems that have conducted compliance sampling under this rule or Act 21 of 2019 for PFAS since July 1, 2019 in which analysis was performed for PFOA, PFOS, PFHxS, PFNA, HFPO-DA and PFBS and have had a reported concentration of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS equal to or above a trigger level identified in Table 6-1 from at least one sampling point based on sample analysis performed either under EPA method 537.1 or 533 shall sample once per calendar quarter at the respective sampling point(s) that had historic detections beginning January 1, 2026 (*or the effective date of this rule, whichever is later*).
 - ii. Water systems that have conducted at least two rounds of compliance sampling for PFAS since July 1, 2019 under this rule or Act 21 of 2019 with sampling point monitoring in which analysis was performed for PFOA, PFOS, PFHxS, PFNA, HFPO-DA and PFBS and that did not have a reported concentration of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS equal to or above a trigger level identified in Table 6-1 (commonly referred to as “non-detect” sample results) based on sample analysis performed either under EPA method 537.1 or 533 shall sample according to the schedule below at the respective sampling point(s):

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1. Systems serving a population of 10,000 and fewer individuals that are classified as a groundwater system shall collect two consecutive samples, taken five to seven months apart, per entry point to the distribution system, within a 12-month period. Systems that have fewer than the number of samples required in a continuous 12-month period based on sampling since July 1, 2019 shall collect one sample in a month that is five to seven months apart from the month in which the most recent previous sample was taken. This sampling shall be completed no later than April 1, 2027. The most recent data from any specific monitoring period shall be applied to assess if the initial monitoring requirements have been satisfied.
2. Systems serving a population of 10,001 or more individuals that are classified as groundwater or any population surface water or groundwater under the direct influence of surface water system shall collect four samples in consecutive quarters, two to four months apart, per entry point to the distribution system within a 12-month period. Systems that have fewer than the number of samples required in a continuous 12-month period based on sampling since July 1, 2019 shall collect samples two to four months apart until all four calendar quarters are represented. This shall be done by collecting one sample in each quarter that was not previously represented. This sampling shall be completed no later than April 1, 2027. The most recent data from any specific monitoring period shall be applied to assess if the initial monitoring requirements have been satisfied.
3. All systems that use both surface water and groundwater must apply the requirements in sections 6.12.2.2(a)(ii)(1) and (ii)(2) above depending on the source(s) of water provided at a given entry point to the distribution system. If the entry point to the distribution system provides surface water, the requirements for surface water systems apply. If the entry point to the distribution system provides groundwater, the requirements for groundwater systems apply, based on system size. If an entry point to the distribution system provides a blend of surface water and groundwater, the requirements for a surface water system apply. For systems that change the source water type at an entry point to the distribution system during the initial monitoring period (i.e., one part of the year it is surface water and the remaining part of the year it is groundwater), the sampling requirements for a surface water system apply.
4. New water systems, newly regulated water systems, or other water systems that have not completed initial PFAS monitoring

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prior to April 1, 2027 shall collect samples according to 6.12.2.2(a)(ii)(1) or (ii)(2) based on their population and source water type, to be completed no later than 12 months following activation of the water system.

5. Data received from water systems that sampled under the US EPA's Fifth Unregulated Contaminant Monitoring Rule (UCMR5), which includes analysis of 29 PFAS chemicals, shall be applied toward meeting the sampling requirements identified in section 6.12.2.2(a)(ii)(1) and (ii)(2) above. Additional sampling may be required to fully satisfy initial sampling requirements of this section as detailed above.

b. Compliance monitoring for PFAS

- i. For those **Public** water systems that historically had non-detect samples identified in 6.12.2(a)(ii) above, upon completion of initial monitoring or after April 1, 2027, whichever is sooner, compliance monitoring shall commence according to the framework established in 6.12.2(b)(iv) below based on the results of each respective sampling point.
- ii. For those **Public** water systems with sampling results from at least one sampling point that had detection(s) for the listed PFAS chemicals following sampling after July 1, 2019, upon completing four (4) consecutive calendar quarters of sampling, compliance monitoring shall commence according to Section 6.12.2.2(b)(iv) below based on the results of each respective sampling point.
- iii. A **Public** water system that installs treatment to address PFAS shall be required to sample at least as frequently as quarterly or otherwise directed by the Secretary. There shall be no framework for reduction in monitoring in this instance.

iv. Compliance monitoring schedule

1. Based on initial monitoring results, at the start of the monitoring period that begins on April 1, 2027 or upon completion of initial monitoring, whichever is sooner, systems may reduce monitoring at each sampling point at which all reported sample concentrations were below trigger levels defined in Table 6-1, unless otherwise directed by the Secretary. At eligible sampling points, each water system must analyze one sample for all regulated PFAS during each three-year monitoring period, during the assigned monitoring period, in the quarter in which the highest analytical result was detected during the most recent round of quarterly or semi-annual monitoring. If there has never

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been a detection of PFAS over the trigger level established in Table 6-1, the Secretary will assign a quarter within the three-year monitoring period in which the water system is required to sample based on workload, laboratory capacity and other relevant considerations. If a sampling point is not eligible for triennial monitoring, then the water system must monitor quarterly at the start of the compliance monitoring period.

2. If, during the compliance monitoring period, a system is monitoring triennially and a PFAS listed in Table 6-5 is detected at a level equal to or exceeding the trigger levels stated in Table 6-1 in any sample, then the system must monitor quarterly for all regulated PFAS beginning in the next quarter at the sampling point. The triggering sample must be used as the first quarter of monitoring for the running annual average calculation.
3. For all source water types, the Secretary may determine that all regulated PFAS at a sampling point are reliably and consistently below the MCL after considering, at a minimum, four consecutive quarterly samples collected during the compliance monitoring period. A sampling point that the Secretary has determined to be reliably and consistently below the MCL is required to collect annual samples for at least the first three years after that determination is made. Annual samples must be collected in the quarter in which detected concentrations were highest during the most recent year of quarterly monitoring. If, after three consecutive years, annual samples all contain results that are below the trigger levels defined Table 6-1, the Secretary may allow a system to begin triennial monitoring at the sampling point. The water system must collect triennial samples in the quarter with the highest concentrations during the most recent round of quarterly sampling. If an annual sample meets or exceeds an MCL or the Secretary determines that the result is not reliably and consistently below the MCL for all regulated PFAS, then the system must monitor quarterly for all regulated PFAS beginning in the next quarter at the sampling point.
 - a. Where the results of PFAS indicate an exceedance of a MCL, the Secretary may require that one additional sample be collected as soon as possible after the initial sample was taken (but not to exceed two weeks) at the same sampling point.
 - b. If a Secretary-required confirmation sample is taken for any contaminant, then the results of the initial and confirmation sample shall be averaged. The resulting

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average shall be used to determine the system's compliance in accordance with the respective PFAS MCL(s). The Secretary has the discretion to delete results of obvious sampling errors.

4. The Secretary may increase the required monitoring frequency, where necessary, to detect variations within the system (e.g., fluctuations in concentration due to seasonal use, changes in water source).
5. Upon sampling, should a water system's results indicate PFAS at or above a trigger level as identified in Table 6-1, the system shall conduct sampling for analysis and reporting of all chemicals captured under the respective analytical method.

6.12.2.3 Determination of compliance with the PFAS MCL(s)

- a. Compliance with the PFAS MCLs shall be calculated using a running annual average of each respective regulated compound or mixture of compounds at each respective sampling point as established in Table 6-5. Sampling data from samples collected prior to the effective date of this rule that are on file with the Secretary that meet the analytical standards of this section will not be used to calculate the running annual average to assess compliance with the MCLs. This sampling data will only be used to assess the schedule for sampling as identified in 6.12.2.2(a)(i) and (ii) above.
- b. If a system fails to collect the required number of samples specified in this section, this is a monitoring violation, and compliance calculations shall be based on the total number of samples collected.
- c. If a sample result exceeds an MCL, the system will not be considered in violation of the MCL until it has completed one year of quarterly sampling at the sampling point with the triggering sample used as the first quarter of monitoring for the running annual average calculation. However, whenever a sample result in any quarter (or quarterly average, if more than one compliance sample is available in a quarter because a confirmation sample was required by the Secretary) causes the running annual average to exceed the MCL at a sampling point regardless of the subsequent quarterly monitoring results required to complete a full year of monitoring (e.g., the results from a single sample are more than 4 times the MCL), the system is out of compliance with the MCL immediately.
- d. Calculation of compliance with an individual MCL
 - i. Systems conducting quarterly PFAS monitoring shall divide the sum of the measured quarterly concentrations for each

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analyte by the number of quarters samples were collected for that analyte during the consecutive quarters included in the calculation. If more than one compliance sample for that analyte is available in a quarter because a confirmation sample was required by the Secretary, systems shall average all the results in a quarter then average the quarterly averages. Rounding does not occur until the end of the calculation. If the running annual average exceeds the MCL, the system is not in compliance with the MCL requirements.

- ii. For systems monitoring annually, if the concentration measured is equal to or exceeds an MCL for any regulated PFAS, the system is required to initiate quarterly monitoring for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring for the running annual average calculation.
- iii. For systems monitoring triennially, if the concentration measured is equal to or exceeds the trigger level, the system is required to initiate quarterly monitoring for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring for the running annual average calculation.
- iv. For the purpose of calculating MCL compliance, if a sample result is less than the practical quantitation level (PQL) for a regulated PFAS, in accordance with Table 6-2, zero is used for that analyte solely to calculate the running annual average.

Table 6-2

Contaminant	PQL (in ng/L)
HFPO-DA	5.0
PFBS	3.0
PFHxS	3.0
PFNA	4.0
PFOA	4.0
PFOS	4.0

- e. For each PFAS regulated under the Hazard Index MCL:
 - i. Systems monitoring quarterly shall divide the observed sample analytical result for each analyte included in the Hazard Index by the corresponding Health Based Water Concentration (HBWC) listed in Table 6-3 below to obtain a hazard quotient for each analyte for each sampling event at each sampling point. The resulting hazard quotients shall be added together to

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determine the Hazard Index for the quarter. If the Secretary requires a confirmation sample for an analyte in the quarter, systems must average these results for each analyte in that quarter and then determine the hazard quotient(s) from those average values, then sum the hazard quotients. Once the Hazard Indices for the individual quarters are calculated, they are averaged to determine a running annual average. If the running annual average Hazard Index exceeds the MCL and two or more Hazard Index analytes had an observed sample analytical result at or above the PQL in any of the quarterly samples collected to determine the running annual average, the system is in violation of the Hazard Index MCL. No rounding shall occur until after the running annual average Hazard Index is calculated.

Table 6-3

Contaminant	Health Based Water Concentration (HBWC)
HFPO-DA	10 ng/L
PFBS	2,000 ng/L
PFHxS	10 ng/L
PFNA	10 ng/L

- ii. If the Hazard Index calculated using the results of an annual sample equals or exceeds the Hazard Index MCL, the system shall initiate quarterly sampling for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring.
 - iii. If the Hazard Index calculated using the results of a triennial sample equals or exceeds the Hazard Index trigger level, the system shall initiate quarterly sampling for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring.
 - iv. If a sample result is less than the practical quantitation level for a regulated PFAS, in accordance with Table 6-2, zero shall be used for that analyte solely to calculate the running annual average.
- f. Sample results for all PFAS monitoring shall be submitted by the water system to the Secretary no later than 10 days following the close of the respective monitoring period. Laboratories may submit data on behalf of water systems, but it is the water system's obligation to ensure submission of data.
- g. Upon exceeding the MCL(s) water system shall reduce PFAS in water served to users. Best Available Technologies for PFAS regulated in this section include:

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- i. Anion exchange
- ii. Granular Activated Carbon (GAC)
- iii. Reverse osmosis
- iv. Nanofiltration

6.12.2.4 Capital Improvement Extension

- a. When a public water system exceeds PFAS MCL(s), the Secretary shall, upon collaboration with the water system and its applicable consultants, establish a timeline under which the system will address PFAS. A public water system may request in writing an extension to comply with the respective PFAS MCL(s) timeline through clear documentation showing that installation of treatment, development of a new source, or other means to address PFAS contamination could not be completed within the required timeframe, despite a good faith effort to comply. Such requests will be evaluated on a case-by-case basis. If a system demonstrates to the Secretary's satisfaction that the water system has obtained all necessary permits and has exhausted its options to minimize any delay, the Secretary shall grant an extension from enforcement, in writing, to allow for the completion of the project. The extension shall be for a reasonable amount of time based on the system's circumstances, not to extend past April 1, 2031. When the above requirements are satisfied, reasons for granting an extension may include:
 - i. Project delays are due to no fault of the water system and are outside of the control of the water system.
 - ii. Cost over-runs result in the need to complete re-bonding efforts or otherwise procure additional funding that leads to delays.
 - iii. Inability to obtain specific technical equipment in a timely manner and there is no other option for similar equipment.
 - iv. Wide-spread shortages on equipment and/or media led to project delays.
 - v. The project relies on specialized professionals who are unable to meet the project completion timeline and the water system has documented a good-faith effort to exhaust options to engage with other such professionals.
 - vi. Natural disaster(s) or other unforeseen circumstances deemed responsible for directly contributing to the project delay.
 - vii. Any other factor not specified above that the Secretary believes to be significant in adding to project delays.
- b. An extension granted according to 6.12.2.4(a) shall only apply to the timeline by which the water system addresses PFAS and does not relieve the system of any other duty or responsibility under the Rule. If the Secretary denies a request for an extension, the water system will be provided a written explanation of the denial.

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6.12.2.5 Raw water monitoring requirements for PFAS.

- a. If a sampling point is supplied by more than one source, and the concentration for any regulated PFAS compound established in Table 6-5 for a sample taken at the sampling point is above one or more of the MCLs in Table 6-5, the Secretary may direct the water system to collect individual raw water source samples.
- b. The raw water monitoring data obtained pursuant to 6.12.5(a) shall not be used to determine compliance with the MCL(s). The raw water monitoring data shall principally be used in the identification of remedy selection when non-compliance with the MCL(s) has been identified.

6.12.2.6 Blending of sources. Blending of multiple sources as a permanent means of achieving compliance with the PFAS MCL(s) due to contamination of one or more source(s) shall not be permissible.

6.12.2.7 Health Language

Public notice following exceedances of the respective MCL(s) and as instructed in section 6.12.2.8 below shall include the following applicable major sources in drinking water and health effects language based on the contaminant(s) for which the MCL(s) are exceeded:

Table 6-4

Contaminant	Major Sources	Health Effects Language
PFOA	Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.	Some people who drink water containing PFOA in excess of the MCL over many years may have increased health risks such as cardiovascular, immune, and liver effects, as well as increased incidence of certain types of cancers including kidney and testicular cancer. In addition, there may be increased risks of developmental and immune effects for people who drink water containing PFOA in excess of the MCL following repeated exposure during pregnancy and/or childhood
PFOS	Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.	Some people who drink water containing PFOS in excess of the MCL over many years may have increased health risks such as cardiovascular, immune, and liver effects, as well as increased incidence of certain types of cancers including liver cancer. In addition, there may be increased risks of developmental

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Contaminant	Major Sources	Health Effects Language
		and immune effects for people who drink water containing PFOS in excess of the MCL following repeated exposure during pregnancy and/or childhood.
PFHxS	Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.	Some people who drink water containing PFHxS in excess of the MCL over many years may have increased health risks such as immune, thyroid, and liver effects. In addition, there may be increased risks of developmental effects for people who drink water containing PFHxS in excess of the MCL following repeated exposure during pregnancy and/or childhood.
PFNA	Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.	Some people who drink water containing PFNA in excess of the MCL over many years may have increased health risks such as elevated cholesterol levels, immune effects, and liver effects. In addition, there may be increased risks of developmental effects for people who drink water containing PFNA in excess of the MCL following repeated exposure during pregnancy and/or childhood.
HFPO-DA	Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.	Some people who drink water containing HFPO–DA in excess of the MCL over many years may have increased health risks such as immune, liver, and kidney effects. There is also a potential concern for cancer associated with HFPO– DA exposure. In addition, there may be increased risks of developmental effects for people who drink water containing HFPO–DA in excess of the MCL following repeated exposure during pregnancy and/or childhood.
Hazard Index	Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.	Per- and polyfluoroalkyl substances (PFAS) can persist in the human body and exposure may lead to increased risk of adverse health effects. Low levels of multiple PFAS that individually would not likely result in increased risk of adverse health effects may result in adverse health effects when combined in a mixture. Some people who consume

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Contaminant	Major Sources	Health Effects Language
		drinking water containing mixtures of PFAS in excess of the Hazard Index (HI) MCL may have increased health risks such as liver, immune, and thyroid effects following exposure over many years and developmental and thyroid effects following repeated exposure during pregnancy and/or childhood.

6.12.2.8 Violations

- a. PFAS MCL violation, both for the individual PFOA, PFOS, HFPO-DA, PFHxS and PFNA MCLs, as well as the Hazard Index MCL, as listed in Table 6-5, are based on a running annual average as outlined under 6.12.2.3.
- b. Compliance with Table 6-5 must be determined based on the analytical results obtained at each sampling point. If one sampling point is in violation of an MCL, the water system is in violation of the MCL requirements or standards. First time violations of any PFAS MCL will require public notice to be distributed to users within 24 hours. Water systems shall provide public notice of subsequent PFAS MCL violations within 30 days of notification from the Secretary.
- c. Each failure to monitor in accordance with the requirements under 6.12.2.2 is considered a monitoring violation. Public notice for monitoring violations shall be on a form provided by the Secretary and provided to system users within 365 days of notification from the Secretary.
- d. Failure to notify the Secretary following an MCL violation and failure to submit monitoring data in accordance with the requirements of this section are reporting violations. Public notice for reporting violations shall be on a form provided by the Secretary and provided to system users within 365 days of notification from the Secretary.
- e. Results for PFAS with individual MCLs as listed in Table 6-5 are compared to their respective MCLs, and results for mixtures of two or more of the Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, and PFNA) are compared to the Hazard Index MCL as listed in Table 6-5. For determining compliance with the Hazard Index MCL, if only PFBS is reported at any concentration and no other regulated PFAS are in the mixture, it is not violation of the Hazard Index MCL. If only one of the other PFAS within the Hazard Index (HFPO-DA, PFHxS, and PFNA) is detected and the level of this PFAS exceeds its MCL as determined by 6.12.2.3, only an individual MCL violation is assessed for the individual PFAS detected and it is not a violation of the Hazard Index MCL. Exceedances

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of the Hazard Index caused by two or more of the Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, and PFNA) and exceedances of one or more individual MCLs can result in multiple MCL exceedances. However, in this instance, for purposes of public notification language as established in Table 6-4 above, a public water system shall only report the Hazard Index MCL exceedance and associated health effects language.

6.13 Maximum Contaminant Levels

The Maximum Contaminant Levels and Maximum Residual Disinfectant Levels of 40 CFR Part 141 are adopted herein. The Secretary, with the concurrence of the Vermont Commissioner of Health, has established a more stringent MCL for uranium (listed in Table 6-5) than published in 40 CFR, Part 141. The Secretary has also adopted the Vermont Department of Health's Health Advisory for Nickel as an MCL.

Table 6-5 summarizes the contaminants and the maximum contaminant level (MCL) and maximum residual disinfectant level (MRDL) standards which apply to **Public** water systems. If any discrepancy exists between the values in Table 6-5, with the exception of nickel, uranium, and PFAS and the referenced sections in 40 CFR, Part 141 for MCLs and maximum contaminant level goals (MCLGs), the MCLs in 40 CFR, Part 141 shall apply.

Table 6-5 also summarizes the MCLG and the maximum residual disinfection level goals (MRDLG) which apply to **Public** water systems. If any discrepancy exists between the values in Table 6-5, with the exception of nickel, uranium, and PFAS, and the referenced sections in 40 CFR, Part 141, the MCLGs and MRDLGs in 40 CFR, Part 141 shall apply.

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Table 6-5- CONTAMINANT STANDARDS

CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
1. Microbiological	MCL	MCLG	
A. Total coliform bacteria	None	Zero (including fecal coliforms and <i>Escherichia coli</i>)	Yes
B. Fecal Coliform or <i>Escherichia coli</i> (<i>E. coli</i>) repeat samples	When the system has an <i>E. coli</i> -positive repeat sample following a total-coliform routine sample; a total coliform-positive repeat sample following an <i>E. coli</i> -positive routine sample; the system fails to take all required repeat samples following an <i>E. coli</i> -positive routine sample; or the system fails to test for <i>E. coli</i> when any repeat sample tests positive for coliform	Zero	Yes
<i>Giardia lamblia</i>	----	zero	Only if MPA testing required
Viruses	---	zero	No
Legionella	---	zero	No
<i>Cryptosporidium</i>	---	zero	Only if MPA testing required
2. Turbidity			Yes
A. Unfiltered systems required to install filtration	See 40 CFR, §141.13	---	---

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
B. Unfiltered systems that have been granted approval for avoiding filtration	See 40 CFR, §141.71	---	---
C. Conventional, Direct, Slow Sand, Diatomaceous earth filtration and other filtration technologies	See 40 CFR, §141.73	---	---
3. Primary Inorganic Chemicals	MCL	MCLG	
Arsenic	0.010 mg/l	zero	Yes
Asbestos	7 million fibers/liter (longer than 10 um)	7 million fibers/liter (longer than 10 um)	No
Barium	2 mg/l	2 mg/l	Yes
Cadmium	0.005 mg/l	0.005 mg/l	Yes
Chromium	0.1 mg/l	0.1 mg/l	Yes
Copper	1.3 mg/l (Action Level)	1.3 mg/l	Yes
Fluoride	4.0 mg/l	4.0 mg/l	Yes
Lead	0.015 mg/l (Action Level)	zero	Yes
Mercury	0.002 mg/l	0.002 mg/l	Yes
Nitrate	10 (as Nitrogen)	10 mg/l (as Nitrogen)	Yes
Nitrite	1 (as Nitrogen)	1 mg/l (as Nitrogen)	Yes
Total nitrate & nitrite	10 (as Nitrogen)	10 mg/l (as Nitrogen)	Yes
Selenium	0.05 mg/l	0.05 mg/l	Yes
Antimony	0.006 mg/l	0.006 mg/l	Yes
Beryllium	0.004 mg/l	0.004 mg/l	Yes
Cyanide (as free cyanide)	0.2 mg/l	0.2 mg/l	Yes
Nickel	0.1 mg/l	0.1 mg/l	Yes

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
Thallium	0.002 mg/l	0.0005 mg/l	Yes
4. Disinfection By-products	MCL	MCLG	
Bromodichloromethane Dibromochloromethane Tribromomethane (Bromoform) Trichloromethane (Chloroform)	0.080 mg/l as the sum of all concentrations (Total Trihalomethanes): 0.080 mg/l	zero 0.06 mg/l Zero 0.07 mg/l	No
Monochloroacetic acid Dichloroacetic acid Trichloroacetic acid Monobromoacetic acid Dibromoacetic acid	0.060 mg/l as the sum of all concentrations (Haloacetic acids (five) HAA5)	0.07 mg/l zero 0.02 mg/l No MCLG No MCLG	No
Bromate (systems treating with ozone)	0.010 mg/l	zero	No
Chlorite (systems treating with chlorine dioxide)	1.0 mg/l	0.8 mg/l	No
5. Disinfectant residuals	MRDL	MRDLG	
Chlorine	4.0 mg/l (as Cl ₂)	4 mg/l (as Cl ₂)	No
Chloramines	4.0 mg/l (as Cl ₂)	4 mg/l (as Cl ₂)	No
Chlorine Dioxide	0.8 mg/l (as Cl ₂)	0.8 mg/l (as Cl ₂)	No
6. Volatile Organic Chemicals	MCL	MCLG	
Vinyl Chloride	0.002 mg/l	zero	Yes
Benzene	0.005 mg/l	zero	Yes
Carbon Tetrachloride	0.005 mg/l	zero	Yes
1,2-Dichloroethane	0.005 mg/l	zero	Yes
Trichloroethylene	0.005 mg/l	zero	Yes
para-Dichlorobenzene	0.075 mg/l	0.075 mg/l	Yes
1,1-Dichloroethylene	0.007 mg/l	0.007 mg/l	Yes
1,1,1-Trichloroethane	0.2 mg/l	0.2 mg/l	Yes
cis-1,2-Dichloroethylene	0.07 mg/l	0.07 mg/l	Yes

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
1,2-Dichloropropane	0.005 mg/l	zero	Yes
Ethylbenzene	0.7 mg/l	0.7 mg/l	Yes
Monochlorobenzene	0.1 mg/l	0.1 mg/l	Yes
o-Dichlorobenzene	0.6 mg/l	0.6 mg/l	Yes
Styrene	0.1 mg/l	0.1 mg/l	Yes
Tetrachloroethylene	0.005 mg/l	zero	Yes
Toluene	1 mg/l	1 mg/l	Yes
trans-1,2-Dichloroethylene	0.1 mg/l	0.1 mg/l	Yes
Xylenes (total)	10 mg/l	10 mg/l	Yes
Dichloromethane	0.005 mg/l	zero	Yes
1,2,4-Trichlorobenzene	0.07 mg/l	0.07 mg/l	Yes
1,1,2-Trichloroethane	0.005 mg/l	0.003 mg/l	Yes
7. Synthetic Organic Chemicals	MCL	MCLG	
Alachlor	0.002 mg/l	zero	Yes
Atrazine	0.003 mg/l	0.003 mg/l	Yes
Carbofuran	0.04 mg/l	0.04 mg/l	Yes
Chlordane	0.002 mg/l	zero	Yes
Dibromochloropropane	0.0002 mg/l	zero	No
2,4-D	0.07 mg/l	0.07 mg/l	Yes
Ethylene Dibromide	0.00005 mg/l	zero	Yes only for groundwater sources
Heptachlor	0.0004 mg/l	zero	Yes
Heptachlor Epoxide	0.0002 mg/l	zero	Yes
Lindane	0.0002 mg/l	0.0002 mg/l	Yes
Methoxychlor	0.04 mg/l	0.04 mg/l	Yes
Polychlorinated biphenols	0.0005 mg/l	zero	Yes
Pentachlorophenol	0.001 mg/l	zero	Yes

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
Toxaphene	0.003 mg/l	zero	Yes
2,4,5-TP Silvex	0.05 mg/l	0.05 mg/l	Yes
Benzo[a]pyrene	0.0002 mg/l	zero	Yes
Dalapon	0.2 mg/l	0.2 mg/l	No
Di(2-ethylhexyl) adipate	0.4 mg/l	0.4 mg/l	Yes
Di(2-ethylhexyl) phthalate	0.006 mg/l	zero	Yes
Dinoseb	0.007 mg/l	0.007 mg/l	Yes
Diquat	0.02 mg/l	0.02 mg/l	No
Endothall	0.1 mg/l	0.1 mg/l	No
Endrin	0.002 mg/l	0.002 mg/l	Yes
Glyphosate	0.7 mg/l	0.05 mg/l	No
Hexachlorobenzene	0.001 mg/l	zero	Yes
Hexachlorocyclopentadiene	0.05 mg/l	0.05 mg/l	Yes
Oxamyl (Vydate)	0.2 mg/l	0.2 mg/l	Yes
Picloram	0.5 mg/l	0.5 mg/l	Yes
Simazine	0.004 mg/l	0.004 mg/l	Yes
2,3,7,8-TCDD (Dioxin)	3 x 10 ⁻⁸ mg/l	zero	No
8. Radionuclides	MCL	MCLG	
Gross Alpha Particle Activity (including radium-226 but excluding radon and uranium)	15 pCi/l	zero	Yes
Combined Radium-226 and Radium-228	5 pCi/l ²	zero	Yes
Uranium	20 µg/l	zero	Yes
Beta particle and photon radioactivity from man-made Radionuclides ¹	An annual dose equivalent to the total body or any internal organ greater than 4 millirem/year (mrem/year) ³	zero	No
Gross Beta Activity ¹	50 pCi/l	---	No

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
Tritium ¹	20,000 pCi/l	---	No
Strontium-90 ¹	8 pCi/l ⁵	---	No
9. Treatment Technique		MCLG	
Acrylamide	----	zero	No
Epichlorohydrin	----	zero	No
10. Per- and polyfluoroalkyl substances (PFAS)	MCL	MCLG	
Perfluorooctanoic acid (PFOA)	4.0 ng/l	zero	Yes
Perfluorooctanesulfonic acid (PFOS)	4.0 ng/l	zero	Yes
Perfluorohexane sulfonic acid (PFHxS)	10 ng/l	10 ng/l	Yes
Perfluorononanoic acid (PFNA)	10 ng/l	10 ng/l	Yes
Hexafluoropropylene Oxide Dimer Acid (HFPO-DA)	10 ng/l	10 ng/l	Yes
Mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and Perfluorobutanesulfonic acid (PFBS) ⁶	1 (unitless) Hazard Index	1 (unitless) Hazard Index	Yes

* The conversion from mg/l to µg/l is 1 mg/l=1000 µg/l. As an example, 5 mg/l is equal to 5000 µg/l. The conversion from mg/l to ng/l (ppt) is 1 mg/l =1,000,000 ng/l (ppt). As an example, 0.000020 mg/l is 20 ng/l. 20 ng/l is equivalent to 20 ppt.

^ Asbestos monitoring is only required by water systems deemed vulnerable to asbestos due to the presence of piping materials containing asbestos. These samples shall be collected within the distribution system at locations identified by the Secretary.

- 1 Public Community Water Systems designated by the Secretary as vulnerable must sample for this contaminant.
- 2 The combined radium-226 and radium-228 value is determined by the addition of the results of the analysis for radium-226 and radium 228.
- 3 See 40 CFR §141.66(d) for calculation of the MCL.
- 4 Average annual concentration assumed to produce a total body or organ doses of 4 mrem/yr. For tritium the critical organ is total body. See 40 CFR §141.66.
- 5 Average annual concentration assumed to produce a total body or organ doses of 4 mrem/yr. For strontium-90 the critical organ is bone marrow. See 40 CFR §141.66.
- 6 The PFAS Mixture Hazard Index (HI) is the sum of component hazard quotients, which are calculated by dividing the measured component PFAS concentration (for HFPO-DA, PFBS, PFNA and PFHxS) in water by the corresponding contaminant's health-based water concentration (HBWC) when expressed in the same units (shown in ng/l). To exceed the HI MCL, there must be a mixture of two or more chemicals to be

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compared with the HI MCL. If only PFBS is reported at any concentration and neither HFPO-DA, PFNA, nor PFHxS are in the mixture, it is not a violation of HI MCL. The HBWC for PFHxS is 10 ng/l; the HBWC for HFPO-DA is 10 ng/l; the HBWC for PFNA is 10 ng/l; and the HBWC for PFBS is 2000 ng/l. A PFAS Mixture Hazard Index greater than 1 (unitless) indicates an exceedance of the health protective level and indicates potential human health risk from the PFAS mixture in drinking water.

Table 6-6 – DOMESTIC BOTTLED WATER MONITORING REQUIREMENTS

Category of Contaminant ⁽¹⁾	Sampling Frequency	Number of Samples	
		Per Source	Product
Microbiological Total Coliform Heterotrophic Plate Count (HPC)	Monthly ⁽²⁾	1	4
	Monthly ⁽²⁾	1	4
Primary Inorganic Chemicals (including lead and copper)	3 Years	1	1
Volatile Organic Chemicals	3 Years	1	1
Synthetic Organic Chemicals	3 Years	1	1
Per- and polyfluoroalkyl substances (PFAS)	3 years ⁽³⁾	1	1
Radionuclides: Gross Alpha, Combined Radium 226 & 228, and Uranium	3 Years	1	1
Disinfectant By-products and Disinfectant Residual	According to 40 CFR, Part 141, Subpart L		

1 See Table 6-5 for a detailed list of contaminants and associated MCLs and MRDLs for each group of contaminants.

2 If bottling does not occur monthly, a letter must be submitted in place of the monthly sample to avoid receiving a monitoring violation.

3 Permitted systems shall submit PFAS results no later than January 1, 2027 and every three years thereafter, assuming results are below the MCL(s). The three-year monitoring frequency assumes continued PFAS sampling below the MCL(s) for each product type. See Section 11.1.3 for regulation of PFAS at Domestic Bottled Water systems.

6.14 Secondary Standards

- a. All new **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems shall initially monitor for the contaminants contained in Table 6-7 except for Aluminum, Copper, Fluoride, Foaming Agents, Silver, Sulfate, and Zinc. Proposed water systems with contaminants exceeding these values may be required to treat or abandon the source, at the discretion of the Secretary.

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- b. Existing **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems may be required to monitor and comply with the Secondary Standards contained in 40 CFR, Part 143 when the Secretary determines that monitoring and compliance is necessary to protect public welfare. When monitoring is required, the monitoring shall be conducted at every entry point to the water system's distribution system. Table 6-7 summarizes these secondary contaminants and the standards which apply to **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems. If any discrepancy exists between the values in Table 6-7 with the exception of sodium and aluminum and the referenced sections in 40 CFR, Part 143, then the standards in 40 CFR, Part 143 shall apply.

Table 6-7 SECONDARY CONTAMINANT STANDARDS		
CONTAMINANT	STANDARD	INITIAL SOURCE TESTING REQUIRED?
Aluminum	0.2 mg/l	No
Chloride	250 mg/l	Yes
Color	15 color units	Yes
Copper	1.0 mg/L	Yes as Primary Contaminant
Corrosivity	Non-corrosive (between +0.5 and -0.5 Langelier Saturation Index)	Yes
Fluoride	2.0 mg/L	Yes as Primary Contaminant
Foaming Agents	0.5 mg/l	No
Iron	0.3 mg/l	Yes
Manganese *	0.05 mg/l	Yes
Odor	3 threshold odor number	Yes
pH	6.5 – 8.5	Yes
Silver	0.1 mg/l	No
Sodium	250 mg/l	Yes
Sulfate	250 mg/l	No
Total dissolved solids (TDS)	500 mg/l	Yes
Zinc	5 mg/l	No

* There is a Vermont Health Advisory for Manganese, which, as of the date of this regulation is 0.300 mg/L.

- c. Existing **Public Community** and **Non-Transient Non-Community** water systems shall monitor for Iron and Manganese a minimum of once every three years at every entry

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point to the distribution system. More frequent monitoring may be required when the Secretary determines it is necessary to protect public welfare or to ensure the efficacy of contaminant treatment techniques.

- d. Additional monitoring requirement for **Public Transient Non-Community** water systems are contained in Appendix A Part 11.

6.15 Maximum Contaminant Level Goals (MCLGs)

The Maximum Contaminant Level Goals (MCLGs) contained in 40 CFR Part 141 are herein adopted (see Table 6-5 and Section 6.13). The MCLGs in the referenced sections of 40 CFR Part 141 shall apply throughout the entire **Public** water system.

A maximum contaminant level goal shall serve as the basis for design for any proposed treatment units using best available technology on existing water systems and sources. Maximum contaminant level goals shall serve as the basis for design for new **Public** water systems. Where feasible, new sources shall meet MCLGs without treatment.

6.16 Health Advisories

For contaminants which may be detected in a **Public** water system for which MCLs or MCLGs have not been adopted, and the Vermont Commissioner of Health has established a Vermont Health Advisory Level for it, the Secretary may adopt the Advisory Level as an MCL or MCLG.

6.17 Treatment Techniques

- 6.17.1 All **Public** water systems shall comply with the acrylamide and epichlorohydrin provisions of 40 CFR, Part 141, Subpart K, Treatment Techniques.

Subchapter 21-7 FACILITY AND OPERATION REQUIREMENTS

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic Bottled** water systems.

The design, construction, installation, extension, modification, location, maintenance and operation of all **Public** water systems and bottled water and bulk water plants or parts thereof shall comply with the requirements of this rule, Appendices A through D, and the relevant sections of 40 CFR, Part 141 as provided below.

7.1 Operation & Maintenance

- 7.1.1 All **Public** water systems except **Transient Non-Community** water systems shall have an Operation and Maintenance Manual approved by the Secretary and shall be operated in a manner consistent with the approved Operation & Maintenance Manual (See Appendix D). **Transient Non-Community** water systems with treatment are recommended to have an Operation and Maintenance Manual and to operate in accordance with it.
- 7.1.2 All water storage tanks shall be comprehensively inspected, inside and out, every 5 years, except for newly constructed, newly painted (inside), or newly reconditioned tanks (inside and outside), which shall be inspected within 10 years of service and every 5 years thereafter. The inspection of the outside of a buried or partially buried tank may be limited to exposed portions. The inspection, findings, and servicing documentation shall be retained in the water system's files for review upon request.

7.2 Disinfection

- 7.2.1 Disinfection facilities are required of all **Public Community** and **Non-Transient Non-Community** water systems. **Public Community** and **Non-Transient Non-Community** water systems shall have the capability of continuous disinfection. **Public** water systems shall conform to the disinfection provisions of 40 CFR, §141.72. Disinfection shall be administered as described in Subpart 4.3 of Appendix A.
- 7.2.2 Continuously operating disinfection is required by the Secretary for all surface water sources and for groundwater sources under the direct influence of surface water. The Secretary may require intermittent or continuously operating disinfection for any other **Public** water system, when he or she determines it necessary for the protection of public health, including but not limited to sources determined to be vulnerable to pathogenic contamination (see Section 6.2).

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- 7.2.3 **Public** water systems which provide filtration must provide disinfection treatment as required by 40 CFR, §141.72(b)(1)(2)(3). Residual disinfectant concentration of the finished water shall be monitored as required by 40 CFR, §141.74(c)(2)(3).
- 7.2.4 As also stated in Appendix A 5.2.2, all products or chemicals which may come in contact with water intended for use in a **Public** water system shall meet American National Standards Institute/NSF International Standards, specifically ANSI/NSF Standards 60 and 61.
- 7.2.5 Disinfection facilities are recommended for all **Transient Non-Community** water systems.

7.3 Fluoridation

- 7.3.1 **Public** water systems which add fluoride to drinking water for dental health purposes, in addition to complying with the maximum contaminant levels established in Subchapter 21-6, shall control the level of fluoride in accordance with current Centers for Disease Control and Prevention guidelines.
- 7.3.2 Water systems that add fluoride shall test to determine the amount of fluoride in the finished water at least once per day, or more often if required by the Secretary.
- (a) Residual testing equipment shall enable measurement of fluoride to the nearest 0.2 mg/l in the range from 0.0 mg/l to 4.0 mg/l.
 - (b) Analyses for fluoride residual shall be conducted in accordance with the analytical recommendations set forth in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, American Public Health Association, unless otherwise approved by the Secretary.
 - (c) Results of daily fluoride tests shall be reported to the Secretary in accordance with Subchapter 21-9.

7.3.3 Secondary Controls

Secondary control systems for fluoride chemical feed devices shall be required by the Secretary as a means of reducing the possibility for overfeed or for pacing fluoride delivery to water flow. These may include flow or pressure switches or other devices.

7.4 Corrosion Control

- 7.4.1 **Public Community** and **Public Non-Transient Non-Community** water systems shall implement corrosion control programs in compliance with 40 CFR, Part 141, Subpart I, *Control of Lead and Copper*.

7.5 Sanitary Surveys

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- 7.5.1 All **Public** water systems must comply with the Sanitary Survey provisions of 40 CFR, §141.21(d), 40 CFR §141.401, 40 CFR §141.536, 40 CFR §141.711, 40 CFR §141.716, and 40 CFR §141.723.

7.6 Source Protection

- 7.6.1 All **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems shall have a Source Protection Plan approved by the Secretary and shall maintain the plan as required in Subchapter 21-16. **Public Transient Non-Community** water systems are encouraged to develop and maintain a Source Protection Plan.

- 7.6.2 Standards and Criteria for Source Protection.

Standards and Criteria for Source Protection Plans covered under this subchapter shall follow the criteria and standards for source protection as set forth in Subchapter 21-16 and in the statutory requirements of 10 V.S.A., Chapter 56.

7.7 Adequate Water Supply Required

- 7.7.1 A **Public** water system shall provide an adequate supply of potable water during average and peak user demand periods on a sustained basis to all users.
- 7.7.2 If a **Public** water system is unable to reliably and consistently produce an adequate supply of potable water from permitted non-emergency sources to meet normal and peak demands, the owner shall immediately begin planning for and implementing the development and connection of new permitted sources to meet average and peak user demands.
- 7.7.3 When user demand exceeds supply, the owner shall, on an emergency short-term basis, take appropriate action to reduce nonessential demand. Reduction of demand shall be considered as an emergency response achievable by directive from the water system to its users, which may include the implementation of water conservation practices and the prohibition of water use for nonessential purposes (e.g., lawns, gardens, vehicle washing).
- 7.7.4 When a water system does not have an adequate supply for its users, the Secretary may require the **Public** water system to supply potable water through other means, including but not limited to, bottled water, bulk water, and development of a new source, or to impose mandatory water conservation measures.

7.8 OSHA and VOSHA Compliance

All **Public** water system facilities and operations shall comply with OSHA and VOSHA regulations, as applicable, including but not limited to confined space posting and entry requirements, chemical storage and handling, electrical safety, personal protective equipment,

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fall protection, lockout and tagout procedures, excavation safety, stairway and ladder safety, record keeping, reporting, and training. This section does not impose more stringent requirements than is independently imposed on water systems by OSHA/VOSHA regulations.

7.9 Composite Correction Program Compliance

The Secretary may require a **Public** water system to conduct a Composite Correction Program (CCP) which may include implementation of any follow-up recommendations that result as part of the CCP. The CCP consists of two elements—a Comprehensive Performance Evaluation (CPE) and Comprehensive Technical Assistance (CTA). A CPE is a thorough review and analysis of a plant's performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. A CTA is the performance improvement phase that is implemented if the CPE results indicate improved performance potential. During the CTA phase, the system must identify and systematically address plant-specific factors. The CTA is a combination of utilizing CPE results as a basis for follow-up, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

7.10 Operation of PFAS Treatment System

Online and stand-by treatment is required for PFAS treatment for **Public Community** and **Non-Transient Non-Community** water systems, unless the water system takes a quarterly mid-point sample, reports the sample result to the Secretary, and initiates changeout procedure when mid-point sample result exceeds any respective PFAS contaminant MCL(s). The water system shall operate one train on standby at all times until breakthrough of any of the PFAS compounds listed in Section 6.12 is detected at the entry point to the distribution system. Once breakthrough occurs at the entry point to the distribution system, the water system shall valve-off the expired train(s) and valve-on their stand-by train. Approved start-up procedures shall be followed as necessary, including a filter-to-waste step. Water systems with PFAS treatment shall record and report to the Secretary a master meter reading when it collects PFAS samples.

Subchapter 21-8 CROSS CONNECTION CONTROL

Introduction

This subchapter applies to the following water systems:

- a. **Public Community** water systems;
- b. **Public Non-Transient Non-Community (NTNC)** water systems;
- c. **Public Transient Non-Community (TNC)** water systems; and
- d. **Domestic and Imported Bottled** water systems.

8.1 Cross Connections

- 8.1.1 No physical connection, unless approved by the Secretary, shall be permitted between the distribution system of a **Public** or **Non-Public** water system and any pipes, pumps, hydrants, tanks or other water systems whereby contaminated or polluted water or other contaminating substances may be discharged or drawn into the **Public** and **Non-Public** water system. Any physical connection with a non-potable source of water shall include an adequate backflow prevention device which meets the requirements of American Water Works Association Standards. Air gaps installed for the purpose of backflow prevention shall be a minimum of 6 inches or twice the discharge pipe diameter, whichever is greater.
- 8.1.2 Where an investigation or inspection by a **Public** water system discloses that a cross connection exists, the water supplier shall take immediate action to completely eliminate the cross connection.

Subchapter 21-9 REPORTING REQUIREMENTS AND RECORD KEEPING

Introduction

This subchapter applies to the following water systems:

- a. **Public Community** water systems;
- b. **Public Non-Transient Non-Community** (NTNC) water systems;
- c. **Public Transient Non-Community** (TNC) water systems; and
- d. **Domestic Bottled** water systems.

9.1 Reporting

9.1.1 Except where a shorter period is specified in 40 CFR, Part 141 Subpart D, the water supplier shall report to the Secretary the results of any test measurement or analysis required by 40 CFR Part 141 or Section 6.12 within the first ten days following the month in which the result is received or the first ten days following the end of the required monitoring period as stipulated by the Secretary, whichever is shortest. Reporting shall be conducted in accordance with the applicable sections of 40 CFR, Part 141, Subpart D, Reporting and Record Keeping requirements. Additional reporting is required by Subsection 9.1.2 of this subchapter, below.

9.1.2 All **Public** Water Systems providing treatment and all **Public Community** water systems shall submit a signed report to the Secretary at least once a month (or as otherwise directed by the Secretary) no later than ten (10) days following the end of the month, with the following information, as applicable.

- a. A summary of the water system operation, including the amount of water produced or purchased;
- b. Results of water temperature measurements;
- c. Results of all turbidity analyses;
- d. Results of chlorine residual analyses;
- e. Results of fluoride residual analyses;
- f. Results of pH analyses;
- g. Calculated CT values for highest peak hourly flow during the month; and
- h. Any other information specified by the Secretary as a condition of a permit or temporary permit to operate.

Sample collection for the analyses identified in (b) through (g) above, as applicable, shall be from water at the Entry Point to the Distribution System. The summary shall be submitted either on a form or in digital format prescribed by or approved by the Secretary. All laboratory test results submitted shall include copies of the original test reports on the letterhead of the laboratory which performed the analyses unless other arrangements have been approved by the Secretary.

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- 9.1.4 The water supplier shall notify local law enforcement officials and the Secretary immediately upon discovering a threat to water quality or quantity due to vandalism, tampering, verbal or written threat, or sabotage.

9.2 Record Keeping

- 9.2.1 Record maintenance shall be conducted in accordance with 40 CFR, §141.33, Record Maintenance.
- 9.2.2 Results of PFAS monitoring required pursuant to Section 6.12 shall be retained for 10 years.

Subchapter 21-10 PUBLIC NOTIFICATION

Introduction

This subchapter applies to the following water systems:

- a. **Public Community** water systems;
- b. **Public Non-Transient Non-Community** (NTNC) water systems;
- c. **Public Transient Non-Community** (TNC) water systems; and
- d. **Domestic and Imported Bottled** water systems.

10.1 General Notification Requirements

10.1.1 All **Public** water system suppliers shall give public notification in accordance with 40 CFR, Part 141, Subpart Q, Public Notification of Drinking Water Violations, including the standard health effects language for public notification in Appendix B to Subpart Q of Part 141; and 40 CFR, Part 141, Subpart S, Ground Water Rule §141.403(a)(7) Special notice to the public of significant deficiencies or source water fecal contamination. Notice shall be on a form provided by the Secretary with any additional information or language determined to be essential based on the severity of the violation and the specific health language required.

10.1.2 For monitoring and reporting violations and MCL violations involving PFAS, **Public** water systems shall give public notification following the language in Table 6-4 above.

10.1.3 All **Public** water systems with an Operating Permit containing a schedule which requires compliance with specific provisions of this rule by specified dates shall provide public notice at least annually of the schedule and the reasons for the schedule. These notices shall follow the requirements of this subchapter. **Public Community** water systems may satisfy this requirement via notice in their annual consumer confidence report.

10.2 Other Notification Requirements

10.2.1 For any required public notification not covered by 40 CFR, Part 141, Subpart Q, or by the Water Supply Rule (e.g., variances from technical standards, conditions of permits, notices of alleged violations), or when the Secretary determines, in their judgment, public notification is necessary for the protection of public health, a **Public** water system shall provide the public notification prescribed by the Secretary. The water supplier shall be notified by the Secretary of the particular notification requirements. The Secretary shall use the information on record from the respective water system to provide the water system with the notification.

10.2.2 The Secretary may prescribe the content of the notice, the method of distribution, and the time to issue the notice.

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10.2.3 The Secretary may modify the requirements of this subchapter, or require additional public notification measures (e.g., Boil Water notices, Do Not Drink notices, or other language) when necessary, in their judgment, to inform consumers of the water for protection of public health. Such additional measures may include other forms of notification and specific language in the notice.

10.2.4 The water supplier shall accomplish notification as prescribed by the Secretary depending on the type of system and population served. The water supplier shall give a copy of any current public notice to all new billing units or new hookups no later than the time service begins.

The Secretary may require any combination of the following forms of notification that he or she deems are necessary to adequately inform the consumers:

- a. Through publication in a daily newspaper of general circulation in the area served by the system. If the area served is not covered by a daily newspaper of general circulation, notice shall be given by publication in a weekly newspaper of general circulation in the area served;
- b. Through announcement on local radio stations or television stations;
- c. Through posting of the notice in conspicuous locations in the service area;
- d. Through written notice to each user by mail, included with the water bill, or by hand delivery; or
- e. Through any other means determined by the Secretary to provide effective notice.

10.2.5 When the condition(s) requiring public notification continue in effect, the water supplier shall make repeat notification as prescribed by the Secretary.

10.2.6 When a water supplier is required to issue a public water notice, the system shall notify consumers within the time prescribed by the Secretary. All notices required by the Secretary shall use the language and format provided by the Secretary. All notice language shall be presented in a plainly visible manner. Any deviations from the prescribed notice language or format must be approved by the Secretary.

10.2.7 When a water system has a first-time exceedance of an MCL of a contaminant identified in Table 6-5, with the exception of *E. coli*, public notice is required to be distributed to system users within 24 hours of being notified of the exceedance. Public notice for *E. coli* MCL exceedances shall comply with the public notification requirements of 40 CFR 141 Subpart Y and include a Boil Water Notice to system users.

10.3 Certification of Notice

Within ten days of issuance of a required public notice, the water system owner shall submit to the Secretary a certification that it has fully complied with the public notification requirements, on a form supplied by the Secretary. The water system owner shall include with the certification a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system and to the media.

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10.4 Notice by Secretary

In addition to these requirements, the Secretary may issue any notice(s) he or she determines is necessary to inform consumers and the general public of possible public health risks or hazards.

10.5 Consumer Confidence Reports

All **Public Community** water suppliers shall prepare and directly deliver an annual consumer confidence report on the quality of the water by July 1 of each year to the customers of the water system. The report shall be based on the immediately preceding calendar year. All **Public Community** water systems shall comply with the provisions of 40 CFR, Part 141, Subpart O *Consumer Confidence Reports* including Appendix A to Subpart O of Part 141 –Regulated Contaminants and the following requirements.

10.5.1 A copy of the report and a certification statement, stating that the report was directly delivered to all customers, shall be sent to the Drinking Water and Groundwater Protection Division no later than July 1 of each year.

10.5.2 The report shall include, but not be limited to:

- a. Information about the source, or sources;
- b. Definitions;
- c. Information on detected contaminants displayed in a table;
- d. Information on Cryptosporidium, radon, and other contaminants;
- e. Information on all monitoring results for PFAS from the preceding five calendar years;
- f. Compliance status with state and federal regulations;
- g. Variances and exemptions;
- h. A brief explanation regarding contaminants found in drinking water;
- i. Telephone number of the owner, operator, or water system designee;
- j. Information about opportunities for public participation;
- k. Required additional health information; and
- l. Any other reporting requirements established by the Secretary in addition to those identified here.

Subchapter 21-11 BOTTLED & BULK WATER

Introduction

This subchapter applies to the following water systems:

- a. **Domestic and Imported Bottled** water systems; and
- b. Systems that distribute or transport bulk water intended for human consumption or other consumer uses (i.e., a bulk water hauler).

Bottled or bulk water intended for human consumption and other consumer uses meets the definition of drinking water at 10 V.S.A., §1671, and therefore is regulated by this rule. The public distribution and sale of bottled water shall be permitted by the Secretary before such water is sold or delivered in Vermont. Facilities which produce bottled water, **Domestic and Imported Bottled** water systems, are considered **Public** water systems and shall meet all the applicable requirements of this rule, including the Appendices.

11.1 Bottled Water

11.1.1 General requirements for **Domestic and Imported Bottled** water systems

- a. No person shall provide bottled water for public distribution or sale in Vermont without a Permit to Operate issued pursuant to Subchapter 21-3 (for a **Domestic Bottled** water system) or an Approval to Sell Bottled Water in Vermont (for an **Imported Bottled** water system).
- b. For any proposed or new **Domestic or Imported Bottled** water system the application for the Permit to operate or Approval to Sell Bottled Water in Vermont shall include:
 - 1. methods employed in the bottling operation;
 - 2. recall plan;
 - 3. water treatments used;
 - 4. a flow diagram from the source through the bottling operation; and
 - 5. a label for each container size of the bottled water product that is to be distributed or sold in Vermont which contains the information in Subsection 11.1.1(d).
- c. All changes to labels must be approved through an amendment to a water system's Permit to Operate or an Approval to Sell Bottled Water in Vermont prior to the distribution or sale of products with the label in Vermont.
- d. All bottled water labels shall contain the following information:
 - 1. The name of the manufacturer, packer, or distributor.

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2. The place of business of the manufacturer, packer, or distributor (which may be a corporate location in lieu of bottling location).
 3. For water sourced from private springs and/or wells:
 - a. The type of source (i.e. private spring, private well); and
 - b. The location of the source
 4. For water from a **Public** water system that does not meet the definition of “purified water” or “sterile water” under 21 CFR §165.110(a)(2)(iv) and (a)(2)(vii):
 - a. A statement reading “from a community water system” or alternatively “from a municipal source”, as appropriate; and
 - b. The name and location of the water system.
 5. For water from a **Public** water system that meets the definition of “purified water” or “sterile water” per 21 CFR §165.110(a)(2)(iv) and (a)(2)(vii) and is labeled as such, no source information shall be required.
- e. All bottled water shall be filtered, processed, and packaged in accordance with the Federal Food and Drug Administration Good Manufacturing Practice Regulations (GMPRs) as found in 21 CFR, Parts 110 and 129, in addition to the requirements of this rule. The **Domestic and Imported Bottled** water system shall certify in their application to the Secretary that they are in compliance with the Federal Food and Drug Administration GMPRs.

11.1.2 Requirements specific to **Imported Bottled** water systems

- a. In the application for the Approval to Sell Bottled Water in Vermont:
 1. The **Imported Bottled** water system shall include a statement from the appropriate regulatory agency with jurisdiction over the bottled water system indicating that the facility has been approved to bottle or package water for human consumption shall be submitted. This approval may be in the form of a copy of a certificate, license, permit, or a letter of approval from the agency.
 2. The Secretary may require the Bottled water system to submit of a copy of the laws and regulations on bottled water processing from the regulatory agency having jurisdiction.
 3. In accordance with 10 VSA §1673(f)(1), the **Imported Bottled** water system shall certify that the water and the source and system of the imported water is regulated by drinking water standards or requirements substantially equivalent to or more stringent than standards or requirements established by the Secretary pursuant to 10 VSA §1672(b).
 4. The **Imported Bottled** water system shall submit monitoring results for all contaminants identified in Tables 6-5 and 6-6 of Subchapter 21-6 that

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is measured at locations representative of each source prior to treatment and from each finished bottled water product type to be distributed or sold in Vermont. These results must be collected no earlier than twelve (12) months before the date of the application, with the exception of the microbiological analyses which shall be collected no earlier than thirty (30) days before the date of the application.

- b. **Imported Bottled** water systems shall submit monitoring results for the contaminants identified in Table 6-5 of Subchapter 21-6, at the sampling frequency and for the number of samples identified in Table 11-1, measured at locations representative of each source prior to treatment and from each finished bottled water product type distributed or sold in Vermont.

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Table 11-1 – IMPORTED BOTTLED WATER MONITORING REQUIREMENTS

Category of Contaminant ⁽¹⁾	Sampling Frequency	Number of Samples	
		Per Source	Per Product Type
Microbiological Total Coliform	Monthly ⁽²⁾	1	4
Heterotrophic Plate Count (HPC)	Monthly ⁽²⁾	1	4
Primary Inorganic Chemicals (including lead and copper)	3 Years	1	1
Volatile Organic Chemicals	3 Years	1	1
Synthetic Organic Chemicals	3 years	1	1
Per- and polyfluoroalkyl substances (PFAS)	3 Years	1	1
Radionuclides: Gross Alpha, Combined Radium 226 & 228, and Uranium	3 Years	1	1
Disinfectant By-products and Disinfectant Residual	According to 40 CFR, Part 141, Subpart L		

- (1) See Table 6-5 for a detailed list of contaminants and associated MCLs and MRDLs for each group of contaminants.
- (2) If bottling does not occur monthly, a letter must be submitted in place of the monthly sample to avoid receiving a monitoring violation.
- c. The Secretary may require additional water quality monitoring for protection of public health and welfare.
- d. **Imported Bottled** water systems shall comply with the MCLs identified in Table 6-5 in accordance with the below:
1. An **Imported Bottled** water system that is in receipt of water quality monitoring data showing an exceedance of an MCL, or who becomes aware of water quality monitoring data showing an exceedance of an MCL, in their source or one or more of their products, shall immediately notify the Secretary and provide the results, when available to the water system, to the Secretary.
 2. If water quality monitoring data shows an exceedance of an MCL in an **Imported Bottled** water system source or one or more of their products,

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- and when the Secretary determines it is necessary to protect public health, the Secretary may direct the **Imported Bottled** water system to cease distribution and sale of the affected products and make all efforts to remove the affected products from distribution and sale in Vermont. The Secretary may require other measures necessary to protect public health, including the suspension or revocation of the system's authorization.
3. Regulation of PFAS at **Imported Bottled** Water Systems: **Imported Bottled** water Systems shall submit PFAS sample results for each bottled water product type upon initial application and no less frequently than once every three years. Sample results shall be submitted no later than January 1, 2027. If a sample documents a reported level above the MCL for PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS as defined in Table 6-5 above, the bottled water system shall re-sample that product type within 10 days and submit the results to the Secretary. If the average of the compliance sample and confirmation sample is above any PFAS MCL, the **Imported Bottled** water system is in violation of the PFAS MCL and shall comply with Section 11.1.2(d)(2) above.
 4. **Imported Bottled** water systems with sampling result(s) that identify the presence of any PFAS chemical identified in Table 6-5 at or above any of the trigger levels identified in Table 6-1 but below the MCL(s) shall complete PFAS compliance monitoring established in Section 6.12.2.2(b) as if it were a Public Community or Non-Transient Non-Community water system. Should a sample result exceed one of the MCL(s) identified in Table 6-5, the system shall comply with 11.1.3(b). If the results are determined to be reliably and consistently below the MCL(s), the Secretary may allow a reduction in sampling as established in Section 6.12.2.2(b).
 - e. If the Heterotrophic Plate Count is greater than or equal to 500 colony forming units per 1 ml, the water system shall investigate the source of contamination and bottling operation, and report the findings to the Secretary.

11.1.3 Requirements specific to regulation of PFAS at **Domestic Bottled** water systems.

(a) **Domestic Bottled** water Systems shall submit PFAS sample results for each source and bottled water product type upon initial application and no less frequently than once every three years according to table 6-6. Sample results shall be submitted no later than January 1, 2027 for all permitted **Domestic Bottled** water systems. If a sample documents a reported level above the MCL for PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS as defined in Table 6-5 above, the **Domestic Bottled** water system shall re-sample that product type within 10 days and submit the results to the Secretary. If the average of the compliance sample and confirmation sample is above any PFAS MCL, the **Domestic Bottled** water system is in violation of the PFAS MCL and shall comply with section 11.1.3(b).

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(b) If water quality monitoring data shows an exceedance of the PFAS MCL in a **Domestic Bottled** water system source or one or more of their products, and when the Secretary determines it is necessary to protect public health, the Secretary may direct the **Domestic Bottled** water system to cease distribution and sale of the affected products and make all efforts to remove the affected products from distribution and sale in Vermont. The Secretary may require other measures necessary to protect public health, including the suspension or revocation of the system's authorization.

(c) **Domestic Bottled** water systems with sampling result(s) that identify the presence of any PFAS chemical identified in Table 6-5 at or above any of the trigger levels identified in Table 6-1 but below the MCL(s) shall complete PFAS compliance monitoring established in Section 6.12.2.2(b) as if it were a Public Community or Non-Transient Non-Community water system. Should a sample result exceed one of the MCL(s) identified in Table 6-5, the system shall comply with 11.1.3(b) above. If the results are determined to be reliably and consistently below the MCL(s), the Secretary may allow a reduction in sampling as established in Section 6.12.2.2(b).

11.2 Bulk Water

11.2.1 General requirements

Bulk water is potable water for human consumption delivered to the consumer or a **Public** water system by means other than a pipeline or bottled water. It is typically delivered by tanker truck or trailer. Bulk water delivery is usually limited to emergency or temporary situations except for those bulk water operations permitted by the Secretary to be used as a source for **Bottled** water systems.

11.2.2 Source requirements and water quality standards

No person shall distribute, transport, or provide bulk water for human consumption or other consumer uses unless:

- a. the water is supplied from either a permitted **Public Community** water system or a **Domestic Bottled** water system permitted by the Secretary;
- b. a loading station that complies with the requirements of Appendix A, Subpart 8.11, Water Loading Stations is used to fill the bulk water tankers;
- c. the bulk water contains a free chlorine residual between 1.0 ppm and 4.0 ppm, or the bulk water supplier meets the requirements as specified under Subsection 11.2.3; and
- d. other requirements that may be imposed by the Secretary to protect public health and welfare are met.

11.2.3 Tanker requirements for hauling water

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- a. No person shall provide bulk water for human consumption unless the water tanker, water hoses, valves, and other surfaces coming into contact with the water are constructed of smooth, nonabsorbent, corrosion-resistant, and non-toxic material safe for contact with potable water.
- b. A bulk water hauler shall develop and implement a Standard Operating Procedure (SOP) to ensure and document the sanitary conditions of the bulk water hauling operation for each delivery. This SOP shall outline the frequency and method of the vehicle tank cleaning, Total Coliform Bacteria testing, and Heterotrophic Plate Count (HPC) testing. If the HPC count is greater than or equal to 500 colony-forming units per 1 ml, the bulk water hauler shall investigate and correct the source of contamination. The SOP shall be available to the Secretary upon request.
- c. All bulk water transportation vehicles shall be dedicated to the sole purpose of transporting drinking water as defined by 10 VSA, Section 1671 and shall meet all the applicable requirements of this rule, including the Appendices (e.g., Filling Station requirements in Appendix A Subpart 8.11 and Finished Water Storage in Appendix A Subpart 7).

Subchapter 21-12 WATER SYSTEM CLASSIFICATION AND OPERATOR CERTIFICATION

Introduction

This subchapter applies to the following **Public** water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic Bottled** water systems.

12.1 General

All **Public** water systems shall be operated by a certified operator of the appropriate class as defined in this subchapter. A certified operator is one who has met the requirements of this subchapter and has a current, valid certification from the Secretary.

All **Public** water systems must have a Designated Certified Operator in responsible charge available at all times. “Available” means a Designated Certified Operator must be on site or able to be contacted as needed to initiate the appropriate action in within one (1) hour if not already on-site when an issue requiring Operator attention occurs.

The Secretary may revoke an operator’s certification and/or direct an owner to cease participation with a contract operator if one of the following occurs:

- 1. The water system or water system Operator violates portions of this Rule or any applicable State or Federal law, regulation, or rule within the scope of the Operator’s control and related to the Operator’s required duties.
- 2. There is a threat to public health as a result of an activity or inactivity due to the actions of the certified Operator.

For purposes of certifying **Public** water system operators, each **Public** water system shall be classified according to the type of source water, degree of treatment, and in the case of Class 4, according to size of population served. The class of operator certification required is dependent upon the classification of such facility.

12.2 Responsibilities and Duties

12.2.1 Owner’s Responsibilities

- 12.2.1.1 The owner shall be responsible for the water system’s compliance with this Rule, the Federal Safe Drinking Water Act, Vermont statutes, and the regulations developed pursuant to all.

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12.2.1.2 The owner shall be a certified operator or shall identify a Designated Certified Operator to be responsible for quality, quantity, and process control, and system integrity decisions involving public health, treatment, storage, distribution, and standards compliance. Such designation shall be in writing using a form provided by the Secretary, signed by the owner or the owner's duly-authorized representative, and be submitted for review by the Secretary.

12.2.1.3 The owner of any **Public** water system shall place the direct supervision of the water system under the responsible charge of the designated certified operator(s) (see Subsection 12.2.1.2). Each public water system shall identify one Designated Certified Operator and may identify additional certified operators. The owner shall place the certified operator(s) in responsible charge of all quality, quantity, process control, and system integrity decisions involving public health, treatment, storage, distribution, and standards compliance. The certified operator shall hold a valid certification equal to or greater than the classification of the treatment facility and distribution system. The Water System's O&M Manual shall include a short-term staffing plan in the event that a Designated Certified Operator is on vacation or temporarily unavailable or cannot access the water system within 1 hour.

12.2.2 Certified Operator's Responsibilities

The certified operator shall comply with the following requirements as a condition of their certification:

- (a) The certified operator(s) in responsible charge must hold a valid certification equal to or greater than the classification of their water system, including each treatment facility and distribution system, as determined by the Secretary.
- (b) The Designated Certified Operator shall perform the following duties or delegate to another certified operator associated with the water system, if applicable:
 - 1. Conduct visual inspections of the system's source, source water protection area, storage facilities, and chemical addition systems at an appropriate frequency giving consideration to the system's design, location, vulnerability, Operations and Maintenance Manual (see Appendix D), and other relevant factors.
 - 2. Be familiar with all aspects of the treatment and distribution system operation of the water system.
 - 3. Review and adhere to the system's monitoring schedule.
 - 4. Ensure that all samples are delivered to a certified laboratory in a timely manner.
 - 5. Inspect system within 24 hours of water system failures that threaten public health.
 - 6. Notify owner of any violation(s) of this Rule.
 - 7. Ensure the accuracy of water meters and other flow measuring devices.
 - 8. Keep abreast of changes in the drinking water regulations and safety regulations.
 - 9. Fulfill certification and certification renewal requirements.

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10. Operate and maintain system in accord with the Operation & Maintenance Manual and Permit to Operate.
11. Attend all sanitary survey inspections and site assessments as directed by state personnel.
12. Oversee source water protection, watershed protection, and other activities associated with chemical waivers or otherwise required by this Rule.
13. Keep complete and accurate water system records.
14. Carry out all required reporting requirements including submitting a complete monthly report to the Secretary by the 10th day of the following month when required.
15. Develop and maintain an accurate site plan showing the water source and distribution system.
16. Respond to consumer complaints promptly.
17. Comply with all applicable state and federal statutes, rules and orders governing water system regulation.
18. Conduct all duties with reasonable care and judgment for the protection of public health, public safety, and the environment.
19. Manage the system's flushing program.
20. Manage the system's valve exercise and operation.
21. Set and adjust chemical dosage.
22. Set, adjust, and replenish chemical mixes and batches.
23. Supervise, authorize, and accept responsibility for repairs, maintenance, and inspection of water system infrastructure.

(c) The Certified operator may, at their discretion, delegate to on-site or contracted personnel the following tasks, to be completed under the authority of the certification of the water system's validly-certified operator:

1. Routine chemical residual monitoring;
2. Meter reading;
3. Collection of water quality samples;
4. Transportation of water quality samples;
5. Maintenance of water system grounds;
6. Compilation of information for monthly reporting;
7. Monitoring and/or recording of system pressure;
8. Routine visual inspections of water system infrastructure;
9. Checking and adding salt to ion exchange reservoirs as needed;
10. Collection of routine total coliform samples;
11. Water storage tank inspection/cleaning;
12. UV treatment system maintenance; and
13. Other treatment equipment maintenance under contract.

(d) In instances where a water system is required to have both a treatment class operator and a class D operator, the designated certified operator shall possess the appropriate treatment class certification.

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12.3 Operator Certification

- 12.3.1 To be eligible for initial operator certification, each applicant must:
- (a) Submit an application on a form provided by the Secretary;
 - (b) Meet the educational and experience requirements set forth in Section 12.9;
 - (c) Classes 2, 3, 4 and D shall obtain a passing grade on the certification examination approved by the Secretary (Class 1 operators need registration only) within the last 5 years;
 - (d) Pay any required fee; and
 - (e) Classes 2, 3, 4, and D must satisfy the requirements of Operator in Training established in 12.6 below; and
 - (f) Satisfy all other state mandated requirements for professional licensing and certification.
- 12.3.2 When replacing a Designated Certified Operator, the water system owner shall notify the Secretary in writing no later than 24 hours following the departure of the Designated Certified Operator of a plant or system. The water system shall designate a new Designated Certified Operator within 15 days following the date the Certified Operator ceases operation of a plant or system.
- 12.3.3 Whenever a new **Public** water system is constructed, the water supplier shall employ or contract with an operator certified in the corresponding class for the new facilities.
- 12.3.4 When significant modifications are made to an existing **Public** water system which change the system's classification, the owner shall designate an operator of the appropriate class or higher who is available to operate the water system within 30 days. If the historic operator does not possess the required class certification as the system following the change in treatment, they are no longer eligible to be the Designated Certified Operator of the system and the historic operator must satisfy the requirements of 12.3.6 below to obtain an upgraded class certification. This includes working under the supervision of a validly certified operator of the appropriate class.
- 12.3.5 An operator holding a treatment certification in any class is permitted to operate all facilities in that treatment class and any lower treatment class. Class 4C is the highest Vermont water operator treatment class. Class D operators must also possess a treatment certification to operate any class treatment system otherwise they may only operate class D systems as defined by 12.8.5 below.
- 12.3.6 A certified operator may move from class or sub-class 2, 3, or 4A, 4B, or 4C to the next higher class if they satisfy all of the following:
- (a) the operator has obtained a passing grade on the examination of the higher class; and
 - (b) they have worked as an operator-in-training for six months in the next higher class and satisfied the requirements of 12.6 below.
- 12.3.7 A certified operator seeking a Class D certificate shall satisfy the requirements for initial certification. There is not an avenue through which operators may move into D from a

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treatment-related class certificate or from D into a treatment-related class without satisfying the requirements of 12.3.1 above.

- 12.3.8 Applicants who did not obtain a passing grade on a written certification may not re-take the examination for 30 days. Following the 30-day period, applicants may be retested at any scheduled examination for the particular class or via computer-based examination.
- 12.3.9 The operator's current certification shall be displayed in the office or plant of the system, and provided for inspection upon reasonable request.

12.4 Revocation or Suspension of Operator Certification

- (a) The Secretary may suspend or revoke an operator's certificate granted under this section, if the Secretary finds good cause to do so. Good cause to suspend or revoke, an operator's certificate shall include any of the following:
 - 1. Failing to adhere to or use care, judgment, and knowledge in the completion of the operator's duties identified in 12.2.2 resulting in an actual or potential threat to public health;
 - 2. Actual or potential threats to public health that arise when uncertified on-site personnel acting under the delegated authority of the designated certified operator fail to adhere to or uphold care, judgement, and knowledge in the completion of operational functions;
 - 3. Obtaining a certificate through fraud, deceit, or falsification;
 - 4. Submitting false or misleading information regarding any application for initial certification or certification renewal;
 - 5. Submitting false or misleading documentation relating to the operational, maintenance, monitoring, or reporting requirements of a **Public** water system;
 - 6. Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession. If an individual is convicted of either of these types of crimes, the Secretary shall consider the following in determining whether to deny or discipline a license or certification to the individual:
 - (a) the nature and seriousness of the conviction;
 - (b) the amount of time since the commission of the crime;
 - (c) the relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the profession; and
 - (d) evidence of rehabilitation or treatment
 - 7. Having a professional or occupational certification or license from another certifying or licensing authority suspended, revoked, or refused renewal or reinstatement for any of the reasons identified in this section.
- (b) the Secretary shall provide written notice of suspension or revocation including the reason(s) for such actions, to the operator involved. The effective date of the revocation or suspension will be the date specified in the notice sent to the operator. Any operator who receives such notification shall have thirty days from the receipt of the notice to submit a written request for a hearing to the Secretary. If requested, the Secretary shall provide an opportunity for a hearing. The submission of a request for a hearing does not stay the effective date of the Secretary's decision.
- (c) The Secretary shall set forth what steps, if any, may be taken by the certificate holder to reapply for certification if a previous certificate has been revoked.

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- (d) In situations where the operator does not control the budget for water system maintenance and/or compliance, to avoid revocation of the certification, it is the designated certified operator's responsibility to either remove themselves from the system or inform the Secretary of the owner's intentions not to comply with this Rule.
- (e) The Secretary may refuse to renew an Operator's certification for any reason enumerated in section (a) of this provision.

12.5 Recertification of Expired Certificates

Any operator who fails to renew their certificate within sixty days following the expiration date of the certificate may not receive a new certificate until they retake the applicable examination, successfully pass the qualifying examination, and meet the requirements set forth in Section 12.3.1.

12.6 Operator-in-Training (OIT)

- 12.6.1 An Operator-in-Training (OIT) certification is required to operate a **Public** water system under the direct supervision of a certified operator and may be granted by the Secretary. Application must be made on a form supplied by the Secretary.
- 12.6.2 Upon written notification by the certified operator overseeing the OIT's operational experience, that the OIT has completed the minimum required operational experience for full certification in the appropriate class, and an accompanying statement that the OIT is capable of operating a public drinking water system to the satisfaction of the operator to warrant issuance of a certificate, the Secretary may issue the appropriate operator certificate provided the OIT has satisfied all operator certification requirements of this part. If the OIT is not able to submit such notification by the certified operator overseeing the OIT's operational experience, the Secretary may accept such notification and statement from non-certified operators only under extenuating circumstances.

12.7 Provisional Certification

- 12.7.1 A Provisional Certificate may be issued by the Secretary to an applicant for the operation of a specific water system when the applicant has not met the full certification requirements for experience in that water system class. A Provisional Certificate may be issued provided the specific water system has exhausted all reasonable efforts in recruiting a fully certified operator, and the applicant has obtained a passing grade on the operator examination for the particular water system class.
- 12.7.2 The Provisional Certificate Application shall be co-signed by the applicant and the owner of the water system which will be served by the provisionally certified operator. The owner of the water system shall certify that the applicant has had operator training by industry professionals, or other certified operator(s) and is capable of operating the specified water system. The Provisional Certificate has the following restrictions:
 - (a) It shall be issued for operation of a single, specific water system;

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- (b) It shall be valid only for a time period equal to the minimum operating experience requirements identified in Table 12-1 of Section 12.9; and
- (c) It shall be non-transferable.
- (d) Shall be contingent of review/approval of the system's O&M Manual and a compliance determination.

12.7.3 To convert from a Provisional to a Full Certificate, applicants must:

- (a) present evidence of having been employed in a particular water system for a specific amount of time, to include all time in training with equipment manufacturers, consultants, or other certified trainers/operators (see Table 12-1, of Subsection 12.9; and
- (b) present evidence of having obtained a passing grade on an examination for the particular classification being sought and evidence that all other certification requirements have been met (see Subsection 12.2.1).

12.8 Classification of Public Water Systems and Drinking Water Facilities

Each **Public** water system is to be classified by the Secretary as set forth in this rule. There will be five classes, 1 through 4 and D.

12.8.1 Treatment Class 1A

This class of **Public** water system includes **Transient Non-Community** water systems with distribution and using any of the following technologies

- (a) No treatment;
- (b) Ion exchange for the sole purpose of water softening;
- (c) Cartridge filtration for aesthetic purposes; or
- (d) Limestone contactors.

12.8.1.1 Treatment Class 1B

This class of **Public** water system includes **Transient Non-Community** water systems with distribution and using any of the following technologies:

- (a) Disinfection with chlorine or UV, including standby capability.
- (b) Treatment of secondary contaminants with an active service contract. The contract for such treatment must be kept up-to-date and made available to the Secretary upon request.

A higher class of operator is not required for point of use treatment at commercial establishments undertaken for aesthetic purposes. Aesthetic purposes as used here includes soda machines, beverage machines, coffee production, and similar activities, and such classification will be made at the discretion of the Secretary.

12.8.2 Treatment Class 2

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This class of **Public** water system includes **Public Community, Bottled, and Public Non-Transient Non-Community** water systems with distribution and any of the following technologies to treat groundwater:

- (a) No treatment;
- (b) Disinfection with chlorine or UV; including systems with standby chlorination;
- (c) Ion exchange for the sole purpose of water softening;
- (d) Treatment of secondary contaminants;
- (e) Limestone contactors if installed for aesthetic purposes only, not as a result of Lead and Copper sampling results, or;
- (f) Consecutive water systems, regardless of source type, that do not meet the definition of 12.8.5 below and provide treatment according to Class 2 specifications above.

12.8.3 Treatment Class 3

This class of **Public** water system applies to all **Public** water systems with distribution and any of the following technologies to treat groundwater:

- (a) Disinfection by other than chlorine or UV;
- (b) Sequestering of iron or manganese;
- (c) Fluoridation;
- (d) Corrosion control including limestone contractors if installed in response to a lead or copper action level exceedance;
- (e) pH control;
- (f) Air stripping;
- (g) Granular activated adsorption to address primary contaminants;
- (h) Ion exchange to achieve compliance with an MCL or the manganese health advisory;
- (i) Aeration;
- (j) Reverse Osmosis Micro filtration, nanofiltration, ultrafiltration;
- (k) Authorized blending to achieve compliance with a primary contaminant; or
- (l) Consecutive water systems regardless of source type that do not meet the definition of 12.8.5 and provide treatment according to class 3 specifications.

This class also includes all **Public** water systems using groundwater determined to be under the direct influence of surface water and which *have* a filtration waiver.

12.8.4 Treatment Class 4

This class of **Public** water system includes water systems which treat surface water, or which have groundwater determined to be under the direct influence of surface water with respect to which a filtration waiver has not been issued. Class 4 is further differentiated by population served by the system in the following sub-classes:

- 4A, for served populations between 25 and 500;
- 4B, for served populations between 501 and 3,300; and
- 4C, for served populations greater than 3,300

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For a system categorized in 4A or 4B above that is growing and whose class changes between sanitary surveys or other routine regulation, the Secretary shall consider administratively upgrading the class of the respective operators to accommodate the growth of the system.

12.8.5 Class D

1. This class of **Public** water system includes the following:

- (a) **Consecutive Public** water systems serving 500 people or more and that have only a distribution system. This type of Class D system purchases its water and does not have any source or treatment associated with it; this class of systems may have storage or pumping facilities.
- (b) **Public Community** water systems serving 500 or more people with any of the following are required to have an operator with both a treatment certification as identified above and either a “Legacy Distribution” or a Distribution certification as identified below or separate certified treatment and distribution system operators or certifications when there are:
 - 1) multiple pressure zones within the distribution system owned or operated by the **Public** water system; or
 - 2) fire protection through designated fire hydrants connected to the transmission or distribution system.
- (c) **Public Non-Transient Non-Community** water systems serving 500 or more people with fire hydrants connected to the distribution system for the purpose of firefighting are required to have an operator with both a treatment certification as identified above and a “Legacy Distribution” or a Distribution certification as identified below or separate certified treatment and distribution system operator(s) or certification(s).

2. **Public** water systems meeting the definition of 12.8.5(a), (b), or (c) above are required to obtain a certified Class D operator or the existing operator required to obtain a “Legacy Distribution” certification no later than *July 1, 2029*.

- (a) **Legacy Distribution Certification:** Operators who have passed a treatment exam prior to July 1, 2029 and can document 1.5 years of experience at a water system(s) meeting the definition of 12.8.5(a), (b), or (c) above, may attend and complete a State-provided distribution training class in lieu of taking the distribution class examination. Upon satisfactory completion of the state-provided training, these operators will be issued what will be referred to as a “Legacy Distribution” certification. This certification will apply only to the systems for which the operator has 1.5 years of experience or greater as of the time of submitting their application, no later than July 1, 2029. Should a “Legacy Distribution” operator wish to work at a system for which they previously do not have the required 1.5 years of experience, they would need to pass the Distribution exam to be granted a Distribution certificate according to this section.
 - (i) Legacy Distribution Certification renewal shall be linked with the respective treatment certificate and follow the 3-year renewal period assigned to the treatment classification.
- (b) **Distribution Certification:**
 - (i) Operators who have not previously passed the appropriate treatment exam or had the required 1.5 years of experience at a specific water system meeting the definition of

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12.8.5(a), (b), or (c) above will not be eligible to obtain a Legacy Distribution certification and instead shall meet the certification requirements for a Distribution certification as identified in this chapter including passing the certification examination and having the minimum required applicable experience.

(ii) Operators who earned a passing grade on the class D exam after January 1, 2018 who have not adhered to the certification renewal requirements of this section to maintain their D certification but have maintained a valid class 2, 3, or 4 treatment certification as of the date of application apply to reinstate their class full D certification prior to July 1, 2029 and be considered dual-certified moving forward so long as the continued requirements for certification renewal established in this section are met.

12.9 Experience and Education

12.9.1 In determining whether an applicant has the operating experience required for certification in a particular water system class, the Secretary shall consider the following:

- 1) the period of satisfactory experience as a system operator or OIT in the respective certification class sought; and
- 2) operating experience in the respective certification class sought accrued in another jurisdiction.

All satisfactory experience as noted above shall be considered toward the total experience required for certification in the particular class for which application is made. Operating experience is defined as time spent at a facility, plant, or system in satisfactory performance of operational duties.

12.9.2 All applicants shall have a high school diploma or a general equivalency diploma (GED). The Secretary may allow experience and relevant training to be substituted for a high school diploma or GED.

12.9.3 Table 12-1, below, contains the minimum experience requirements for certification.

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Table 12-1 - OPERATOR CLASSIFICATION REQUIREMENTS

Public Water System Class(s)	Class of Operator	Operating Experience Required (Yrs)
2, 3, 4, and D	Operator-in-Training (OIT)	NONE
2, 3, 4, and D	Provisional	NONE
1A	Operator Class 1A	NONE
1B	Operator Class 1B	NONE
2	Operator Class 2	1.5
3	Operator Class 3	1.5
4A	Operator Class 4A	2
4B	Operator Class 4B	2.5
4C	Operator Class 4C	3
D	Operator Class D	1.5

12.9.4 Substitutions for Experience Requirements

- (a) Substitutions with related schooling or courses may be made for up to 50% of the required on-site experience for Classes 2, 3, 4A, 4B, 4C, and D.
- (b) Formal Education
 - (1) High School education cannot be substituted for any experience requirement.
 - (2) Approved relevant formal academic education at the post high school or college level may be substituted for experience requirement on a year for year basis, subject to the 50 percent limitation described in Subsection 12.9.4(a) above. Thirty (30) semester hours or equivalent educational hours of credit are considered to represent 1 year of formal education.
- (c) Operator Training
 - (1) Specialized operator training courses, seminars, workshops or approved technical conferences may be substituted for experience requirements subject to the 50 percent limitation previously described. Continuing Education Units (CEUs) totaling 30 are considered equal to 1 year. 1 CEU equals 10 Training Contact Hours (TCH).
- (d) Partial credit toward operating experience may be given for experience in plant or system maintenance, in a laboratory, in a different certification category than that which is being applied for, and in related (allied) trades, as determined or approved by the Secretary.

12.10 Certification Renewal

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12.10.1 A certified water system operator shall submit to the Secretary, at least 30 days before the expiration date of the certificate, a completed application on the form approved by the Secretary, including any fee due and signed statement by the operator attesting that all required credit hours have been completed for the respective renewal period and the operator meets the minimum requirements for their certification to be renewed. If the application is complete, and the Secretary finds no cause under this section to deny the application, a renewed certificate shall be issued.

The burden of certification renewal is assumed by the applicant and failure of the Secretary to provide notice shall not constitute a basis for contesting the expiration of an operator certificate. The applicant bears the burden to renew their certification. The applicant may not use the Secretary's failure to provide notice of a required renewal to contest an expired operator certificate.

12.10.2 Should an operator with enough TCH to apply to a renewal of their certification earn TCH in the calendar year of a renewal cycle, but not elect to apply those hours toward the current renewal, they may apply those hours to the next renewal period. This must be clearly stated on the renewal form.

12.10.3 Certification renewal shall occur on a schedule as shown below and shall be based on various methods of recertification depending on water system class.

Table 12 – 2 Duration of drinking water operator certificates

Class of Certificate	Duration of Certificate, Years	Method of Certification
1A	3	Registration
1B, 2, 3, 4A, 4B, 4C, and D	3	Satisfaction of TCH requirements

12.10.3 Upon receiving prior approval from the Secretary an operator may retake the certification exam for their respective class and, upon passing the exam, be allowed to renew their license without completing the required TCH for that renewal period. This option is allowed once per class, per operator.

12.10.4 Certifications issued under the Rule may be for a different duration than shown above, in order to stagger the renewal dates for more efficient administration of the program at the discretion of the Secretary.

12.11 Continuing Education

12.11.1 Continuing education requirements for certification renewal are as follows, according to the training categories established in 12.11.2 and 12.11.5 below.

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- (a) Water System Class 1A operators are encouraged to complete at least 3 TCH of state approved seminar or other approved instruction each 3 year renewal period.
- (b) Water System Class 1B operators shall complete at least 3 TCH of a state sponsored seminar or other approved instruction each 3 year renewal period.
- (c) Water System Class 2 operators shall complete at least 10 TCH of a state sponsored seminar or other approved instruction each 3 year renewal period.
- (d) Water System Class 3, 4, and D operators shall complete at least 20 TCH of state sponsored seminars or other approved instruction each 3 year renewal period unless the operator is “dual” certified for both Treatment and Distribution, in which case the operator must complete training hours in accordance with 12.11.6 below.

12.11.2 For each renewal cycle, class 2, 3, and 4 operators shall obtain no less than 30% of their required TCH from topics included in Category 1 below; no less than 30% of required TCH from topics included in Category 2 below; and the remaining 40% from any training category as follows:

Table 12 -3 Training Categories for Treatment Certification

	Category 1	Category 2	Category 3
Topics	Regulatory	Treatment	All other approved training topics
	Public Health	Distribution	
	Management and/or Finance	Source Protection	
		Operation and Maintenance	
Minimum Hours Class 2	3 hours per renewal	3 hours per renewal	No minimum
Minimum Hours Classes 3, 4	6 hours per renewal	6 hours per renewal	No minimum,

12.11.3 Assignment of Class Categories

- (a) Class offerings will be assigned a category or in some instances will cover multiple categories above. It is the obligation of the operator to identify from the possible assigned categories how they are seeking to apply each TCH to their respective certification when multiple categories apply.
- (b) Single classes providing less than 3 hours of TCH will not be permitted to be sub-divided among multiple categories.
- (c) Single classes providing 3 or more hours of TCH will be permitted to be sub-divided among multiple categories in half-hour increments.

12.11.4 Documentation of continuing education shall be submitted to the Secretary to account for each TCH received and being applied to the operator’s certificate for renewal

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Documentation will be provided by the applicant. Acceptable documentation shall consist of individual course completion certificates (pre-approval of course required) or formal course sign-in sheets for pre-approved courses containing the signature of the applicant confirming attendance. The operator shall identify the respective categories for each TCH earned on a form provided by the Secretary. The Secretary will review and audit a select portion of renewal applications every renewal cycle to ensure consistency and adherence to the requirements above.

12.11.5 For each renewal cycle, class D operators shall obtain no less than 50% of their required TCH from topics included in Category 1 below; no less than 30% of required TCH from topics included in Category 2 below; and the remaining 20% from any training category as follows:

Table 12-4 Training Categories for Distribution Certification

	Category 1	Category 2	Category 3
Topics	Regulatory	Treatment	All other approved training topics
	Public Health	Management and/or Finance	
	Distribution	Operation and Maintenance	
	Work site safety	Hydraulics (pumps, pressure, etc)	
Minimum Hours Class D	10 hours per renewal	6 hours per renewal	No minimum,

12.11.6

Certain Certified Operators who possess both a treatment classification and a distribution certification may apply a specified amount of distribution-related TCH to both the treatment classification and the distribution certification per renewal cycle, meaning a set number of hours can be treated as “dual” credits. These “dual” distribution credits amounts may be applied as follows:

- (a) Treatment classification 2 operators who possess a distribution certification may treat up to 5 TCH as “dual” credits per renewal cycle. The Operators must complete at least 15 total TCH. This shall consist of 10 hours under “treatment” as identified in table 12-3 and 5 hours from Category 1 or 2 in table 12-4 to apply toward “Distribution”.
2. Treatment classification 3 and 4 operators who possess a distribution certification may treat up to 10 TCH as “dual” credits per renewal cycle. The Operators must complete at least 30 total TCH. This shall consist of 20 hours under “treatment” as identified in table 12-3 and 10 hours from Category 1 or 2 in table 12-4 to apply toward “Distribution”.

When an operator possesses multiple certifications/is dual-certified, training topics listed in Category 3 in Table 12-3 only count toward the treatment certification.

Subchapter 21-13 LABORATORY CERTIFICATION

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems; and
- (c) **Public Transient Non-Community** (TNC) water systems.

13.1 Certification

All laboratories doing analyses which are to be submitted by **Public** water systems under this rule, must be certified by the Vermont Department of Health and all shall be subject to the laboratory certification provisions of 40 CFR, Part 141, Subpart C, and §142.10(b)(3) and (b)(4).

Subchapter 21-14 (RESERVED)

Subchapter 21-15 CAPACITY

Introduction

This subchapter applies to:

- (a) **Public Community** water systems and
- (b) **Public Non-Transient Non-Community** (NTNC) water systems.

15.1 General Requirements

- 15.1.1 All proposed new **Public Community** and **Public Non-Transient Non-Community** water systems, for which applications were submitted on or after October 1, 1999, shall demonstrate technical, managerial, and financial capacity prior to obtaining a Construction Permit or an Operating Permit. A Construction Permit or an Operating Permit shall not be issued until a determination has been made by the Secretary that the water system has demonstrated that it has, and will continue to have over the long term, technical, financial, and managerial capacity. Subchapters 21-4 (Construction Permits) and 21-5 (Operating Permits) identify the necessary information required for submittal as part of permit applications. Appendix A of this rule identifies many of the technical capacity requirements, and Appendix B identifies the managerial and financial capacity requirements.

15.2 Technical Capacity

- 15.2.1 Technical Capacity shall generally be demonstrated by:
- (a) Compliance with Appendix A source water and infrastructure requirements;
 - (b) An approved Operation and Maintenance Manual;
 - (c) The retention of a certified operator; and
 - (d) Approved “as-built” drawings.

15.3 Managerial Capacity

- 15.3.1 Managerial Capacity shall generally be demonstrated by:
- (a) An organizational chart that shows clear lines of authority and responsibility, and identifies a person(s) with decision-making authority;
 - (b) Proof of appropriate experience and expertise of managerial personnel; and
 - (c) By-laws, policies, and procedures for municipalities, cooperatives, homeowners associations and other similar organizations that define system and customer responsibilities and demonstrate acceptable management and decision-making processes.

15.4 Financial Capacity

- 15.4.1 Financial Capacity shall generally be demonstrated by:
- (a) Reliable cost and revenue projections that demonstrate revenue sufficiency, and

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- (b) Proof of implementation of sound fiscal management and control policies and procedures.

Subchapter 21-16 SOURCE WATER PROTECTION

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Domestic Bottled**; and
- (c) **Public Non-Transient Non-Community** (NTNC) water systems.

16.1 General

All **Public Community**, **Domestic Bottled** water systems, and **Non-Transient Non-Community** Water Systems shall have an approved Source Protection Plan. The owner shall prepare and submit a Source Protection Plan to the Secretary for approval. **Public Transient Non-Community** water systems are encouraged, but not required, to complete Source Protection Plans.

16.2 Components of a Source Protection Plan

A Source Protection Plan shall consist of a map of the delineated Source Protection Area; an inventory of the potential and actual sources of contamination in the Source Protection Area located on the map; a management plan for the risks from the potential and actual sources of contamination; and a contingency plan. Some parts of the Source Protection Plan may also be required in the Operation and Maintenance Manual (see Appendix D of this rule).

16.2.1 Source Protection Area Maps

The Source Protection Plan shall include a topographic map showing:

- (a) the source(s) identified by name and the Drinking Water and Groundwater Protection Division's Source Number;
- (b) the Source Protection Area, including any delineated zones;
- (c) the lots and associated landowners, unless this information is included on a tax or orthophoto map showing the Source Protection Area; and
- (d) the location of any potential and actual sources of contamination.

16.2.2 Source Protection Area Delineation

For Public Community Water Systems, the Source Protection Area shall be:

- (a) the area approved by the Secretary;
- (b) the 3,000 foot fixed radius circle assigned by the Secretary prior to September 24, 1992; or
- (c) the area approved by the Vermont Department of Health prior to July 1, 1991. These approvals do not include restrictions imposed by the Board of Health in Health Orders.

Where multiple Source Protection Areas have been delineated for a particular source, only the most current, approved, Source Protection Area shall be in effect.

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Non-Transient, Non-Community water systems with groundwater sources shall delineate a Source Protection Area in accordance with Vermont's Wellhead Protection Program Guidance Document. **Non-Transient, Non-Community** water systems with a surface water source or Groundwater Under the Direct Influence of Surface Water source shall use the delineation methodology in Appendix A Part 3 of this Rule.

Surface water systems with a 3000 foot radius circle Source Protection Area shall redelineate their Source Protection Area(s) in accordance with Appendix A of this Rule, except for surface water systems using Lake Champlain as a source.

Surface water systems using Lake Champlain as a source shall redelineate their Source Protection Areas in accordance with Appendix A of this Rule or in accordance with the EPA approved Assessment Protocol for Great Lakes Sources, dated August 8, 1999. The **Public** water system shall choose which method to use.

16.2.3 Inventory of Potential Sources of Contamination

The Source Protection Plan shall include an inventory of all potential and actual sources of contamination within the Source Protection Area. The inventory shall include the type of facility or business and the contact name and address. As required in 16.2.1, a map shall be included showing the location of the potential sources of contamination in relation to the Source Protection Area and the sources.

With prior approval of the Secretary, certain potential sources of contamination may be grouped together instead of listed individually.

16.2.4 Assessment of Potential Sources of Contamination

The Source Protection Plan shall include an assessment of high, medium, or low risk for the potential source of contamination to affect the public water source(s). The Source Protection Plan shall include justification for the ranking.

The actual risk to the source and the health of persons from each contaminant at each activity will be made upon considering the following factors:

- (a) distance from potential or actual source of contamination to drinking water source;
- (b) toxicity of contaminants (if chemical);
- (c) the relative elevation of the bottom of source compared to discharge point or potential discharge point at the PSOC;
- (d) level of control exerted over PSOC;
- (e) volume of contaminant which is, or might be, released at the PSOC;
- (f) a past, present and ongoing, or a potential discharge;
- (g) the nature of the soils between the PSOC and the source;
- (h) the aquifer characteristics, if known;
- (i) type and severity of illness associated with the PSOC if contaminants are disease causing;
- (j) source construction integrity;

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- (k) detection of chemical or microbiological contaminants; and
- (l) other factors which might help evaluate the level of risk as high, medium, or low.

For Zone 1 of a groundwater source, the risk ranking shall be “high” for any activity identified as a “prohibited land use” in Appendix A Subpart 3.3.1.2(e).

For any actual sources of contamination, the risk ranking shall be “high.”

16.2.5 Management Plan of Risk

The Source Protection Plan shall contain a plan for managing the potential and actual sources of contamination. This plan shall be directed towards controlling existing potential sources of contamination and, where possible, reducing risks of potential contamination.

At a minimum, the water system shall notify all landowners within the Source Protection Area of the Source Protection Plan. Other techniques may include educational efforts on protecting groundwater and surface water, zoning ordinances, purchase of land or conservation easements to protect the drinking water quality, maintaining buffer zones for surface water sources, educating the residents about proper septic systems and storage tank maintenance, developing educational programs for schools, etc.

Water systems using Lake Champlain as a source shall include information about watershed protection in their management plan. The Secretary will prepare this information.

16.2.6 Contingency Plan

All Source Protection Plans shall include a Contingency Plan. The Contingency Plan shall include, but not be limited to:

- (a) Identification of alternative drinking water sources, both long and short term;
- (b) A list of key personnel to be notified in case of a water emergency; and
- (c) A shut-down/start-up procedure, if one is not already contained in an approved Operations & Maintenance (O&M) Manual.

16.3 Updates of Source Protection Plans

Source Protection Plans shall be updated by the **Public** Water System every three years. The updates shall be submitted to the Secretary for review and approval. The update shall include, but is not be limited to:

- (a) Inspection reports of potential sources of contamination;
- (b) Inventory and assessment of new potential and actual sources of contamination in source protection area;
- (c) Map location of new potential and actual sources of contamination;
- (d) Management plans for new potential sources of contamination;
- (e) A summary of any remedial or corrective actions taken on potential sources of contamination; and

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- (f) Changes in landowners; key town, county, or state officials; management techniques; source protection area; or other pertinent information.
- (g) Pertinent new requirements of state and federal rules which may have been adopted since the last update.

16.4 Financial Assistance

- 16.4.1 The Secretary may establish a financial assistance program to assist **Public Community** and **Non-Transient Non-Community** water systems in preparing and updating Source Protection Plans and Source Water Assessments.
- 16.4.2 Any financial assistance program which is established through the Drinking Water State Revolving Fund will be detailed in the Drinking Water State Revolving Fund's Intended Use Plan submitted to the United States Environmental Protection Agency.

16.5 Construction of Sewer Lines in Source Protection Areas

An owner who also owns sewer lines in its water system's Source Protection Area shall provide for adequate protection of the source water quality as part of the design and construction of any new sewer lines in the Source Protection Area. The Secretary may develop procedures on sewer line construction standards in Source Protection Areas.

APPENDIX A - VERMONT STANDARDS FOR WATER SYSTEM DESIGN, CONSTRUCTION, AND PROTECTION

Part 1 SUBMISSION OF PLANS

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** water systems; and
- (c) Domestic **Bottled** water systems.

1.0 General

An application for a Permit to Construct or for a Source Permit must be submitted on an application form supplied by the Secretary. An application must be submitted a minimum of 30 days prior to the date of which action by the Secretary is desired. For larger projects contact the Drinking Water and Groundwater Protection Division for typical review times. Preliminary plans and the engineer's report for municipal projects should be submitted for review prior to the preparation of final plans. Approval for construction will not be issued until complete, detailed plans and specifications have been submitted to the Secretary and found to be satisfactory.

Documents submitted for consideration of formal approval shall include but not be limited to:

- (a) general layout, including location plan;
- (b) detailed plans and specifications;
- (c) basis of design, including a summary; AND
- (d) operation requirements, where applicable.

1.1 Permit Application

The requirements for filing an application with the Secretary shall include but are not limited to:

- (a) The owner shall complete and sign the application form; and
- (b) A brief description shall be provided as part of this form including:
 - (1) purpose of the project;
 - (2) source of water supply;
 - (3) service classification (commercial, residential, offices, recreational, etc.);
 - (4) estimated average and maximum daily water demand;
 - (5) general description of the proposed water system including length and diameter of water mains, number of service connections, all other fixtures; and
 - (6) fire protection where provided (i.e. number of hydrants, design fire flow, building(s) to be sprinkled).

1.2 Engineer's Report

The Engineer's Report for water system improvement shall, where pertinent, present the following information:

1.2.1 General Information shall include the following:

- (a) name and mailing address of the owner;

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- (b) identification of the area to be served on a Vermont orthophoto base tax map;
- (c) general description of any existing water system or drinking water facilities, including age, general condition, and adequacy;
- (d) a letter of allocation from the **Public** water system serving the project, or Source Permit; and
- (e) information on fire protection to be provided, if any.

1.2.2 Extent of Water System, including:

- (a) description of the nature and extent of the area to be served;
- (b) provisions for extending the water system to include areas beyond limits of intended construction; and
- (c) appraisal of the future requirements for service, including existing and potential industrial, commercial, institutional, and other water supply needs.

1.2.3 Alternate Plans

Where two or more feasible solutions exist for providing **Public** water system facilities, including connection to an existing **Public** water system, the applicant shall discuss the alternative plans. Reasons shall be given for selecting the one recommended, including financial considerations, implementability and a comparison of the minimum classification of the water system operator required for operation of each alternative facility.

1.2.4 Design Criteria

A summary of complete design criteria shall be submitted for the proposed project containing, but not limited to, the following:

- (a) safe yield of the source of supply (which may be waived for existing systems with no history of outages and which will not allow further connections);
- (b) reservoir surface area, volume and a volume-versus-depth curve, if applicable;
- (c) area and map of source protection area, including an accurate GPS location of the source(s);
- (d) estimated average and maximum day water demands for the design period;
- (e) number of existing and proposed services;
- (f) fire fighting requirements; includes volume (gpm), pressure and duration of flow (minimum of 2 hours required);
- (g) flash mix, flocculation and settling basin capacities;
- (h) retention times;
- (i) unit loading;
- (j) filter area and the proposed filtration rate;
- (k) backwash rate; and
- (l) feeder capacities and ranges.

1.2.5 Soil and Groundwater Conditions, including a description of:

- (a) the character of the soil through which water mains are to be laid;
- (b) soil conditions prevailing at sites of proposed structures; and
- (c) the elevation of highest groundwater in relation to subsurface structures.

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1.2.6 Water Use Data to include:

- (a) a description of the population trends as indicated by available records, and the estimated population which will be served by the proposed water system or expanded system;
- (b) present water consumption and the projected average and maximum daily demand, including fire flow demand (see Appendix A Subpart 1.2.8); and
- (c) unusual occurrences, including anticipated future industrial or commercial uses.

1.2.7 Hydraulic Analysis

A hydraulic analysis shall be performed on all proposed water systems, and may be required on major improvements to existing systems, demonstrating the ability of the system to meet pressure and flow requirements.

1.2.8 Fire Flow Requirements to include:

- (a) recommendations of the Insurance Services Office, current edition or the local fire department as to fire flows required in the service area involved; systems used for both fire protection and domestic use must maintain a minimum of 20 psi under fire flow conditions at all points in the distribution system and provide adequate distribution storage to meet both domestic and fire flow requirements (See Appendix A Subpart 7.0.1).
- (b) fire flows which will be made available by the proposed or enlarged system; and
- (c) information of type and connection to the water system required for building sprinkler systems, including back flow prevention devices meeting the applicable ASSE Standards and AWWA Standard M - 14.

1.2.9 Sewerage System Availability

Describe the existing sewerage system and indicate location of existing and known future sewage treatment works, with special reference to their proximity to existing or proposed water system structures which may affect the operation of the water system, or which may affect the quality of the supply.

1.2.10 Source of Water Supply

Describe the proposed source or sources of water supply to be developed, the reasons for their selection and provide information as needed to gain a Source Permit as required in Subchapter 21-4. (Provide details of operation when two or more sources are used.)

1.2.11 Proposed Treatment Processes

Summarize and establish the adequacy of proposed processes and unit parameters for the treatment of the specific water under consideration. Alternative methods of water treatment and chemical use should be considered as a means of reducing water handling and disposal problems. Pilot studies are required when the proposed treatment deviates from the conventional complete

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treatment involving coagulation, flocculation, sedimentation and filtration with standard rates. Pilot studies may range from review of pilot studies on similar systems with similar raw water quality to full scale pilot system construction and evaluation.

1.2.12 Waste Disposal

Discuss the various wastes from the water treatment plant, their volume, proposed treatment and points of discharge. Disposal of water treatment plant sludge shall occur in a manner that is in accordance with the Agency of Natural Resources requirements.

1.2.13 Automation

Provide data supporting the selection of automatic equipment, for treatment plants, including the servicing and operator training to be provided. Manual override must be provided for any automatic controls.

1.2.14 Project Sites:

Include a discussion of:

- (a) the various sites considered and advantages of the recommended one(s);
- (b) the proximity of residences, industries, and other important establishments and land uses; and
- (c) any potential sources of contamination that may influence the quality of the supply or interfere with effective operation of the water system, such as sewage absorption systems, septic tanks, privies, cesspools, sink holes, sanitary landfills, refuse, garbage, underground storage tanks, hazardous sites, industrial facilities, direct discharge sites, agricultural land use, industrial dumps, etc.

1.2.15 Financing to include:

- (a) estimated cost of integral parts of the system;
- (b) projected estimated annual cost of operation; and
- (c) proposed methods to finance both capital and operating costs.

1.2.16 Future Extensions

Summarize planning for future needs and services.

1.3 Plans for Construction

Plans for water system improvements shall, where pertinent, provide the following:

1.3.1 General Layout:

Include:

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- (a) One (1) copy of plans which are relevant to water system approval such as location of source, storage, if any, storm and waste water sewers, boundaries of area to be served, etc.
- (b) The first plan sheets shall contain:
 - 1. Project Title;
 - 2. Complete index of all sheets for the project;
 - 3. Location map including North identification;
 - 4. Legend differentiating between existing and proposed facilities and will be different for sanitary and storm sewers;
 - 5. Inclusion of professional engineer's seal and signature; and
 - 6. A scale bar will be provided when drawings are to scale.
- (c) Plans shall be on nominal 2' X 3' sheets.
- (d) All sheets shall be legible; each sheet shall have the title of the sheet, project name, name of the **Public** water system.
- (e) All revisions shall be so identified and include the registered professional engineer's seal and signature.
- (f) Location and size of existing water mains.
- (g) Location and nature of existing water system structures and appurtenances affecting the proposed improvements, noted on one sheet, and location plan showing project location(s) within the municipality.

1.3.2 Plan Sheets shall include:

- (a) stream crossings, providing profiles with elevations of the stream bed and the normal and high and low water levels;
- (b) profiles having a horizontal scale of not more than 100 feet to the inch and a vertical scale of not more than 20 feet to the inch, with both scales clearly indicated, and plan views having a scale of not more than 50 feet to the inch;
- (c) location and size of the property to be used for the source development with respect to known references such as roads, streams, section lines, or streets;
- (d) topography and arrangement of present or planned sources, roads, or structures, with contour intervals not greater than two feet, where necessary to detail construction grading and filling;
- (e) elevations of the highest known flood level, floor of the structure, upper terminal of protective casings and outside surrounding grade, using a single datum which may be a National Geodetic Vertical Datum or United States Coast and Geodetic Survey, United States Geological Survey or equivalent elevations where applicable as reference;
- (f) plat and profile drawings of source construction, showing diameter and depth of drill holes, casing and linear diameters and depths, grouting depths, elevations and designation of geological formations, water levels and other details to describe the proposed well completely;
- (g) location of all existing and potential sources of pollution as outlined in Subchapter 21-16 of this Rule;
- (h) size, length and identity of sewers, drains and water mains and their locations relative to plant structures, also preferred type of pipe shall be indicated on the plan;
- (i) schematic flow diagrams and hydraulic profiles showing the flow through various plant units;

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- (j) piping in sufficient detail to show flow through the plant, including waste lines;
- (k) locations of all chemical storage areas, feeding equipment and points of chemical application;
- (l) all appurtenances, specific structures, equipment, water treatment plant waste disposal units and points of discharge having any relationship to the plans for water mains and/or water system structures;
- (m) locations of sanitary or other potentially contaminating facilities, such as lavatories, showers, toilets, and lockers, when applicable or required by the Secretary;
- (n) locations, dimensions, and elevations of all proposed plant facilities;
- (o) locations of all sampling taps; and
- (p) adequate description of any features not otherwise covered by the specifications
- (q) Service connection detail must be provided. Curb stops must be shown on plan drawings, and they must be incapable of conveying surface loads onto the service line.
- (r) Any connection between potable water and building sprinkler/fire protection systems must be shown and a state accepted method of preventing backflow provided.

1.4 Design Specifications

Where pertinent complete, detailed technical specifications shall be supplied for the proposed project, including:

- (a) a program for keeping existing water system facilities in operation during construction of additional facilities so as to minimize interruption of service
- (b) construction details including materials, quality control, and testing;
- (c) laboratory facilities and equipment;
- (d) the number and design of chemical feeding equipment (see Appendix A Subpart 5.1); and
- (e) materials or proprietary equipment for sanitary or other facilities including any necessary back flow or back -siphonage protection and coating and linings in contact with raw, partially treated or finished water.

1.5 Revisions to Approved Plans

Any deviations from approved plans or specifications affecting capacity, hydraulic conditions, operating units, the functioning of water treatment processes, or the quality of water to be delivered, must be approved by the Secretary before such changes are made. Revised plans or specifications shall be submitted in time to allow the review and approval of such plans or specifications before any construction work, which will be affected by such changes, is begun.

1.6 Additional Information Required

The Secretary may require additional information which is not part of the construction drawings, such as head loss calculations, proprietary technical data, copies of deeds, copies of contracts, etc.

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1.7 Record Drawings

Record drawings, as built, are required at the completion of each project. These drawings shall be submitted within 60 days of final project completion. Construction details must be certified by the engineer of record.

Part 2 GENERAL DESIGN CONSIDERATIONS

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

2.0 General

The design of a water system or treatment process encompasses a broad area. Application of this part is dependent upon the type of system or process involved.

2.1 Design Basis

The water treatment plant, water system sources, and pump stations shall be designed for maximum day demand at the design year, recommended 20 years hence. Water system treatment plants, for water systems planning on future growth, shall be designed for maximum day demands expected at least 10 years hence. Water mains and transmission lines shall be designed for 50 years projected growth. **Public** water systems serving fewer than 100 connections, such as condominiums or subdivisions, need only plan for known projected demand. Specific per capita per day demands as outlined in Subpart 2.2, Table A2-1, shall be used to establish initial average day demand.

When a water system, expecting future growth, reaches 90% of the capacity of treatment or pumping systems capacity, it shall commence planning for the required additional capacity. When pumping or treatment capacities reach 100%, the water system shall initiate construction of these facilities.

2.2 Water Demand

Source yields will be compared against the maximum demands of the water systems to determine the adequacy of the source(s) to meet the expected demand.

2.2.1 Average Day Demands

The source's ability to meet the average day demand is based on pumping 12 hours per day. When a water system's average day demand is being met by pumping in excess of 12 hours per day at the permitted rate the water system shall immediately apply for additional source capacity.

2.2.1.1 For design of new systems or modification to systems without metered data records, the average day demands shall be based on the average day flow quantities in Table A2-1.

2.2.1.2 Reduction in average day demands determined using Table A2-1 may be made based on the results of metered data. Reductions below 60 gal/person/day will not be permitted in residential dwellings. A 10% leakage/aging factor will be added to empirically derived

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average day demands. Four types of proposals may be presented to determine reductions in the average day demands.

- (a) Meter readings on the existing water system:
 - (1) Must be tabulated on a daily basis for at least one year and readings must represent current usage;
 - (2) Must include daily population figures or occupancy data when appropriate; and
 - (3) On seasonally occupied dwellings, average day demands must be taken for period of maximum occupancy.
- (b) Meter readings on existing similar water systems:
 - (1) must be similar in population type and usage and must be approved for study by the Secretary, and
 - (2) two similar water systems should be monitored for at least one year prior to analysis.
- (c) Installation of low flow plumbing fixtures, 3.5 gallon or less flush toilets, 3.0 gallon per minute or fewer showerheads, and faucet aerators will allow for a 10% reduction in design flows as calculated from Table A2-1.
- (d) Other proposals, acceptable to the Secretary, on a case by case basis.

2.2.2 Maximum Day Demand

When the peaking factor is two (2), meeting the maximum day demand is based on finished water production when pumping 24 hours per day at the same rate (GPM) as needed to meet the average day demand.

Maximum day demands are determined as follows:

Average day demands x peaking factor = maximum day demands. In the absence of site specific data the peaking factor shall be two (2).

Please note that the basis of design, including the definitions for average day demand and maximum day demand differ in Part 11, Small Scale Systems.

2.2.3 Peaking factor

2.2.3.1 The peaking factor on new projects and non-metered existing projects is two (2).

2.2.3.2 The peaking factor, if based on metered data, must be based on the same information and conditions outlined in Appendix A Subpart 2.2.1.2, and is the ratio of the metered maximum day demand to the metered average day demand. The maximum day demand is the greatest amount of water produced by the water system on a single day during a 12 month period, or other appropriate time period.

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Table A2-1 - UNITIZED AVERAGE DAY FLOWS
Engineering Design Criteria
Unitized Average Day Flow Quantities

ESTABLISHMENT	DESIGN VALUE	Gallons Per Person Per Day(Unless otherwise noted below)
Assembly Areas, Conference Rooms	5	
Airports	5	
Bathhouses	5	
Bowling Alley (no food service)	75	Per Lane
Camps:		
Campground with central comfort stations (4 people per site	100	Per Site
With flush toilets, no showers (4 people per site)	75	Per Site
Construction Camps (semi-permanent)	50	
Day camps (no meals served)	15	
Day Care Centers	15	Per Child or Employee, Per Shift
Resort camps (night & day) with limited plumbing	50	
Cafeterias	50	Per Seat
Churches Sanctuary seating x 25%	5	
Church Suppers	8	
Cottages	50	
Country Clubs	100	Per Resident Member
Country Clubs	25	Per Non-Resident Member Present
Dairy Farms	20	per tie-up
Dentists' Office	35	Per Staff Member
Plus	200	Per Chair
Doctors' Office	35	Per Staff Member
Plus	10	Per Patient
Dwellings		
Apartments	75	Per Person with Minimum of 2 People Per Bedroom

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ESTABLISHMENT	DESIGN VALUE	Gallons Per Person Per Day(Unless otherwise noted below)
Boarding Houses	50	
Plus Addition for non-resident boarders	10	
Multiple dwelling (condominiums, town houses, clustered housing)	75	Per Person with Minimum of 2 People/Bedroom
Den with Couch	55	
Rooming House	40	Per Occupant Bed Space
Single Family Dwellings	150	Per Bedroom
Factories	15	Gallons Per Person, Per Shift, exclusive of Industrial Wastes
Gyms	10	Per Participant
	3	Per Spectator
Hairdressers	10	Per Operator
Plus	150	Per Chair
Hotels** with Private Baths	50	Per Sleeping Space
Hospitals	250	Per Bed
Institutions other than hospitals	125	Per Bed
Laundries, self-service	500	Per Machine
Mobile Home Parks		
Systems Serving 4 or fewer trailers	450	Per Space
Systems Serving 5 or more trailers	250	Per Space
Motels** with private baths	50	Per Sleeping Space
Nursing Homes	125	
Picnic Parks (toilet waste only/picnickers)	5	
Restaurants (toilet and kitchen wastes, including restaurant and bar seats)	30	Per Seat
Additional for restaurant serving 3 meals per day	15	Per Seat
Restaurants (fast food-see Cafeteria)		
Schools		
Boarding	100	

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ESTABLISHMENT	DESIGN VALUE	Gallons Per Person Per Day(Unless otherwise noted below)
Day, without gyms, cafeterias & showers	15	
Day, with gyms, cafeterias & showers	25	
Day, with cafeteria, but without gyms and showers	20	
Service Stations	500	First set of gas pumps
Plus	300	Each set thereafter
Shopping Centers/Stores;		
Large Dry Goods	5	Per 100 Square Feet
Large supermarkets with meat department, without garbage grinder	7.5	Per 100 Square Feet
Large supermarkets with meat department, with garbage grinder	11	Per 100 Square Feet
Small Dry Goods (in shopping centers)	100	Per Store
Subdivision	450	Per Lot or 150 Gallons Per Day Per Bedroom, whichever is larger
Theaters		
Movie	5	Per Auditorium Seat
Drive-in	5	Per Car Space
Travel trailer parks without individual water & sewer hookups		
Comfort Station	90	Per Trailer Space
Dumping Station	35	Per Trailer Space
Travel trailer parks with individual water & sewer hookups	125	Per Trailer Space
Veterinary clinic (3 or fewer doctors)		
Without animal boarding	750	Per Clinic
With animal boarding	1500	Per Clinic
Workers		
Construction (at semi-permanent camp)	50	
Day at schools and offices	15	Per Person Per Shift

*Elderly housing may be calculated at 1.5 people per bedroom.

**Does not include laundry or restaurant demand.

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2.3 Plant Layout

Design shall consider:

- a) functional aspects of the plant layout
- b) provisions for future plant expansion
- c) provisions for expansion of the plant waste treatment and disposal facilities
- d) access roads
- e) site grading
- f) site drainage
- g) walks, driveways and ramps
- h) chemical delivery

2.4 Building Layout

Design shall provide for:

- a) adequate ventilation
- b) adequate lighting and heating
- c) adequate drainage
- d) dehumidification equipment, if necessary
- e) accessibility of equipment for operation, servicing and removal
- f) flexibility of operation
- g) operator safety
- h) convenience of operation
- i) chemical storage and feed equipment in a separate room to reduce hazards and dust problems

2.5 (Reserved)

2.6 Electrical Controls

Main switch gear electrical controls shall be located above grade, in areas not subject to flooding. All electrical panels, including control panels, shall be listed and labeled by a nationally recognized testing agency.

2.7 Standby Power

Standby power may be required so that water may be treated and/or pumped to the distribution system during power outages. If not proposed as part of the project, the engineer shall provide reasons for not including standby power.

2.8 Shop Space and Storage

Adequate facilities should be included for shop space and storage consistent with the needs of the designed facilities.

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2.9 Laboratory Equipment

Each **Public** water system shall have minimum equipment and facilities for laboratory testing as approved by the Secretary and as necessary to assure proper operation. Laboratory equipment shall be based on the characteristics of the raw water source and the complexity of the treatment process involved.

2.9.1 Testing Equipment

As a minimum, or as approved by the Secretary, the following laboratory equipment shall be provided:

- a) Surface water systems shall have a nephelometric turbidimeter meeting the requirements of *Standard Methods for the Examination of Water and Wastewater*, latest edition.
- b) Each surface water treatment plant shall have a pH meter.
- c) Each iron and/or manganese removal plant shall have test equipment capable of accurately measuring iron to a minimum of 0.1 mg/l and/or test equipment capable of accurately measuring manganese to a minimum of 0.03 mg/l.
- d) **Public** water systems which chlorinate shall have test equipment for determining both free and total chlorine residual using the N,N-diethyl-p-phenylenediamine colorimetric method in *Standard Methods for the Examination of Water and Wastewater*, latest edition.
- e) **Public** water systems which fluoridate shall have test equipment for determining fluoride by methods in *Standard Methods for the Examination of Water and Wastewater*, latest edition.
- f) **Public** water systems which feed polyphosphates shall have test equipment capable of accurately measuring phosphates from 0.1 to 20 mg/l.

2.9.2 Physical facilities

Sufficient bench space, ventilation, lighting, safety equipment, storage and a laboratory sink shall be provided.

2.10 Monitoring Equipment

Water treatment plants shall have monitoring equipment to monitor water being discharged to the distribution system as follows:

- a) Plants treating surface water must have the capability of monitoring and recording turbidity to meet the requirements of Section 6.7. Free chlorine must be monitored daily per Subsection 7.2.3.
- b) Plants treating groundwater shall have the capability to monitor and record free chlorine residual.

2.11 Sample Taps

Sample taps shall be provided so that water samples can be obtained from each water source and from appropriate locations in each unit operation of treatment. Taps shall be consistent with

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sampling needs and shall not be of the petcock type. Taps used for obtaining samples for bacteriological analysis shall be of the smooth nosed type without interior or exterior threads, shall not be of the mixing type, and shall not have a screen, aerator, or other such appurtenance. Provision shall be made for sampling untreated well water using a sampling tap.

2.12 Facility Water Supply

The facility water supply service line and the plant finished water sample tap shall be supplied from a source of finished water at a point where all chemicals have been thoroughly mixed, and the required disinfectant contact time has been achieved (see Appendix A Subpart 4.3.2). There shall be no cross connections between the facility water supply service line and any piping, troughs, tanks, or other treatment units containing wastewater, treatment chemicals, raw or partially treated water.

2.13 Wall Castings

Whenever pipes pass through walls of concrete structures, consideration shall be given to providing extra wall castings built into the structure to facilitate future uses.

2.14 Meters

All water systems shall have an acceptable means of metering the finished water.

2.15 Piping Color Code

To facilitate identification of piping in plants and pumping stations, it is recommended that the following color scheme will be utilized.

Water Lines	
Raw	Olive green
Settled or Clarified	Aqua
Finished or Potable	Dark blue

Chemical Lines	
Alum or Primary Coagulant	Orange
Ammonia	White
Carbon Slurry	Black
Caustic	Yellow/green band
Chlorine (Gas and Solution)	Yellow
Fluoride	Light blue/red band
Lime Slurry	Light green
Ozone	Yellow/orange band
Phosphate Compounds	Light green/red band
Polymers or Coagulant Aids	Orange/green band
Potassium Permanganate	Violet

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Chemical Lines	
Soda Ash	Light green/orange band
Sulfuric Acid	Yellow/red band
Sulfur Dioxide	Light green/yellow band

Waste Lines	
Backwash Waste	Light brown
Sludge	Dark brown
Sewer (Sanitary or Other)	Dark gray

Other	
Compressed Air	Dark green
Gas	Red
Other lines	Light gray

In situations where two colors do not have sufficient contrast to easily differentiate between them, a six-inch band of contrasting color will be on one of the pipes at approximately 30 inch intervals.

The name of the liquid or gas will also be on the pipe. In some cases it may be advantageous to provide arrows indicating the direction of flow.

2.16 Disinfection Prior To Use

All walls, pipe, tanks, and equipment which can convey or store potable water shall be disinfected in accordance with AWWA procedures. See Appendix A Subparts 7.0.19 and 8.5.7 for details. Plans or specifications shall outline the procedure and include the disinfectant dosage, contact time, and method of testing the results of the procedure. The tablet method is not acceptable.

2.17 Manuals and Parts Lists

An operation and maintenance manual (see Appendix D) including equipment maintenance and a parts list shall be supplied to the water system as part of any proprietary unit installed in the facility.

2.18 Operator Instruction

Provision shall be made for operator instruction at the start up of a water system water treatment plant or pumping station.

2.19 Other Considerations

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Consideration must be given to the design requirements of other federal, state, and local regulatory agencies for items such as safety requirements, special designs for persons with disabilities, plumbing and electrical codes and construction in or near the flood plain.

Part 3 PUBLIC WATER SYSTEM SOURCE DEVELOPMENT AND PROTECTION

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** water systems with surface water sources and sources determined to be ground water under the direct influence of surface water;
- (c) **Public Transient** water systems with surface water sources and sources determined to be ground water under the direct influence of surface water; and
- (d) **Domestic Bottled** water systems.

3.0 General

In selecting the source of water to be developed, the applicant for a Source Permit shall show, to the satisfaction of the Secretary, that an adequate quantity of water will be available, and that the water which is to be delivered to the consumers will meet the current requirements of the Secretary with respect to microbiological, physical, chemical and radiological qualities. Each water system should take its raw water from the best available source which is economically reasonable and technically feasible. Proposed sources are evaluated against six criteria; site, construction, water quality, water quantity, interference, and source protection.

Not all subparts of Part 3 of Appendix A may be relevant for a pre-existing source. The applicant is advised to consult with the Secretary for further guidance.

General procedural requirements for a Source Permit are outlined in Subchapter 4. Technical requirements for surface water are in Appendix A Subpart 3.2 and for groundwater in Appendix A Subpart 3.3.

3.1 Reserved

3.2 Surface Water Development

A surface water source includes all tributary streams and basins, natural lakes and artificial or natural impoundments above the point of water supply intake.

3.2.1 Source Permit

3.2.1.1 Source Permit Application (See Subchapters 3 and 4 for details)

- (a) A Source Permit will be based in part on existing threats to the water sources and the ability of the water supplier to effectively manage those threats.
- (b) Land within a 200 feet isolation zone of the intake (or as approved by the Secretary) shall be owned or legally controlled by the water system as in Subpart 3.3.1.2(f).

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- (c) Land uses not permitted within 200' of the intake are listed in Subpart 3.3.1.2(e).
- (d) Fencing of the intake site may be required by the Secretary.

3.2.2 Construction

3.2.2.1 Design of intake structures shall provide for:

- (a) withdrawal of water from more than one level if quality varies with depth;
- (b) separate facilities for release of less desirable water held in storage;
- (c) where frazil ice may be a problem, holding the velocity of flow into the intake structure to a minimum, generally not to exceed 0.5 feet per second;
- (d) inspection manholes every 1000 feet for pipe sizes large enough to permit visual inspection;
- (e) occasional cleaning of the inlet line;
- (f) adequate protection against rupture by dragging anchors, ice, etc.; and
- (g) ports located above the bottom of the stream, lake or impoundment, but at sufficient depth to be kept submerged at low water levels.

3.2.2.2 Natural and Artificial Impoundments

Site preparation shall provide for, where applicable:

- (a) removal of brush and trees to high water elevation;
- (b) protection from floods during construction;
- (c) closure of all wells which will be inundated, in accordance with requirements of the Secretary; and
- (d) obtaining necessary approvals and permits from other local, state, or federal agencies.

3.2.2.3 Filtration Requirement

All surface water sources shall be filtered and disinfected, or receive an avoidance of filtration waiver, in accordance with Section 6.2 of Subchapter 21-6.

3.2.3 Quantity

3.2.3.1 Safe Yield Analysis

The quantity of water at the source shall be shown to supply the design year average day demands given either a 1Q20 low flow condition for intakes without raw water impoundments; or a 20 to 50 year drought condition using a mass diagram for systems with raw water impoundments, and shall consider other withdrawals in the stream, including minimum stream flow requirements of the Secretary.

3.2.3.2 Quantity Testing

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In the absence of suitable long term gaged flows, existing information from surrounding watersheds may be used. Hydrology models used to predict low flow conditions must include gaged flows from the water shed in question. The proposed watershed shall be gaged on a daily basis during at least 30 days of the year's low flow conditions. Low flow conditions may be late summer and mid winter depending on the watershed. The method proposed for determination shall be approved by the Secretary prior to use.

3.2.4 Water Quality

The proposed source shall be tested for the water quality constituents listed in Table 6-5 of this rule, except for the disinfection by-products and disinfection residuals, and any additional constituents that the Secretary requires. Section 6.14 contains information about Maximum Contaminant Level Goals.

3.2.5 Source Interference

Interference with existing withdrawals shall be evaluated. The proposed withdrawal rate shall not create a potential health hazard nor interfere with existing uses of the surface water source. These existing uses are to be identified by the applicant. These shall include but not be limited to: deeded or legislated water rights, uses for minimum stream flow, and uses for assimilative capacity.

3.2.6 Source Protection

A source protection area shall be delineated for the surface water source and a source protection plan (see Subchapter 21-16) shall be developed which mitigates risks associated with existing and potential sources of contamination.

3.2.6.1 Delineation

Source protection areas delineation for surface water sources shall include the following zones:

- (a) Zone 1 shall consist of an area 200 feet in radius around the intake or as otherwise determined by the Secretary.
- (b) Zone 2 shall consist of areas within the watershed located within 200 feet of perennial surface water and limited to 17,000 acres.
- (c) Zone 3 shall consist of the remaining watershed area beyond Zones 1 and 2, except as may be reduced by the Secretary on a case-by-case basis giving consideration to the size of the watershed and the likelihood of contamination of the source.

3.2.6.2 Source Protection Plan (SPP)

A Source Protection Plan shall be developed in accordance with Subchapter 21-16.

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3.3 Groundwater Source Development

A groundwater source includes all water obtained from dug, drilled, bored or driven wells, springs, and infiltration lines and galleries. The degree of treatment required for a groundwater source may be similar to that of surface water sources in cases where the groundwater source is under the direct influence of surface waters as determined in Subpart 3.4.

3.3.1 Source Site and Isolation Zone

3.3.1.1 General Information on Sites

Proposed source site locations shall be remote from all sources of contamination, hydraulically upgradient of major sources of contamination, and situated so as to minimize the impact from water quality threats. Proposed source sites will not be approved by the Secretary in areas which may create a public health hazard or unacceptable risk. Fencing or posting of source sites to restrict access may be required by the Secretary on a case-by-case basis. On site sewage disposal systems located within the recharge area shall be located a minimum of a two year travel time in saturated materials from proposed source sites.

3.3.1.2 Source Isolation Zones

Permittees with systems permitted after 1992 are responsible for ensuring prohibited activities under this section do not occur within the source isolation zone. The prohibited acts included in this section apply only to the Permittee, as the Secretary does not have the authority to enforce against actions taken by private landowners beyond the Permittee. The source isolation zone shall be a water system controlled 200-foot radius around the proposed source unless approved otherwise based on site specific considerations as follows:

- (a) The isolation zone may be increased at the discretion of the Secretary to ensure reasonable protection of water system sources.
- (b) Source isolation zone reductions to a minimum of 125' may be allowed if the following can be shown:
 - (1) An impeding layer of soil is present and located at least 200' around the source, with no significant hydraulic connection to the proposed aquifer. Hydraulic connection, or lack thereof, between aquifers must be determined by standard pumping test methods including:
 - i) stressing the production well or proposed aquifer,
 - ii) monitoring the aquifer's response in multi-level piezometers, and
 - iii) mapping areas of influence of the source in overlying unconfined aquifers.or:
 - (2) Undevelopable land surrounds the source site such as rock cliffs.
- (c) Spring isolation zones may be reduced in a down slope direction provided that the area down slope of the spring is below the bottom elevation of the spring. This area must be large enough to include space for maintenance of the spring. In no cases shall a spring isolation zone be reduced to less than 50 feet in the down slope direction.

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- (d) All proposed groundwater sources shall be evaluated for direct influence by surface water as per Appendix A Part 3.
- (e) Permitted and prohibited land uses in the source isolation zone are as follows:
 - (1) Permitted land uses will be restricted to:
 - (i) source operation and maintenance;
 - (ii) playgrounds, ball fields, tennis courts;
 - (iii) seasonal light duty access roadway or driveway;
 - (iv) conservation zones;
 - (v) controlled use of potassium and phosphorous fertilizers; and
 - (vi) other uses which have the approval of the Secretary.
 - (2) Prohibited land uses include:
 - (i) application of nitrogen or pesticides or herbicides;
 - (ii) buildings other than those required for the water system;
 - (iii) parking of motor vehicles;
 - (iv) chemical or fuel storage except natural gas or propane and other chemicals that are required by the water system;
 - (v) swimming pools;
 - (vi) driveways, roadways, parking lots;
 - (vii) septic tanks, leach fields, sewer lines, wastewater disposal spray area and lagoons and wastewater tanks;
 - (viii) use of preservative treated wood;
 - (ix) transformers containing PCBs;
 - (x) cemeteries;
 - (xi) salvage yards;
 - (xii) concentrated grazing or holding of animals and silage and manure storage systems;
 - (xiii) Stormwater conveyance, treatment, or control practices and storm sewers;
 - (xiv) commercial or agricultural composting sites;
 - (xv) flood ways;
 - (xvi) non-sewage wastewater disposal field;
 - (xvii) solid waste transfer facilities;
 - (xviii) solar power systems and battery energy storage systems associated components and appurtenances; and
 - (xix) any other activity which may contaminate the water source.
- (f) Control of land use activities within the source isolation zone can be achieved by ownership of the land or through easements with restrictive covenants. The applicant's attorney must submit a written certification attesting that the applicant has the ability to control the isolation zone per Appendix A Subpart 3.3.1.2(e). The applicant shall provide documentation on request by the Secretary.

Legal control of land uses within the isolation zone by the water system must be tied to the land deeds for all parcels within the source isolation zone and run with the land regardless of future land ownership so long as the source is used for a **Public** water system.

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3.3.2 Source Construction

Construction of **Public** water system drilled wells shall comply with the well construction standards in Part 12 of Appendix A.

All drilled or driven wells shall have a physical means of protecting the above grade well casing from collisions by installation of a permanent barrier, such as surrounding posts, a containing structure, or fencing.

3.3.2.1 Spring and Shallow Well Construction

Construction of springs and shallow wells shall only be permitted when drilled wells are not feasible or upon waiver by the Secretary. Specific reasons shall be submitted to the Secretary and may include results of test wells on the project site, results of existing well yields in the project area, or detailed hydrogeologic analysis.

3.3.2.1.1 Construction Materials

Acceptable materials include:

- (a) concrete tiles (grouted together),
- (b) poured in place concrete,
- (c) well casing, and
- (d) other metallic or plastic casing as approved by the Secretary.

3.3.2.1.2 Site Work

Spring and shallow well site construction shall include the following:

- (a) accessible entrance with lock,
- (b) screened openings,
- (c) runoff diversion berm located 50 feet upslope where feasible,
- (d) back fill material of high clay content sloping away from the structure,
- (e) minimum of 4 inches of top soil over the clay, and
- (f) a watertight sanitary cover.

3.3.2.2 Water Level Measurement

- (a) Provisions shall be made for periodic measurements of water levels in the completed well, e.g. install 0.5 to 1" diameter probe tube.
- (b) Where pneumatic water level measuring equipment is used, it shall be made using corrosion resistant materials attached firmly to the drop pipe or pump column and in such a manner as to prevent entrance of foreign materials.

3.3.2.3 Observation Wells shall be:

- (a) Constructed in accordance with requirements for production wells and properly protected and maintained if to remain in service.

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- (b) Protected at the upper terminal to preclude entrance of foreign materials.
- (c) Closed in accordance with requirements for permanent wells, if they are taken out of service.

3.3.3 Water Quantity

3.3.3.1 Safe Yield

- (a) Pumped groundwater sources
 - (1) The source shall be capable of 180 days of pumping at the average day demand rate followed by a peak of 3 or 7 days of pumping at the maximum day demand rate without dewatering the source. The 7 day duration of maximum day demand pumping shall be applied to water systems serving developments constructed for the purpose of accessing recreational and resort areas. The 3 day duration of maximum day demand pumping is applied to all other water systems. Peaking duration is evaluated by the Secretary on a case-by-case basis. The maximum safe yield shall not be greater than the pump rate of the constant discharge test, except on a case-by-case basis where a 10% increase may be granted when supported by appropriate documentation.
 - (2) Sources which may be subjected to interference from existing sources shall have that interference evaluated per Appendix A Subpart 3.3.3.2.2(f).
 - (3) Proposed sources which may be subject to future interference shall be allowed to use only 90% of the total available head in the safe yield analysis. This requirement may be waived by the Secretary for wells belonging to the same **Public** water system.
 - (4) The safe yield determination shall take into consideration seasonal low static water level and hydrogeologic boundaries affecting the aquifer.
- (b) Springs

Spring yields determined from random measurements throughout summer and fall shall be divided by 4 and compared against maximum day demands to determine the adequacy of the source. Springs issuing from a defined bedrock or sand and gravel aquifer, and having a detailed hydrologic low flow analysis will be compared against maximum day demands, in a 1Q20 drought condition.

Detailed hydrologic analysis must include at least the following:

- (1) Monitoring of spring yield for low flow analysis on a weekly basis from July 1 to October 15 and from December 15 to March 15. The lowest flow during either period shall be used in the analysis.
- (2) Monitoring of spring yield for high flow analysis on a weekly basis from March 15 to July 1 and from October 15 to December 15. The highest flow during either period shall be used in the calculation and delineation of the Source Protection Area(s).

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All safe yield analyses shall use methodologies appropriate to the hydrogeologic setting and published methodologies, unless previously approved by the Secretary.

3.3.3.2 Pumping Test Procedures and Requirements

All pump tests shall consist of and be conducted in the following order: a step drawdown test, a constant discharge test, and a recovery test. The constant discharge test shall be conducted after full recovery from the step test. The recovery test shall immediately follow the constant discharge test. Tests shall be evaluated using standard published methodologies or any pre-approved proprietary method proposed by the consultant and approved by the Secretary. All recordings and evaluations (including graphical) appropriate to the testing program shall be provided to the Secretary.

3.3.3.2.1 Step drawdown tests shall:

- (a) Contain at least 5 steps of at least 60 minutes duration.
- (b) Hold discharge constant for the duration of each step. See table below under Constant Discharge Test (in Subpart 3.3.3.2.2) for discharge limits.
- (c) Have drawdown measured to the nearest 10th of a foot.
- (d) Recommended times for drawdown measurements are as follows:

0 - 10 minutes	every 1 minute
10 - 20 minutes	every 2 minutes
20 - 60 minutes	every 5 minutes
60+ minutes	every 10 minutes
- (e) Provide a graph of drawdown / discharge vs. discharge (S_w/Q vs Q) and evaluation of the data collected above using published methodologies.

3.3.3.2.2 Constant Discharge Test

The constant discharge test shall be conducted after full recovery from the step test. The following table shall be used to determine the duration of constant discharge tests:

Pump Test Rate (GPM)	Duration	Constant Discharge Within:
0 – 49	72 hours	± 5%
50 – 99	96 hours	± 3%
100 or greater	120 hours	± 3%

The constant discharge test shall include but not be limited to the following:

- (a) Discharge shall be held constant within the above limits. Ball-type valves shall be placed after meters to prevent turbulence in the meter. Meters shall be checked by another independent method, i.e., bucket and stopwatch.
- (b) Drawdown measurements to the nearest 100th of a foot in observation wells and to the nearest 10th of a foot in production wells.

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- (c) Recommended times for drawdown and discharge measurements in the production well, including early time readings, are as follows:

TIME INTO TEST, MINS	READING FREQUENCY
0-10	every 1 minute
10-30	every 2 minutes
30-90	every 5 minutes
90-180	every 10 minutes
180-420	every 30 minutes
420-1440	every 60 minutes
1440-end of test	every 2 to 4 hours

- (d) All observation wells, including water system sources, within the specified radius (see Appendix A Subpart 3.3.5.2 for the radius) shall be monitored and water level measurements shall be taken as follows:
- (1) Water level measurements shall be taken every four (4) hours for two (2) days prior to and one (1) day following the constant discharge test.
 - (2) Water level measurements during the constant discharge test shall be taken at least every four (4) hours and more frequently based on the hydrogeologic setting and distance from the pumped source.
 - (3) Monitoring of water system sources in use shall include measurements taken at a time following their longest recovery period, usually between 3 and 5 A.M and monitoring increments of two hours apart during the day (6 P.M. to 6 A.M.) and four hours apart for the remaining hours shall be used.
- (e) A graph of drawdown vs time on log-log or semi-log paper and distance vs drawdown, if two (2) or more observation wells are available, and an evaluation of this data using published methodologies.
- (f) An evaluation of groundwater level trends for the production and monitored sources prior to pumping to evaluate seasonal or storm related fluctuations in groundwater conditions, effects of neighboring sources, and domestic usage patterns.
- (g) Precipitation and discharge plotted on each graph of time drawdown for all sources monitored.
- (h) The installation and monitoring of observation wells, piezometers or other monitoring devices as needed.
- (i) Type and location of all observation wells shall be shown on engineering plan.

3.3.3.2.3 Constant Discharge Test Interruptions

The first 24 hours of the constant discharge test shall be free of interruptions. If an interruption occurs the test shall be terminated, the source allowed to fully recover and the test restarted. After the first twenty four (24) hours, if the constant discharge test is interrupted a total of two (2) hours or longer, the test shall be terminated, the source allowed to fully recover and the test re-started.

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3.3.3.2.4 Recovery tests shall be conducted immediately following the constant discharge test and shall include the following:

- (a) Drawdown measurements to the nearest 10th of a foot in the pumped source.
- (b) Monitoring for two days or complete recovery, whichever occurs first.
- (c) Monitoring of drawdown at timed intervals which will result in evenly spaced plots on logarithmic paper when plotted as s' vs t/t' . Recommended times of recovery measurement beginning when the pump is turned off are as follows:

RECOVERY TIME, MINS.	FREQUENCY
0-10	every 1 minute
10-20	every 2 minutes
20-60	every 5 minutes
60-120	every 15 minutes
120-360	every 60 minutes
360-600	every 120 minutes
600-2880	every 360 minutes

- (d) Calculation of aquifer parameters from recovery data.

3.3.3.3 Approved Yield

Combined approved yield for all sources shall not exceed the system's maximum day demand except in the case of water systems serving municipalities where the approved yield may include the maximum day demand as projected over a 20 year time period. When a system's metered maximum day demand equals 90% of the previously projected maximum day demand, the water supplier should project a new maximum day demand and develop additional sources of water supply at that time.

3.3.4 Water Quality

3.3.4.1 The proposed source shall be tested for the water quality constituents listed in Table 6-5 of this rule, except for the disinfection by-products and disinfection residuals, and any additional constituents that the Secretary requires. Section 6.14 contains information about Maximum Contaminant Level Goals.

3.3.4.2 Samples shall be collected at the conclusion of the test pumping procedure.

3.3.4.3 Field determination of physical constituents or special sampling may be required by the Secretary.

3.3.4.4 A turbidity in excess of 5 NTU is not acceptable. Treatment may be required.

3.3.5 Source Interference

Source interference monitoring shall be conducted on all sources, when permitted by the source owner, within the monitoring radius defined in this subpart unless a waiver is granted by the Secretary. Source interference analyses determine whether a proposed pumping source will

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result in a source interference problem at a neighboring water system. See Appendix A Subpart 3.3.5.4 for the definition of unacceptable source interference.

3.3.5.1 Development of a Source Interference Testing Program.

- (a) The proposed source interference testing program shall be detailed on the Source Testing Application Form.
- (b) All source owners within the radial distances defined in Appendix A Subpart 3.3.5.2(c) shall be identified and notified in writing of the forthcoming test. The notification shall:
 - (1) Include an informational form letter supplied by the Secretary.
 - (2) Request monitoring permission and a written response;
 - (3) Define responsibility to prepare source for monitoring;
 - (4) State the monitoring radius requirement.
 - (5) Offer to disinfect and re-seal the source when the monitoring ends.
 - (6) Inform the source user and owner that the applicant will supply potable water or cease the pump test should their water supply needs not be met.
 - (7) Identify name and phone number of contact person in the event of a water outage during testing.
- (c) If unable to monitor a neighbor's source, estimate source interference based on calculations.
- (d) All sources identified per 3.3.5.2(c) shall be monitored, if possible.
- (e) All sources monitored shall be disinfected at the end of the testing program when permitted by the source owner. Monitoring tubes and water level probes shall be disinfected prior to installation.

3.3.5.2 Data Collection for Source Interference Testing.

- (a) All data specified in Subpart 3.3.3.2.2(d) shall be collected.
- (b) Existing sources not in service should be measured to the nearest 0.01 foot. Sources in service should be measured to the nearest 0.10 foot.
- (c) The following rates and distances shall be used for determining the study area for source interference monitoring. The monitor radius and duration may be increased at the discretion of the Secretary.

PUMP TEST RATE, GPM	MONITOR RADIUS	DURATION
0-19	1000 feet	72 hours
20-49	2000 feet	72 hours
50-99	2500 feet	96 hours
100+	3000 feet	120 hours

- (d) Water usage and listing of sources in service.

3.3.5.3 Data Submittal

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Source interference information shall be submitted in the Source Evaluation Report on forms provided by the Secretary.

3.3.5.4 Definition of Unacceptable Source Interference

If, as a result of source interference, existing **Public** and private water systems cannot meet their design demands, then a source interference problem exists. Applicants are advised to contact the Secretary for additional guidance on calculating interference effects on private water systems.

Public and private water systems depleted by the testing of proposed sources (and existing permitted sources seeking an increase in approved yield) shall be able to meet their expected demand while the proposed **Public** water system is pump tested for approval. Unless more specific information is available, the reliable long-term yield for a private source should be assumed to be one-half (1/2) the driller's reported yield. Depending upon system use, this long-term yield must satisfy the minimum values found in Table A2-1 in this rule for **Public** water systems.

Interference problems may also include water quality problems resulting from public source testing. Interference will be determined based on measurement or calculation of interference effects from the production source pumping at the approvable rate at the end of 180 days at average day demand plus 3 or 7 days at maximum day demand.

3.3.5.5 Resolution of Unacceptable Source Interference

- (a) All unacceptable source interference shall be resolved to the satisfaction of the Secretary prior to the issuance of a Source Permit. The applicant is responsible for identification of all sources in use within the monitoring radius defined in Appendix A Subpart 3.3.5.2. The Secretary may either reduce the permitted yield or require additional testing or analysis to determine the impact upon the unmonitored source.
- (b) Solutions may include:
 - (1) drill affected source deeper and test for water quantity.
 - (2) test affected source or re-evaluate existing data.
 - (3) Connect affected water system onto acceptable **Public** water system.
 - (4) develop an alternative water source for the affected source.
 - (5) Present water usage data from the affected water system which documents a reduction in water demand.
 - (6) For some private water systems, additional storage may be developed to offset the source interference.
 - (7) Hydrofracture the well or redevelop by other methods.

3.3.6 Source Protection

A Source Protection Area shall be delineated for the water system source and a Source Protection Plan shall be developed which minimizes, to the extent practicable, risks from potential sources of contamination.

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3.3.6.1 Source Protection Areas (SPA) - General

- (a) Delineation of Source Protection Areas is required for a new **Public** water system and for altering the permitted production rate.
- (b) If a new **Public** water system well interferes with an existing **Public** water system and increases the source protection area of the existing source(s), then the applicant shall redelineate the source protection area for the affected existing source and shall follow the public notice requirements in Subchapter 21-4, subsection 4.1.1.3.
- (c) Any increase in the risk of contamination to an existing **Public** water system caused by the expansion of its SPA due to pumping of a proposed well must be addressed by the applicant prior to source permitting for the new **Public** water system.

3.3.6.2 Source Protection Area Delineation

- (a) Source protection areas shall be delineated using existing geologic and hydrogeologic data, and pumping test data. The applicant shall give consideration to the following:
 - (1) Hydrogeologic setting based on published and unpublished reports, well logs, fracture traces, on site observations, and other site specific information available;
 - (2) Pump testing at design production rate;
 - (3) Ambient non-pumping groundwater flow conditions based on topography and observation wells when available;
 - (4) Topography using U.S.G.S. topographic maps;
 - (5) Structure (fracture pattern, jointing, lineaments);
 - (6) Surficial and bedrock geology (rock types, depositional environment, etc.);
 - (7) Soils (type, thickness, hydraulic properties);
 - (8) The source's expected maximum use;
 - (9) Elevation of the source pump intake;
 - (10) Appropriate hydrogeologic models; and
 - (11) Seasonal maximum discharges of springs
- (b) The delineation of a SPA is performed in conjunction with the Source Permit process described in Subchapter 21-4.
 - (1) Source Permit Application:
Identification of sources of contamination, development of a conceptual hydrogeologic model, and preliminary SPA based on existing data collection and assessment;
 - (2) Source Testing Application; Scope of Work:
The applicant shall propose the method of SPA delineation, state what data are to be collected from the pumping test and how it will be used in the SPA delineation. The proposal may include:
 - (i) Monitoring wells to determine distance drawdown relationship.
Production wells in unconsolidated aquifers with intended production rates of 50 gpm or greater require a minimum of three (3) observation wells. A monitoring well plan and rationale shall be submitted for approval.

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- (ii) Water table or potentiometric surface fluctuations, groundwater flow pattern.
 - (iii) Effect of precipitation
- (3) Source Evaluation Report

Each SPA shall be delineated after careful consideration of all existing information. The SPA shall be presented on a original unfolded USGS map of scale 1:24000 or as required by the Secretary. A geo-referenced digital file of the area may also be submitted. This map shall include the following:

 - (i) Name and number of the project and source, and the town name.
 - (ii) Pumping rate of the source in GPM, maximum day demand.

A narrative which describes the following for each SPA shall be included in the Source Evaluation Report.

- (i) Bedrock and surficial geology (rock types, depositional environment, etc.)
- (ii) Structure (fracture pattern, jointing, lineaments)
- (iii) Soils (type, thickness, stratification, hydraulic, properties)
- (iv) Hydrogeologic setting and aquifer type
- (v) Field Reconnaissance observations
- (vi) Data Gaps which may be filled through future testing.

Note: As data is gathered during source development, refinement of the understanding of the groundwater flow system should occur. It is therefore expected that the methodologies employed for SPA delineation be adjusted to the hydrogeologic environment and that all existing data be considered to define a reasonable area to be used to protect the source.

3.3.6.3 SPA Zones

Source protection areas shall be delineated with the following zones, in a manner that reflects the hydrogeologic setting.

Zone 1 Shall consist of the isolation zone as described in Appendix A Subpart 3.3.1.2. This is the area where impacts are likely to be immediate and certain.

Zone 2 Shall consist of the contributions from the monitoring radius established in Appendix A Subpart 3.3.5.2(c), and outside the Zone 1 Isolation Zone. This area is one where there will be probable impacts from potential sources of contamination.

Zone 3 Shall consist of remaining recharge area(s) or area of contribution to the source not delineated as Zone 2 and where there may be possible impacts from potential sources of contamination. Groundwater under the direct influence of surface water shall include upstream areas in the watershed within 200 feet of any surface water potentially influencing the source.

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2YTT Two year travel time (2YTT) zone shall be used to identify a protection area to provide adequate protection from pathogen threats resulting from onsite disposal of sewage.

3.3.6.4 Source Protection Plans

Source protection plans shall be developed for groundwater sources and shall meet the requirements of Subchapter 21-16.

3.3.7 Infiltration Galleries

- (a) Two types of infiltration galleries are recognized by the Secretary.
 - (1) Groundwater induced infiltration galleries located so as to intercept ambient groundwater flow.
 - (2) Surface water induced infiltration galleries located so as to intercept surface water. Infiltration galleries within 200 feet of surface water are considered surface water induced infiltration galleries, unless detailed analysis of groundwater flow conditions and water quality determine waters to be acceptable groundwater.
- (b) Groundwater induced infiltration galleries may be considered only where geological conditions preclude the feasibility of developing an acceptable drilled well.
- (c) Infiltration galleries shall be regarded in the same manner as wells as far as sanitary isolation distance and land uses are concerned.
- (d) Flow in the galleries shall be by gravity to the collecting well.
- (e) Review Process
 - Infiltration galleries should only be considered when development of alternative sources is shown not to be technically viable.
 - (1) Groundwater induced infiltration galleries will be reviewed in a similar manner to wells.
 - (2) Surface water infiltration galleries will be reviewed on a case by case basis and may be considered surface water intakes.

3.4 Groundwater Under the Direct Influence of Surface Water (GWUDI)

3.4.1 Public Community Water Systems and Public Non-Transient Non-Community Water Systems

3.4.1.1 Criteria

All systems not otherwise exempted under Appendix A Subpart 3.4.1.2, and using groundwater sources, shall use the Microscopic Particulate Analysis (MPA) test when the source meets any one or more of the following criteria:

- (a) The source has a history of water-borne disease;
- (b) The source, within the most recent 3 year period, has had one or more violations of E. coli MCL or has failed to meet any total coliform monitoring requirements;
- (c) The source is subject to annual flooding;

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- (d) There are construction defects or deficiencies that could allow surface water to directly enter the source;
- (e) The source is a spring or infiltration gallery;
- (f) The source has a tested capability to yield more than 500 gallons per minute;
- (g) The source is less than 150 feet from a surface water body and:
 - (1) has less than 50 feet of soil over the screen, end of casing, or bedrock surface;
 - (2) has no confining layer; or
 - (3) has a direct hydraulic connection;
- (h) The source is a bedrock well farther than 150 feet from the nearest surface water but has:
 - (1) less than 50 feet of watertight casing; and
 - (2) no confining layer.
- (i) The source exhibits other convincing evidence of being under the direct influence of surface water.

3.4.1.2 Exemptions

- (a) Systems are exempt from further testing when all available sources:
 - (1) are groundwater sources, but not springs or infiltration galleries; and
 - (2) are farther than 150 feet from the nearest surface water body; and for rock wells
 - (3) have more than 50 feet of watertight casing or a confining layer.
- (b) Systems which pass the Microscopic Particulate Analysis tests are exempt from further testing.

3.4.2 Public Transient Non-Community Water Systems

3.4.2.1 Criteria

A water system shall conduct water quality testing if the Secretary determines a source is at risk of GWUDI. Sources are at risk of GWUDI when:

- (a) there are construction defects or deficiencies exist that could allow surface water to directly enter the source;
- (b) there are indications of water-borne disease outbreaks associated with the source;
- (c) there is evidence of direct surface water contamination;
- (d) there are surrounding sources of fecal contamination;
- (e) the source is an infiltration gallery or dug well;
- (f) the source is a gravel well or well point and less than or equal to 50 feet from surface water, and exhibits criteria listed in (a) through (e); or
- (g) there is not enough information to make the determination.

3.4.2.2 Water Quality Testing

- (a) Systems shall make improvements to obvious source construction defects that increase the source's vulnerability to surface water contamination before beginning testing;
- (b) System shall perform six months of total coliform testing, including e-coli testing if fecal coliform-positive;

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- (c) System shall perform one spring MPA test if any confirmed total coliform-positive occurs during step (b) testing;
- (d) System shall perform hydraulic connection analysis if the MPA laboratory is unable to adequately examine the requisite amount of sample.

3.4.2.3 GWUDI Determination

The Secretary will determine if the source is GWUDI based on the available information, site visits, and water quality testing data. The system shall provide the Secretary with the information needed to make this determination.

3.5 Standards for Public Non-Community Water System Sources

- 3.5.1 Water system sources for **Public Non-Community** water systems shall comply with the requirements found in Part 11 of Appendix A.

Part 4 WATER SUPPLY TREATMENT

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-transient** water systems;
- (c) **Public Transient** water systems; and
- (b) **Domestic Bottled** water systems.

4.0 General

The design of treatment processes and devices shall depend on evaluation of the nature and quality of the particular water to be treated and the desired quality of the finished water.

- (a) All filtration facilities must be capable of producing finished water meeting the MCLs in Subchapter 21-6, and the *Giardia* and viral standards at 40 CFR, §141.70.
- (b) **Public Community** and **Non-Transient Non-Community** treatment facilities required to produce finished water meeting the primary MCLs and/or systems treating to address the Manganese health advisory must be capable of treating peak demand flows with the largest treatment unit offline, except for when specifically approved by the Secretary.
- (c) Pilot studies are required on all non-conventional water treatment systems, where data on similar facilities in use on Vermont waters is not available.
- (d) Pilot studies must address water qualities expected throughout the year including spring runoff and winter cold water.
- (e) Pilot studies may not be required for conventional flocculation, sedimentation, filtration facilities.
- (f) Best Available Technologies (BAT) shall be considered when a treatment technology is required under 40 CFR Parts 141 and 142.
- (g) Pilot studies may be required by the Secretary for proposed applications of Granular Activated Carbon (GAC) treatment when other compounds in the water may interfere with effective GAC treatment.

4.1 Clarification

Plants designed for processing surface water shall:

- (a) provide a minimum of two units each for rapid mix, flocculation and sedimentation,
- (b) be constructed to allow units to be taken out of service without disrupting operation, and have drains or pumps sized to allow dewatering in a reasonable period of time,
- (c) be started manually following shutdown, and
- (d) minimize hydraulic head losses between units to allow future changes in processes without the need for re-pumping.

4.1.1 Rapid Mix

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Rapid mix shall mean the rapid dispersion of chemicals throughout the water to be treated, usually by violent agitation.

- (a) Equipment - Basins should be equipped with mechanical mixing devices.
- (b) Mixing - The detention period should be no more than thirty seconds.
- (c) Location - The rapid mix and flocculation basin shall be as close together as possible.
- (d) Some systems may be able to use static mixers to accomplish rapid mixing.

4.1.2 Flocculation

Flocculation shall mean the agitation of water at low velocities for long periods of time.

- (a) Basin Design - Inlet and outlet design shall prevent short circuiting and destruction of floc. A drain and/or pumps shall be provided to handle dewatering and sludge removal.
- (b) Detention - The flow through velocity shall be not less than 0.5 nor greater than 1.5 feet per minute with a detention time for floc formation of at least 30 minutes.
- (c) Equipment - Agitators shall be driven by variable speed drives with the peripheral speed of paddles ranging from 0.5 to 3.0 feet per second.
- (d) Piping - Flocculation and sedimentation basins shall be as close together as possible. The velocity of flocculated water through pipes or conduits to settling basins shall be not less than 0.5 feet per second nor greater than 1.5 feet per second. Allowances must be made to minimize turbulence at bends and changes in direction.
- (e) Other designs - Baffling may be used to provide for flocculation in small plants only after consultation with the Secretary. The design should be such that the velocities and flows noted above will be maintained.
- (f) Accessibility - Flocculation basin should be designed for easy access and observation of floc.
- (g) A superstructure over the basin may be required.

4.1.3 Sedimentation

Sedimentation shall follow flocculation. The detention time for effective clarification is dependent upon a number of factors related to basin design and the nature of the raw water. The following criteria apply to conventional sedimentation units.

- (a) Detention time - Shall provide a minimum of four hours of settling time. Reduced sedimentation time may also be approved when equivalent effective settling is demonstrated.
- (b) Inlet devices - Inlets shall be designed to distribute the water equally and at uniform velocities. Open ports, submerged ports, and similar entrance arrangements are required. A baffle should be constructed across the basin close to the inlet end and should project several feet below the water surface to dissipate inlet velocities and provide uniform flows across the basin.
- (c) Outlet devices - Outlet devices shall be designed to maintain velocities suitable for settling in the basin and to minimize short circuiting. The use of submerged orifices is

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recommended in order to provide a volume above the orifices for storage where there are fluctuations in flow.

- (d) Overflow rate - The rate of flow over the outlet weir shall not exceed 20,000 gpd per foot of weir length. Where submerged orifices are used as an alternate for overflow weirs, they should not be lower than three feet below the flow line with flow rates equivalent to weir loadings.
- (e) Velocity - The velocity through settling basins shall not exceed 0.5 feet per minute. The basins must be designed to minimize short circuiting. Fixed or adjustable baffles must be provided as necessary to achieve the maximum potential for clarification.
- (f) Overflow - An overflow weir (or pipe) should be installed which will establish the maximum water level desired on top of the filters. It shall discharge by gravity with a free fall at a location where the discharge will be noted.
- (g) Superstructure - A superstructure over the sedimentation basin is required.
- (h) Sludge collection - Mechanical sludge collection equipment should be provided.
- (i) Drainage - Basins must be provided with a means for dewatering. Basin bottoms should slope toward the drain not less than one foot in twelve feet where mechanical sludge collection equipment is not required.
- (j) Flushing lines - Flushing lines or hydrants shall be provided and must be equipped with back flow prevention devices acceptable to the Secretary.
- (k) Safety - Permanent ladders or handholds should be provided on the inside walls of basins above the water level. Guard rails should be included.
- (l) Sludge removal - Sludge removal design shall provide that:
 - (1) sludge pipes shall be not less than three inches in diameter and so arranged as to facilitate cleaning,
 - (2) entrance to sludge withdrawal piping shall prevent clogging,
 - (3) valves shall be located outside the tank for accessibility, and
 - (4) the operator may observe and sample sludge being withdrawn from the unit.
- (m) Sludge disposal - Sludge disposal facilities shall meet the requirements of the Secretary (See Subpart 4.10.)

4.1.4 Solids Contact Unit

Units are acceptable for clarification where water characteristics are not variable and flow rates are uniform. Clarifiers should be designed for the maximum uniform rate and should be adjustable to changes in flow which are less than the design rate and for changes in water characteristics. A minimum of two units are required for surface water treatment.

4.1.4.1 Chemical Feed

Chemicals shall be applied at such points and by such means as to insure satisfactory mixing of the chemicals with the water.

4.1.4.2 Mixing

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A rapid mix device or chamber ahead of solids contact units may be required by the Secretary to assure proper mixing of the chemicals applied. Mixing devices employed shall be so constructed as to:

- (a) provide good mixing of raw water with previously formed sludge particles, and
- (b) prevent deposition of solids in the mixing zones.

4.1.4.3 Sludge Concentrators

The equipment should provide either internal or external concentrators in order to obtain a concentrated sludge with a minimum of wastewater.

4.1.4.4 Sludge Removal

- (a) Sludge pipes shall be not less than three inches in diameter and so arranged as to facilitate cleaning,
- (b) entrance to sludge withdrawal piping shall prevent clogging,
- (c) valves shall be located outside the tank for accessibility, and
- (d) the operator may observe and sample sludge being withdrawn from the unit.

4.1.4.5 Detention Period

The detention period shall be as approved by the Secretary based on the individual units used, and the raw water characteristics.

4.1.4.6 Water losses

- (a) Units shall be provided with suitable controls for sludge withdrawal.
- (b) Total water losses should not exceed five percent (5%) for clarifiers.

4.1.4.7 Weirs or Orifices

The units should be equipped with either overflow weirs or orifices constructed so that water at the surface of the unit does not travel over 10 feet horizontally to the collection trough.

- (a) Weirs shall be adjustable, and at least equivalent in length to the perimeter of the tank.
- (b) Weir loading shall not exceed 10 gpm per foot of weir length for units used for clarifiers, and
- (c) Where orifices are used the loading per foot of launder rates should be equivalent to weir loadings. Either shall produce uniform rising rates over the entire area of the tank.

4.1.4.8 Upflow Rates

Unless supporting data is submitted to the Secretary to justify rates exceeding the following, the rate of flow shall not exceed 1.0 gpm per square foot of area at the sludge separation line.

4.1.5 Tube or plate settlers

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Proposals for settler unit clarification must include pilot plant and/or full scale demonstration satisfactory to the Secretary prior to the preparation of final plans and specifications for approval.

4.2 Filtration

Acceptable filters shall include, at the discretion of the Secretary, the following types:

- (a) rapid rate gravity filters;
- (b) rapid rate pressure filters;
- (c) slow sand filtration;
- (d) direct filtration;
- (e) diatomaceous earth filtration; or
- (f) other technology as approved by the Secretary.

The application of any one type must be supported by water quality data representing a reasonable period of time to characterize the variation in water quality. Experimental treatment studies may be required to demonstrate the applicability of the method of filtration proposed.

4.2.1 Rapid Rate Gravity Filters

4.2.1.1 Pretreatment

The use of rapid rate gravity filters shall require pretreatment through the addition of constituents to enhance the treatment process.

4.2.1.2 Rate of Filtration

The rate of filtration shall be determined through consideration of such factors as raw water quality, degree of pretreatment provided, filter media, water quality control parameters, competency of operating personnel, and other factors as required by the Secretary. In any case, the filter rate must be proposed and justified by the designing engineer to the satisfaction of the Secretary prior to the preparation of final plans and specifications.

4.2.1.3 Total Filter Capacity Determination

- (a) At least two units shall be provided. Where only two units are provided each shall be capable of meeting the plant design capacity (the projected maximum daily demand) at the approved filtration rate. Where more than two filter units are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter removed from service. Where declining rate filtration is provided, the variable aspect of filtration rates, and the number of filters must be considered when determining the design capacity for the filters.
- (b) The reserve capacity of water treatment plants constructed between 1980 and 1992 shall be determined under the previous practices until 2011. These previous practices required

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the plant capacity to meet average daily demand with one filter off line and maximum daily demand with all filters operating. Any new water treatment plant construction or major modification beginning after January 1, 1993, requires use of the new standards for design as described in Appendix A Subpart 4.2.1.3(a).

4.2.1.4 Structural details and hydraulics

The filter structure shall be so designed as to provide for:

- (a) vertical walls within the filter;
- (b) no protrusion of the filter walls into the filter media;
- (c) head room to permit normal inspection and operation;
- (d) minimum water depth over the surface of the filter media of three (3) feet;
- (e) trapped effluent to prevent back flow of air to the bottom of the filters;
- (f) prevention of floor drainage to the filter with a minimum of 4 inch curb around the filters;
- (g) prevention of flooding by providing overflow;
- (h) maximum velocity of treated water in pipe and conduits to filters of two feet per second;
- (i) cleanouts and straight alignment for influent pipes or conduits where solids loading is heavy;
- (j) washwater drain capacity to carry maximum flow;
- (k) safety handrails or walls around filter areas adjacent to normal walkways; and
- (l) construction to prevent cross connections and common walls between potable and non-potable water.

4.2.1.5 Washwater troughs

Washwater troughs should be constructed to have:

- (a) the bottom elevation above the maximum level of expanded media during washing;
- (b) a two inch freeboard at the maximum rate of wash;
- (c) the top edge level and all at the same elevation;
- (d) spacing so that each trough serves the same number of square feet of filter area; and
- (e) maximum horizontal travel of suspended particles to reach the trough not to exceed three feet.

4.2.1.6 Filter material

The media shall be clean silica sand or other natural or synthetic media approved by the Secretary, having the following characteristics:

- (a) a total depth of not less than 24 inches and generally not more than 30 inches;
- (b) an effective size range of the smallest material no greater than 0.45 to 0.55 mm;
- (c) a uniformity coefficient of the smallest material not greater than 1.65; and
- (d) a minimum of 12 inches of media with an effective size range no greater than 0.45 mm to 0.55, and a specific gravity greater than other filtering materials within the filter.
- (e) Types of filter media:
 - (1) Anthracite - Clean crushed anthracite, or a combination of anthracite and other media may be considered on the basis of experimental data specific to the project, and shall have:

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- (i) effective size of 0.45 mm to 0.55 mm with uniformity coefficient not greater than 1.65 when used alone;
 - (ii) effective size of 0.8 mm to 1.2 mm with a uniformity coefficient not greater than 1.85 when used as a cap;
 - (iii) effective size for anthracite used on potable groundwater for iron and manganese removal only shall be a maximum of 0.8 mm (effective sizes greater than 0.8 mm may be approved based upon onsite pilot plant studies).
- (2) Sand - sand shall have:
- (i) effective size of 0.45 mm to 0.55 mm; and
 - (ii) uniformity coefficient of not greater than 1.65.
- (3) Other media - Other media will be considered based on experimental data and operating experience.
- (4) Gravel - Gravel, when used as the supporting media, shall consist of hard, rounded particles and shall not include flat or elongated particles. The coarsest gravel shall be 2-1/2 inches in size when the gravel rests directly on the strainer system, and must extend above the top of the perforated laterals. Not less than four layers of gravel shall be provided in accordance with the following size and depth distribution when used with perforated laterals:

Size	Depth
2-1/2 to 1-1/2 inches	5 to 8 inches
1-1/2 to 3/4 inches	3 to 5 inches
3/4 to 1/2 inches	3 to 5 inches
1/2 to 3/16 inches	2 to 3 inches
3/16 to 3/32 inches	2 to 3 inches

Reduction of gravel depths may be considered upon justification to the Secretary when proprietary filter bottoms are specified.

4.2.1.7 Filter bottoms and strainer systems

Departures from these standards may be acceptable for high rate filters and for proprietary bottoms. Porous plate bottoms shall not be used where iron or manganese may clog them or with waters softened by lime. Manifold type collection systems shall be designed to:

- (a) minimize loss of head in the manifold materials; and
- (b) assure even distribution of washwater and even rate of filtration over the entire area of the filter.

4.2.1.8 Surface wash or subsurface wash

Surface or subsurface wash facilities are recommended and may be accomplished by a system of fixed nozzles or a revolving type apparatus. All devices shall be designed with:

- (a) provision for water pressure of at least 45 psi;

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- (b) a properly installed vacuum breaker or other approved device to prevent back siphonage if connected to the treated water system;
- (c) rate of flow of 2.0 gallons per minute per square foot of filter area with fixed nozzles or 0.5 gallons per minute per square foot with revolving arms; and
- (d) air wash can be considered based on experimental data and operating experiences.

4.2.1.9 Appurtenances

The following shall be provided for every filter:

- (a) influent and effluent sampling taps;
- (b) means for measuring head loss;
- (c) a flow meter. A modified rate controller which limits the rate of filtration to a maximum rate may be used. However, equipment that simply maintains a constant water level on the filters is not acceptable, unless the rate of flow onto the filter is properly controlled. A pump or a flow meter in each filter effluent line may be used as the limiting device for the rate of filtration only after consultation with the Secretary;
- (d) filter to waste provision; and
- (e) provisions for draining the filter to waste with appropriate measures for back flow prevention (see Appendix A Subpart 4.10).

It is recommended the following be provided for every filter:

- (a) a continuous or rotating cycle turbidity recording device for surface water treatment plants, and
- (b) a 1 to 1-1/2 inch pressure hose and storage rack at the operating floor for washing filter walls.

4.2.1.10 Backwash

Provisions shall be made for washing filters as follows:

- (a) a minimum rate of 15 gallons per minute per square foot, consistent with water temperatures and specific gravity of the filter media. A rate of 20 gallons per minute per square foot or a rate necessary to provide for a 50 percent expansion of the filter bed is recommended. A reduced rate of 10 gallons per minute per square foot may be acceptable for full depth anthracite or granular activated carbon filters;
- (b) filtered water provided at the required rate by washwater tanks, a washwater pump, from the high service main, or a combination of these;
- (c) washwater pumps in duplicate unless an alternate means of obtaining washwater is available;
- (d) not less than 15 minutes wash of filter at the design rate of wash;
- (e) a washwater regulator or valve on the main washwater line to obtain the desired rate of filter wash with the washwater valves on the individual filters open wide;
- (f) a rate of flow indicator, preferably with a totalizer, on the main washwater line, located so that it can be easily read by the operator during the washing process; and
- (g) design to prevent rapid changes in backwash water flow.

4.2.2 Rapid rate pressure filters

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The use of these filters is not recommended and generally not approved since their effectiveness is easily reduced and their operation difficult to monitor, however, they may be the only economic solution in certain circumstances.

4.2.2.1 General

Minimum criteria relative to number, rate of filtration, structural details and hydraulics, filter media, etc., provided for rapid rate gravity filters also apply to pressure filters where appropriate.

4.2.2.2 Rate of filtration

The rate shall not exceed three gallons per minute per square foot of filter area, except where pilot study or in plant testing as approved by the Secretary has demonstrated satisfactory results at higher rates.

4.2.2.3 Details of design

The filters shall be designed to provide for:

- (a) a minimum of two sight ports (except for iron and manganese removal filters);
- (b) a differential head loss gauge;
- (c) an easily readable meter or flow indicator on each battery of filters. A flow indicator is recommended for each filtering unit;
- (d) filtration and backwashing of each filter individually with an arrangement of piping as simple as possible to accomplish these purposes;
- (e) filter media shall comply with Appendix A Subpart 4.2.1.6;
- (f) the top of the washwater collectors to be at least 18 inches above the surface of the media;
- (g) the under drain system to efficiently collect the filtered water and to uniformly distribute the backwash water at a rate not less than 15 gallons per minute per square foot of filter area;
- (h) backwash flow indicators and controls that are easily readable while operating the control valves;
- (i) an air release valve on the highest point of each filter;
- (j) an accessible manhole to facilitate inspection and repairs;
- (k) means to observe the wastewater during backwashing;
- (l) construction to prevent cross connection; and
- (m) a pressure relief valve shall be installed for each filter.

4.2.3 Diatomaceous earth filtration

The use of these filters may be considered for application to surface water with low turbidity and low bacterial contamination, and may be used for iron removal for groundwater, providing the removal is effective and the water is of satisfactory sanitary quality before treatment.

4.2.3.1 Conditions of use

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Diatomaceous earth filters are expressly excluded from consideration for the following conditions:

- (a) color removal;
- (b) turbidity removal where either the gross quantity of turbidity is high or the turbidity exhibits poor filterability characteristics; and
- (c) filtration of water with high algae counts.

4.2.3.2 Pilot plant study

Installation of a diatomaceous earth filtration system shall be preceded by a pilot plant study on the water to be treated.

- (a) Conditions of the study such as duration, filter rates, head loss accumulation, slurry feed rates, turbidity removal, bacteria removal, etc. must be approved by the reviewing authority prior to the study;
- (b) Satisfactory pilot plant results must be obtained prior to preparation of final construction plans and specifications.
- (c) The pilot plant study must demonstrate the ability of the system to meet applicable drinking water standards at all times.

4.2.3.3 Types of filters

Pressure or vacuum diatomaceous earth filtration units will be considered for approval. However, the vacuum type is preferred for its ability to accommodate a design which permits observation of the filter surfaces to determine proper cleaning, damage to a filter element, and adequate coating over the entire filter area.

4.2.3.4 Treated water storage

Treated water storage capacity in excess of normal requirements shall be provided to:

- (a) allow operation of the filters at a uniform rate during all conditions of system demand at or below the approved filtration rate, and
- (b) guarantee continuity of service during adverse raw water conditions without by-passing the system.

4.2.3.5 Number of units.

See Appendix A Subpart 4.2.1.3 for information on number of units.

4.2.3.6 Pre-coat

- (a) Application: A uniform pre-coat shall be applied hydraulically to each septum by introducing a slurry to the tank influent line and employing a filter to waste or recirculation system.

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- (b) Quantity: Diatomaceous earth in the amount of 0.2 pounds per square foot of filter area or an amount sufficient to apply a 1/8 inch coating should be used with recirculation. When pre coating is accomplished with a filter to waste system, 0.15-0.2 pounds per square foot of filter area is recommended.

4.2.3.7 Body Feed

A body feed system to apply additional amounts of diatomaceous earth slurry during the filter run is required to avoid short filter runs or excessive head losses.

- (a) Quantity: Rate of body feed is dependent on raw water quality and characteristics and must be determined in the pilot plant study. Inclusion of a coagulant coating (alum or polymer) to the body feed should be considered.
- (b) Operation and maintenance can be simplified by providing accessibility to the feed system and slurry lines.
- (c) Continuous mixing of the body feed slurry is required.

4.2.3.8 Filtration

- (a) Rate of filtration: The recommended nominal rate is 1.0 gallon per minute per square foot of filter area with a recommended maximum of 1.5 gpm per square foot. The filtration rate shall be controlled by a positive means.
- (b) Head loss: The head loss shall not exceed 30 psi for pressure diatomaceous earth filters, or a vacuum of 15 inches of mercury for a vacuum system.
- (c) Recirculation: A recirculation or holding pump shall be employed to maintain differential pressure across the filter when the unit is not in operation in order prevent the filter cake from dropping off the filter elements. A minimum recirculation rate of 0.1 gallon per minute per square foot of filter area shall be provided.
- (d) Septum or filter element: The filter elements shall be structurally capable of withstanding maximum pressure and velocity variations during filtration and backwash cycles, and shall be spaced such that no less than one inch is provided between elements or between any element and a wall.
- (e) Inlet design: The filter influent shall be designed to prevent scour of the diatomaceous earth from the filter element.

4.2.3.9 Backwash

A satisfactory method to thoroughly remove and dispose of spent filter cake shall be provided.

4.2.3.10 Appurtenances

The following shall be provided for every filter:

- (a) sampling taps for raw and filtered water;
- (b) loss of head or differential pressure gauge;
- (c) rate-of-flow indicator, preferably with totalizer;

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- (d) a throttling valve used to reduce rates below normal during adverse raw water conditions; and
- (e) evaluation of the need for body feed, recirculation, and any other pumps, in accordance with Appendix A Subpart 6.3.

4.2.4 Slow Rate Gravity Filters

The use of these filters shall require prior engineering studies to demonstrate the adequacy and suitability of this method of filtration for the specific raw water supply.

4.2.4.1 Quality of raw water

Slow rate gravity filtration will generally be limited to waters having maximum turbidities of 10 units and maximum color of 5 units: such turbidity must not be attributable to colloidal clay. Raw water quality data must include examinations for algae.

4.2.4.2 Number

At least two units shall be provided. Where only two units are provided, each shall be capable of meeting the plant design capacity (normally the projected maximum daily demand) at the approved filtration rate. Where more than two filter units are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter removed from service.

4.2.4.3 Structural details and hydraulics

Slow rate gravity filters shall be so designed as to provide:

- (a) a cover, and insulation to prevent freezing
- (b) headroom to permit normal movement by operating personnel for scraping and sand removal operations
- (c) adequate manholes and access ports for handling of sand
- (d) filtration to waste
- (e) an overflow at the maximum filter water level
- (f) provisions for draining the filter to waste with appropriate measures for back flow prevention (see Appendix A Subpart 4.10)

4.2.4.4 Rates of filtration

The permissible rates of filtration shall be determined by the quality of the raw water and shall be on the basis of experimental data derived from the water to be treated. The nominal rate may be 45 to 150 gallons per day per square foot of sand area, with somewhat higher rates acceptable when demonstrated to the satisfaction of the Secretary.

4.2.4.5 Underdrains

Each filter unit shall be equipped with a main drain and an adequate number of lateral underdrains to collect the filtered water. The underdrains shall be so spaced that the maximum

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velocity of the water flow in the lateral underdrain will not exceed 0.75 feet per second. The maximum spacing of the laterals shall not exceed 3 feet.

4.2.4.6 Filtering material

- (a) Filter sand shall be placed on graded gravel layers for a minimum depth of 30 inches.
- (b) The effective size shall be between 0.15 mm and 0.35 mm, or as approved by the Secretary.
- (c) The uniformity coefficient shall not exceed 2.5, or as approved by the Secretary.
- (d) The sand shall be clean and free from foreign matter.

4.2.4.7 Filter gravel

The supporting gravel shall conform to the size and depth distribution provided for rapid rate gravity filters. See Appendix A Subpart 4.2.1(6)(e)(5).

4.2.4.8 Depth of water on filter beds

Design shall provide a depth of at least three feet of water over the sand. Influent water shall not scour the sand surface.

4.2.4.9 Control appurtenances

Each filter shall be equipped with:

- (a) a loss of head gauge;
- (b) an orifice, venturi meter, or other suitable metering device installed on each filter to control the rate of filtration; and
- (c) an effluent pipe designed to maintain the water level above the top of the filter sand.

4.2.5 Direct Filtration

Direct filtration, as used herein, refers to the filtration of a surface water without prior settling. The nature of the treatment process will depend upon the raw water quality. A full scale direct filtration plant shall not be constructed without prior pilot studies which are acceptable to the Secretary. In-plant demonstration studies may be appropriate where conventional treatment plants are converted to direct filtration.

Where direct filtration is proposed, an engineering report shall be submitted prior to conducting pilot plant or in-plant demonstration studies. In cases where a direct filtration plant is effectively treating the same source, pilot plant studies may be eliminated.

4.2.5.1 Engineering report

In addition to the items considered in Appendix A Subpart 1.2, "Engineer's Report," the report should include a historical summary of meteorological conditions and of raw water quality with

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special reference to fluctuations in quality, and possible sources of contamination. The following raw water parameters should be evaluated in the report:

- (a) color;
- (b) turbidity;
- (c) bacterial concentration;
- (d) microscopic biological organisms;
- (e) temperature;
- (f) total solids;
- (g) general inorganic chemical characteristics; and
- (h) additional parameters as required by the Secretary.

The report should also include a description of methods and work to be done during a pilot plant study or where appropriate, an in plant demonstration study.

4.2.5.2 Pilot plant studies (when required)

After approval of the engineering report, a pilot study or in-plant demonstration study shall be conducted. This study shall be conducted under average and adverse water quality conditions and shall emphasize but not be limited to the following items:

- (a) chemical mixing conditions including shear gradients and detention periods;
- (b) chemical feed rates;
- (c) use of various coagulant aids including polymers;
- (d) flocculation conditions;
- (e) filtration rates;
- (f) filter gradation, types of media and depth of media; and
- (g) filter breakthrough conditions.

Prior to the initiation of design plans and specifications, a final report including the engineer's design recommendations shall be submitted to the Secretary.

4.2.5.3 Pretreatment - Rapid mix and flocculation

The final rapid mix and flocculation basin design should be based on the pilot plant or in-plant demonstration studies augmented with applicable portions of Appendix A Subpart 4.1.1 Rapid Mix and Appendix A Subpart 4.1.2 Flocculation.

4.2.5.4 Filtration

- (a) Filters should be rapid rate gravity filters with dual or mixed media. The final filter design should be based on the pilot plant or in-plant demonstration studies augmented by applicable portions of Appendix A Subpart 4.2.1 Rapid Rate Gravity Filters. Single media sand filters shall not be used.
- (b) Surface wash shall be provided for the rapid rate gravity filters in accordance with Appendix A Subpart 4.2.1.8.

4.2.5.5 Control and operation

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- (a) A continuous recording turbidimeter should be installed on each filter effluent line and on the composite filter effluent line.
- (b) Additional continuous monitoring equipment may be required by the Secretary.

4.3 Disinfection

Historically chlorine has been the preferred disinfecting agent. However, disinfection may be accomplished with liquid chlorine, monochloramines, calcium or sodium hypochlorite or chlorine dioxide. Other disinfecting agents will be considered, providing reliable application equipment is available and testing procedures for residual are recognized in *Standard Methods for the Examination of Water and Wastewater*, latest edition or an equivalent means of measuring effectiveness exists. Disinfection is required for all Subpart H systems including surface water supplies and groundwater under the direct influence of surface water, and for any groundwater at risk of contamination. The required amount of primary disinfection needed shall be specified by the reviewing authority and shall be consistent with levels of treatment required by these rules. Consideration must be given to the formation of disinfection byproducts (DBPs) when selecting the disinfectant.

4.3.1 Chlorination

4.3.1.1 Equipment

4.3.1.1.1 Type

Solution feed gas chlorinators or hypochlorite feeders of the positive displacement type must be provided (See Part 5 of Appendix A). Use of gas is limited to large, operator on-site, or monitored, 24 hour facilities, under very specific conditions.

4.3.1.1.2 Capacity

The chlorinator capacity shall be such that a free chlorine residual of at least 2 milligrams per liter can be maintained in the water with CT values as required in Appendix A Subpart 4.3.2(c) when maximum flow rate coincides with anticipated maximum chlorine demand. The equipment shall be of such design that it will operate accurately over the desired feeding range. (See Appendix A Subpart 5.0.1.)

4.3.1.1.3 Standby equipment

Where chlorination is required for protection of the supply, standby equipment of sufficient capacity shall be available to replace the largest unit. Spare parts shall be made available to replace parts subject to wear and breakage.

4.3.1.1.4 Automatic switchover

Automatic switchover of chlorine cylinders shall be provided, where necessary, to assure continuous disinfection.

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4.3.1.1.5 Automatic proportioning

Automatic proportioning chlorinators will be required where the rate of flow or chlorine demand is not reasonably constant.

4.3.1.1.6 Eductor

Each eductor must be selected for the point of application with particular attention given to the quantity of chlorine to be added, the maximum injector waterflow, the total discharge back pressure, the injector operating pressure, and the size of the chlorine solution line. Gauges for measuring water pressure and vacuum at the inlet and outlet of each eductor should be provided.

4.3.1.1.7 Injector/diffuser

The chlorine solution injector/diffuser must be compatible with the point of application to provide a rapid and thorough mix with all the water being treated. The center of a pipeline is the preferred application point.

4.3.2 Contact time and point of application

- (a) Due consideration shall be given to the contact time of the chlorine in water with relation to pH, ammonia, taste producing substances, temperature, bacterial quality, trihalomethane formation potential and other pertinent factors. Chlorine should be applied at a point which will provide adequate contact time. All basins used for disinfection must be designed to minimize short circuiting. Determination of contact time for calculation of CT values will be made using Appendix C of the E.P.A. Guidance Manual, October, 1989.
- (b) At plants treating surface water, provisions should be made for applying chlorine to the raw water, filtered water, and water entering the distribution system. The contact time as required in this subpart must be provided to achieve the necessary log removal as shown below.

The required minimum primary disinfection is the disinfection needed for the entire surface water and Subpart H treatment process to meet the overall treatment requirement of 3 log *Giardia* and 4 log virus removal/inactivation. Regardless of any filter efficiency, a 0.5 log minimum inactivation of *Giardia* by disinfection is required.

The following table provides a summary of the expected minimum level of surface water and Subpart H treatment performance in well operated filter systems and the required level of disinfection.

	Expected Log Filtration Removals		Required Disinfection (Log Inactivations)	
	<i>Giardia</i>	Viruses	<i>Giardia</i>	Viruses
Conventional	2.5	2.0	0.5	2.0

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Direct	2.0	1.0	1.0	3.0
Slow Sand	2.0	2.0	1.0	2.0
Diatomaceous Earth	2.0	1.0	1.0	3.0

The Secretary may require greater removals/inactivation depending on the degree of contamination in the source water.

- (c) For surface water and groundwater under the direct influence of surface water sources, CT Values (CT) must be achieved as shown in Tables A4-1 and A4-2 (See following Appendix A Subpart 4.3).
- (d) For groundwater sources determined to be vulnerable to viral contamination, 4.0 log inactivation of viruses must be achieved as shown in Table A4-1.
- (e) Groundwater sources not under the direct influence of surface water that are required to be continuously disinfected or that are required to have the capability of being continuously disinfected shall meet the CT requirements to provide 4.0 log viral inactivation as shown in Table A4-1.

4.3.3 Residual chlorine

When systems are required to provide chemical disinfection, the minimum free chlorine residual at distant points in a water distribution system shall be 0.1 milligrams per liter. Higher residuals may be required depending on pH, temperature and other characteristics of the water.

4.3.4 Testing equipment

- (a) Chlorine residual test equipment, using the DPD method or other method recognized in the latest edition of *Standard Methods for the Disinfection of Water and Wastewater*, shall be provided and should be capable of measuring residuals to the nearest 0.1 milligram per liter.
- (b) Each system shall continuously monitor the disinfectant residual of the water as it enters the distribution system and record the lowest disinfectant residual each day. Systems serving fewer than or equal to 3300 people may take grab samples in lieu of continuous monitoring at frequencies as follows:

<i>System Population</i>	<i>Samples/day*</i>
< 500.	1
501-1,000.	2
1,001-2,500.	3
2,501-3,300	4

(*: The minimum time between samples is 1½ hours)

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4.3.5 Chlorinator piping

4.3.5.1 Cross connection protection

The chlorinator water supply piping shall be designed to prevent contamination of the treated water supply by sources of questionable quality. At all facilities treating surface water, pre and post chlorination systems must be independent to prevent possible siphoning of partially treated water into the clear well. The water supply to each eductor shall have a separate shut-off valve. No master shut off valve will be allowed.

4.3.5.2 Pipe material

The pipes carrying elemental liquid or dry gaseous chlorine under pressure and liquid chlorine must be schedule 80 seamless steel tubing or other materials recommended by the Chlorine Institute (never use PVC).

A chlorine solution is defined as a solution of chlorine in water and, therefore, its handling differs from that of elemental liquid or dry gaseous chlorine. For chlorine solution piping and fittings, rubber, PVC, polyethylene, or other materials recommended by the Chlorine Institute must be used.

Nylon products are not acceptable for any part of the chlorine solution piping system.

4.3.6 Housing

Adequate housing must be provided for the chlorination equipment and for storing the chlorine (see Appendix A Part 5).

Table A4-1 - CT VALUES FOR VIRUSES

CT VALUES FOR INACTIVATION OF VIRUSES BY FREE CHLORINE (1,2)

Log Inactivation	2.0		3.0		4.0	
pH	6-9	10	6-9	10	6-9	10
Temperature (°C)						
0.5	6	45	9	66	12	90
5	4	30	6	44	8	60
10	3	22	4	33	6	45
15	2	15	3	22	4	30
20	1	11	2	16	3	22
25	1	7	1	11	2	15

NOTES:

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1. Data adapted from Sobsey (1988) for inactivation of Hepatitis A Virus (HAV) at pH = 6, 7, 8, 9, and 10 and temperature = 5 C. CT values include a safety factor of 3.
2. CT values adjusted to other temperatures by doubling CT for each 10 C drop in temperature.

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Table A4-2 - *GIARDIA* INACTIVATION

CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 0.5°C or Lower																		
Chlorine Concen- tration (mg/L)	pH<=6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	23	46	69	91	114	137	27	54	82	109	136	163	33	65	98	130	163	195
0.6	24	47	71	94	118	141	28	56	84	112	140	168	33	67	100	133	167	200
0.8	24	48	73	97	121	145	29	57	86	115	143	172	34	68	103	137	171	205
1	25	49	74	99	123	148	29	59	88	117	147	176	35	70	105	140	175	210
1.2	25	51	76	101	127	152	30	60	90	120	150	180	36	72	108	143	179	215
1.4	26	52	78	103	129	155	31	61	92	123	153	184	37	74	111	147	184	221
1.6	26	52	79	105	131	157	32	63	95	126	158	189	38	75	113	151	188	226
1.8	27	54	81	108	135	162	32	64	97	129	161	193	39	77	116	154	193	231
2	28	55	83	110	138	165	33	66	99	131	164	197	39	79	118	157	197	236
2.2	28	56	85	113	141	169	34	67	101	134	168	201	40	81	121	161	202	242
2.4	29	57	86	115	143	172	34	68	103	137	171	205	41	82	124	165	206	247
2.6	29	58	88	117	146	175	35	70	105	139	174	209	42	84	126	168	210	252
2.8	30	59	89	119	148	178	36	71	107	142	178	213	43	86	129	171	214	257
3	30	60	91	121	151	181	36	72	109	145	181	217	44	87	131	174	218	261
Chlorine Concen- tration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	40	79	119	158	198	237	46	92	139	185	231	277	55	110	165	219	274	329
0.6	40	80	120	159	199	239	48	95	143	191	238	286	57	114	171	228	285	342
0.8	41	82	123	164	205	246	49	98	148	197	246	295	59	118	177	236	295	354
1	42	84	127	169	211	253	51	101	152	203	253	304	61	122	183	243	304	365
1.2	43	86	130	173	216	259	52	104	157	209	261	313	63	125	188	251	313	376
1.4	44	89	133	177	222	266	54	107	161	214	268	321	65	129	194	258	323	387
1.6	46	91	137	182	228	273	55	110	165	219	274	329	66	132	199	265	331	397
1.8	47	93	140	186	233	279	56	113	169	225	282	338	68	136	204	271	339	407
2	48	95	143	191	238	286	58	115	173	231	288	346	70	139	209	278	348	417
2.2	50	99	149	198	248	297	59	118	177	235	294	353	71	142	213	284	355	426
2.4	50	99	149	199	248	298	60	120	181	241	301	361	73	145	218	290	363	435
2.6	51	101	152	203	253	304	61	123	184	245	307	368	74	148	222	296	370	444
2.8	52	103	155	207	258	310	63	125	188	250	313	375	75	151	226	301	377	452
3	53	105	158	211	263	316	64	127	191	255	318	382	77	153	230	307	383	460
Chlorine Concen- tration (mg/L)	pH <=9.0 Log Inactivations						Note: CT = CT for 3-Log Inactivation (99.9%)											
	0.5	1.0	1.5	2.0	2.5	3.0												
<=0.4	65	130	195	260	325	390												
0.6	68	136	204	271	339	407												
0.8	70	141	211	281	352	422												
1	73	146	219	291	364	437												
1.2	75	150	226	301	376	451												
1.4	77	155	232	309	387	464												
1.6	80	159	239	318	398	477												
1.8	82	163	245	326	408	489												
2	83	167	250	333	417	500												
2.2	85	170	256	341	426	511												
2.4	87	174	261	348	435	522												
2.6	89	178	267	355	444	533												
2.8	91	181	272	362	453	543												
3	92	184	276	368	460	552												

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 5°C																		
Chlorine Concen- tration (mg/L)	pH<=6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	16	32	49	65	81	97	20	39	59	78	98	117	23	46	70	93	116	139
0.6	17	33	50	67	83	100	20	40	60	80	100	120	24	48	72	95	119	143
0.8	17	34	52	69	86	103	20	41	61	81	102	122	24	49	73	97	122	146
1	18	35	53	70	88	105	21	42	63	83	104	125	25	50	75	99	124	149
1.2	18	36	54	71	89	107	21	42	64	85	106	127	25	51	76	101	127	152
1.4	18	36	55	73	91	109	22	43	65	87	108	130	26	52	78	103	129	155
1.6	19	37	56	74	93	111	22	44	66	88	110	132	26	53	79	105	132	158
1.8	19	38	57	76	95	114	23	45	68	90	113	135	27	54	81	108	135	162
2	19	39	58	77	97	116	23	46	69	92	115	138	28	55	83	110	138	165
2.2	20	39	59	79	98	118	23	47	70	93	117	140	28	56	85	113	141	169
2.4	20	40	60	80	100	120	24	48	72	95	119	143	29	57	86	115	143	172
2.6	20	41	61	81	102	122	24	49	73	97	122	146	29	58	88	117	146	175
2.8	21	41	62	83	103	124	25	49	74	99	123	148	30	59	89	119	148	178
3	21	42	63	84	105	126	25	50	76	101	126	151	30	61	91	121	152	182
Chlorine Concen- tration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	28	55	83	111	138	166	33	66	99	132	165	198	39	79	118	157	197	236
0.6	29	57	86	114	143	171	34	68	102	136	170	204	41	81	122	163	203	244
0.8	29	58	88	117	146	175	35	70	105	140	175	210	42	84	126	168	210	252
1	30	60	90	119	149	179	36	72	108	144	180	216	43	87	130	173	217	260
1.2	31	61	92	122	153	183	37	74	111	147	184	221	45	89	134	178	223	267
1.4	31	62	94	125	156	187	38	76	114	151	189	227	46	91	137	183	228	274
1.6	32	64	96	128	160	192	39	77	116	155	193	232	47	94	141	187	234	281
1.8	33	65	98	131	163	196	40	79	119	159	198	238	48	96	144	191	239	287
2	33	67	100	133	167	200	41	81	122	162	203	243	49	98	147	196	245	294
2.2	34	68	102	136	170	204	41	83	124	165	207	248	50	100	150	200	250	300
2.4	35	70	105	139	174	209	42	84	127	169	211	253	51	102	153	204	255	306
2.6	36	71	107	142	178	213	43	86	129	172	215	258	52	104	156	208	260	312
2.8	36	72	109	145	181	217	44	88	132	175	219	263	53	106	159	212	265	318
3	37	74	111	147	184	221	45	89	134	179	223	268	54	108	162	216	270	324
Chlorine Concen- tration (mg/L)	pH<=9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
<=0.4	47	93	140	186	233	279												
0.6	49	97	146	194	243	291												
0.8	50	100	151	201	251	301												
1	52	104	156	208	260	312												
1.2	53	107	160	213	267	320												
1.4	55	110	165	219	274	329												
1.6	56	112	169	225	281	337												
1.8	58	115	173	230	288	345												
2	59	118	177	235	294	353												
2.2	60	120	181	241	301	361												
2.4	61	123	184	245	307	368												
2.6	63	125	188	250	313	375												
2.8	64	127	191	255	318	382												
3	65	130	195	259	324	389	Note: CT = CT for 3-Log Inactivation (99.9%)											

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 10°C																		
Chlorine Concentration (mg/L)	pH≤6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	12	24	37	49	61	73	15	29	44	59	73	88	17	35	52	69	87	104
0.6	13	25	38	50	63	75	15	30	45	60	75	90	18	36	54	71	89	107
0.8	13	26	39	52	65	78	15	31	46	61	77	92	18	37	55	73	92	110
1	13	26	40	53	66	79	16	31	47	63	78	94	19	37	56	75	93	112
1.2	13	27	40	53	67	80	16	32	48	63	79	95	19	38	57	76	95	114
1.4	14	27	41	55	68	82	16	33	49	65	82	98	19	39	58	77	97	116
1.6	14	28	42	55	69	83	17	33	50	66	83	99	20	40	60	79	99	119
1.8	14	29	43	57	72	86	17	34	51	67	84	101	20	41	61	81	102	122
2	15	29	44	58	73	87	17	35	52	69	87	104	21	41	62	83	103	124
2.2	15	30	45	59	74	89	18	35	53	70	88	105	21	42	64	85	106	127
2.4	15	30	45	60	75	90	18	36	54	71	89	107	22	43	65	86	108	129
2.6	15	31	46	61	77	92	18	37	55	73	92	110	22	44	66	87	109	131
2.8	16	31	47	62	78	93	19	37	56	74	93	111	22	45	67	89	112	134
3	16	32	48	63	79	95	19	38	57	75	94	113	23	46	69	91	114	137

Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	21	42	63	83	104	125	25	50	75	99	124	149	30	59	89	118	148	177
0.6	21	43	64	85	107	128	26	51	77	102	128	153	31	61	92	122	153	183
0.8	22	44	66	87	109	131	26	53	79	105	132	158	32	63	95	126	158	189
1	22	45	67	89	112	134	27	54	81	108	135	162	33	65	98	130	163	195
1.2	23	46	69	91	114	137	28	55	83	111	138	166	33	67	100	133	167	200
1.4	23	47	70	93	117	140	28	57	85	113	142	170	34	69	103	137	172	206
1.6	24	48	72	96	120	144	29	58	87	116	145	174	35	70	106	141	176	211
1.8	25	49	74	98	123	147	30	60	90	119	149	179	36	72	108	143	179	215
2	25	50	75	100	125	150	30	61	91	121	152	182	37	74	111	147	184	221
2.2	26	51	77	102	128	153	31	62	93	124	155	186	38	75	113	150	188	225
2.4	26	52	79	105	131	157	32	63	95	127	158	190	38	77	115	153	192	230
2.6	27	53	80	107	133	160	32	65	97	129	162	194	39	78	117	156	195	234
2.8	27	54	82	109	136	163	33	66	99	131	164	197	40	80	120	159	199	239
3	28	55	83	111	138	166	34	67	101	134	168	201	41	81	122	162	203	243

Chlorine Concentration (mg/L)	pH≤9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
≤0.4	35	70	105	139	174	209												
0.6	36	73	109	145	182	218												
0.8	38	75	113	151	188	226												
1	39	78	117	156	195	234												
1.2	40	80	120	160	200	240												
1.4	41	82	124	165	206	247												
1.6	42	84	127	169	211	253												
1.8	43	86	130	173	216	259												
2	44	88	133	177	221	265												
2.2	45	90	136	181	226	271												
2.4	46	92	138	184	230	276												
2.6	47	94	141	187	234	281												
2.8	48	96	144	191	239	287												
3	49	97	146	195	243	292												

Note: CT = CT for 3-Log Inactivation (99.9%)

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 15°C																		
Chlorine Concentration (mg/L)	pH<=6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	8	16	25	33	41	49	10	20	30	39	49	59	12	23	35	47	58	70
0.6	8	17	25	33	42	50	10	20	30	40	50	60	12	24	36	48	60	72
0.8	9	17	26	35	43	52	10	20	31	41	51	61	12	24	37	49	61	73
1	9	18	27	35	44	53	11	21	32	42	53	63	13	25	38	50	63	75
1.2	9	18	27	36	45	54	11	21	32	43	53	64	13	25	38	51	63	76
1.4	9	18	28	37	46	55	11	22	33	43	54	65	13	26	39	52	65	78
1.6	9	19	28	37	47	56	11	22	33	44	55	66	13	26	40	53	66	79
1.8	10	19	29	38	48	57	11	23	34	45	57	68	14	27	41	54	68	81
2	10	19	29	39	48	58	12	23	35	46	58	69	14	28	42	55	69	83
2.2	10	20	30	39	49	59	12	23	35	47	58	70	14	28	43	57	71	85
2.4	10	20	30	40	50	60	12	24	36	48	60	72	14	29	43	57	72	86
2.6	10	20	31	41	51	61	12	24	37	49	61	73	15	29	44	59	73	88
2.8	10	21	31	41	52	62	12	25	37	49	62	74	15	30	45	59	74	89
3	11	21	32	42	53	63	13	25	38	51	63	76	15	30	46	61	76	91

Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	14	28	42	55	69	83	17	33	50	66	83	99	20	39	59	79	98	118
0.6	14	29	43	57	72	86	17	34	51	68	85	102	20	41	61	81	102	122
0.8	15	29	44	59	73	88	18	35	53	70	88	105	21	42	63	84	105	126
1	15	30	45	60	75	90	18	36	54	72	90	108	22	43	65	87	108	130
1.2	15	31	46	61	77	92	19	37	56	74	93	111	22	45	67	89	112	134
1.4	16	31	47	63	78	94	19	38	57	76	95	114	23	46	69	91	114	137
1.6	16	32	48	64	80	96	19	39	58	77	97	116	24	47	71	94	118	141
1.8	16	33	49	65	82	98	20	40	60	79	99	119	24	48	72	96	120	144
2	17	33	50	67	83	100	20	41	61	81	102	122	25	49	74	98	123	147
2.2	17	34	51	68	85	102	21	41	62	83	103	124	25	50	75	100	125	150
2.4	18	35	53	70	88	105	21	42	64	85	106	127	26	51	77	102	128	153
2.6	18	36	54	71	89	107	22	43	65	86	108	129	26	52	78	104	130	156
2.8	18	36	55	73	91	109	22	44	66	88	110	132	27	53	80	106	133	159
3	19	37	56	74	93	111	22	45	67	89	112	134	27	54	81	108	135	162

Chlorine Concentration (mg/L)	pH<=9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
<=0.4	23	47	70	93	117	140												
0.6	24	49	73	97	122	146												
0.8	25	50	76	101	126	151												
1	26	52	78	104	130	156												
1.2	27	53	80	107	133	160												
1.4	28	55	83	110	138	165												
1.6	28	56	85	113	141	169												
1.8	29	58	87	115	144	173												
2	30	59	89	118	148	177												
2.2	30	60	91	121	151	181												
2.4	31	61	92	123	153	184												
2.6	31	63	94	125	157	188												
2.8	32	64	96	127	159	191												
3	33	65	98	130	163	195												

Note: CT = CT for 3-Log Inactivation (99.9%)

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 20°C																		
Chlorine Concentration (mg/L)	pH≤6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	6	12	18	24	30	36	7	15	22	29	37	44	9	17	26	35	43	52
0.6	6	13	19	25	32	38	8	15	23	30	38	45	9	18	27	36	45	54
0.8	7	13	20	26	33	39	8	15	23	31	38	46	9	18	28	37	46	55
1	7	13	20	26	33	39	8	16	24	31	39	47	9	19	28	37	47	56
1.2	7	13	20	27	33	40	8	16	24	32	40	48	10	19	29	38	48	57
1.4	7	14	21	27	34	41	8	16	25	33	41	49	10	19	29	39	48	58
1.6	7	14	21	28	35	42	8	17	25	33	42	50	10	20	30	39	49	59
1.8	7	14	22	29	36	43	9	17	26	34	43	51	10	20	31	41	51	61
2	7	15	22	29	37	44	9	17	26	35	43	52	10	21	31	41	52	62
2.2	7	15	22	29	37	44	9	18	27	35	44	53	11	21	32	42	53	63
2.4	8	15	23	30	38	45	9	18	27	36	45	54	11	22	33	43	54	65
2.6	8	15	23	31	38	46	9	18	28	37	46	55	11	22	33	44	55	66
2.8	8	16	24	31	39	47	9	19	28	37	47	56	11	22	34	45	56	67
3	8	16	24	31	39	47	10	19	29	38	48	57	11	23	34	45	57	68

Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	10	21	31	41	52	62	12	25	37	49	62	74	15	30	45	59	74	89
0.6	11	21	32	43	53	64	13	26	39	51	64	77	15	31	46	61	77	92
0.8	11	22	33	44	55	66	13	26	40	53	66	79	16	32	48	63	79	95
1	11	22	34	45	56	67	14	27	41	54	68	81	16	33	49	65	82	98
1.2	12	23	35	46	58	69	14	28	42	55	69	83	17	33	50	67	83	100
1.4	12	23	35	47	58	70	14	28	43	57	71	85	17	34	52	69	86	103
1.6	12	24	36	48	60	72	15	29	44	58	73	87	18	35	53	70	88	105
1.8	12	25	37	49	62	74	15	30	45	59	74	89	18	36	54	72	90	108
2	13	25	38	50	63	75	15	30	46	61	76	91	18	37	55	73	92	110
2.2	13	26	39	51	64	77	16	31	47	62	78	93	19	38	57	75	94	113
2.4	13	26	39	52	65	78	16	32	48	63	79	95	19	38	58	77	96	115
2.6	13	27	40	53	67	80	16	32	49	65	81	97	20	39	59	78	98	117
2.8	14	27	41	54	68	81	17	33	50	66	83	99	20	40	60	79	99	119
3	14	28	42	55	69	83	17	34	51	67	84	101	20	41	61	81	102	122

Chlorine Concentration (mg/L)	pH≤9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
≤0.4	18	35	53	70	88	105												
0.6	18	36	55	73	91	109												
0.8	19	38	57	75	94	113												
1	20	39	59	78	98	117												
1.2	20	40	60	80	100	120												
1.4	21	41	62	82	103	123												
1.6	21	42	63	84	105	126												
1.8	22	43	65	86	108	129												
2	22	44	66	88	110	132												
2.2	23	45	68	90	113	135												
2.4	23	46	69	92	115	138												
2.6	24	47	71	94	118	141												
2.8	24	48	72	95	119	143												
3	24	49	73	97	122	146												

Note: CT = CT for 3-Log Inactivation (99.9%)

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 25°C																		
Chlorine Concentration (mg/L)	pH≤6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	4	8	12	16	20	24	5	10	15	19	24	29	6	12	18	23	29	35
0.6	4	8	13	17	21	25	5	10	15	20	25	30	6	12	18	24	30	36
0.8	4	9	13	17	22	26	5	10	16	21	26	31	6	12	19	25	31	37
1	4	9	13	17	22	26	5	10	16	21	26	31	6	12	19	25	31	37
1.2	5	9	14	18	23	27	5	11	16	21	27	32	6	13	19	25	32	38
1.4	5	9	14	18	23	27	6	11	17	22	28	33	7	13	20	26	33	39
1.6	5	9	14	19	23	28	6	11	17	22	28	33	7	13	20	27	33	40
1.8	5	10	15	19	24	29	6	11	17	23	28	34	7	14	21	27	34	41
2	5	10	15	19	24	29	6	12	18	23	29	35	7	14	21	27	34	41
2.2	5	10	15	20	25	30	6	12	18	23	29	35	7	14	21	28	35	42
2.4	5	10	15	20	25	30	6	12	18	24	30	36	7	14	22	29	36	43
2.6	5	10	16	21	26	31	6	12	19	25	31	37	7	15	22	29	37	44
2.8	5	10	16	21	26	31	6	12	19	25	31	37	8	15	23	30	38	45
3	5	11	16	21	27	32	6	13	19	25	32	38	8	15	23	31	38	46

Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
(mg/L)	7	14	21	28	35	42	8	17	25	33	42	50	10	20	30	39	49	59
≤0.4	7	14	22	29	36	43	9	17	26	34	43	51	10	20	31	41	51	61
0.6	7	14	22	29	37	44	9	18	27	35	44	53	11	21	32	42	53	63
0.8	8	15	23	30	38	45	9	18	27	36	45	54	11	22	33	43	54	65
1	8	15	23	31	38	46	9	18	28	37	46	55	11	22	34	45	56	67
1.2	8	16	24	31	39	47	10	19	29	38	48	57	12	23	35	46	58	69
1.4	8	16	24	32	40	48	10	19	29	39	48	58	12	23	35	47	58	70
1.6	8	16	24	32	40	48	10	19	29	39	48	58	12	23	35	47	58	70
1.8	8	16	25	33	41	49	10	20	30	40	50	60	12	24	36	48	60	72
2	8	17	25	33	42	50	10	20	31	41	51	61	12	25	37	49	62	74
2.2	9	17	26	34	43	51	10	21	31	41	52	62	13	25	38	50	63	75
2.4	9	17	26	35	43	52	11	21	32	42	53	63	13	26	39	51	64	77
2.6	9	18	27	35	44	53	11	22	33	43	54	65	13	26	39	52	65	78
2.8	9	18	27	36	45	54	11	22	33	44	55	66	13	27	40	53	67	80
3	9	18	28	37	46	55	11	22	34	45	56	67	14	27	41	54	68	81

Chlorine Concentration (mg/L)	pH≤9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
(mg/L)	12	23	35	47	58	70												
≤0.4	12	24	37	49	61	73												
0.6	12	24	37	49	61	73												
0.8	13	25	38	50	63	75												
1	13	26	39	52	65	78												
1.2	13	27	40	53	67	80												
1.4	14	27	41	55	68	82												
1.6	14	28	42	56	70	84												
1.8	14	29	43	57	72	86												
2	15	29	44	59	73	88												
2.2	15	30	45	60	75	90												
2.4	15	31	46	61	77	92												
2.6	16	31	47	63	78	94												
2.8	16	32	48	64	80	96												
3	16	32	49	65	81	97												

Note: CT = CT for 3-Log Inactivation (99.9%)

4.3.7 Non-Chlorine Based Disinfection

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Design and installation of disinfection methods other than chlorine based systems, such as ultraviolet light, may be permitted, provided such designs conform to the Secretary's written guidelines.

4.4 Softening

The softening process selected shall be based upon the mineral qualities of the raw water and the desired finished water quality in conjunction with requirements for disposal of sludge or brine waste, cost of plant, cost of chemicals and plant location. Applicability of the process chosen shall be demonstrated.

4.4.1 Lime or lime-soda process

Design standards for rapid mix, flocculation and sedimentation are in Appendix A Subpart 4.1. Additional consideration shall be given to the following process elements.

4.4.1.1 Hydraulics

When split treatment is used, the bypass line should be sized to carry total plant flow, and an accurate means of measuring and splitting the flow shall be provided.

4.4.1.2 Aeration

Determinations should be made for the carbon dioxide content of the raw water. When concentrations exceed 10 milligrams per liter, the economics of removal by aeration as opposed to removal with lime should be considered if it has been determined that dissolved oxygen in the finished water will not cause corrosion problems in the distribution system.

4.4.1.3 Chemical feed point

Lime and recycled sludge should be fed directly into the rapid mix basin.

4.4.1.4 Rapid mix

Rapid mix basins shall not exceed 30 seconds detention time with adequate velocity gradients to keep the lime particles dispersed.

4.4.1.5 Stabilization

Equipment for stabilization of water softened by the lime or lime-soda process is required. (see Appendix A Subpart 4.7).

4.4.1.6 Sludge Collection

- (a) Mechanical sludge removal equipment shall be provided in the sedimentation basin.
- (b) Sludge recycling to the rapid mix should be provided.

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4.4.1.7 Sludge Disposal

Provisions shall be included for proper disposal of softening sludge. (see Appendix A Subpart 4.10).

4.4.1.8 Disinfection

The use of excess lime shall not be considered an acceptable substitute for disinfection.

4.4.1.9 Plant start-up

The plant processes shall be manually started following shut-down.

4.4.2 Cation exchange process

Alternative methods of hardness reduction should be investigated when the sodium content and dissolved solids concentration is of concern.

4.4.2.1 Pre-treatment requirements

Iron, manganese, or a combination of the two, should not exceed 0.3 milligrams per liter in the water as applied to the ion exchange resin. Pre-treatment is required when the content of iron, manganese, or a combination of the two, is one milligram per liter or more. (see Appendix A Subpart 4.5). Waters having 5 units or more turbidity should not be applied directly to the cation exchange softener.

4.4.2.2 Design

The units may be of pressure or gravity type, of either an upflow or downflow design. Automatic regeneration based on volume of water softened should be used unless manual regeneration is justified and is approved by the reviewing authority. A manual override shall be provided on all automatic controls.

4.4.2.3 Exchange capacity

The design capacity for hardness removal should not exceed 20,000 grains per cubic foot when resin is regenerated with 0.3 pounds of salt per kilograin of hardness removed.

4.4.2.4 Depth of resin

The depth of the exchange resin should not be less than three feet.

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4.4.2.5 Flow rates

The rate of softening should not exceed seven gallons per minute per square foot of bed area and the backwash rate should be six to eight gallons per minute per square foot of bed area. Rate-of-flow controllers or the equivalent shall be installed for the above purposes.

4.4.2.6 Freeboard

The freeboard will depend upon the specific gravity of the resin and the direction of water flow. Generally, the washwater collector should be 24 inches above the top of the resin on downflow units.

4.4.2.7 Underdrains and supporting gravel

The bottoms, strainer systems and support for the exchange resin shall conform to criteria provided for rapid rate gravity filters. (see Appendix A Subparts 4.2.4.5 and 4.2.4.7).

4.4.2.8 Brine distribution

Facilities should be included for even distribution of the brine over the entire surface of both upflow and downflow units.

4.4.2.9 Cross-connection control

Backwash, rinse and air relief discharge pipes should be installed in such a manner as to prevent any possibility of back-siphonage.

4.4.2.10 Bypass piping and equipment

A bypass shall be provided around softening units to produce a blended water of desirable hardness. Totalizing meters shall be installed on the bypass line and on each softener unit. The bypass line shall have a shutoff valve and should have an automatic proportioning or regulating device. In some installations, it may be necessary to treat the bypassed water to obtain acceptable levels of iron and/or manganese in the finished water.

4.4.2.11 Additional limitations

Silica gel resins should not be used for waters having a pH above 8.4 or containing less than six milligrams per liter silica and should not be used when iron is present. When the applied water contains a chlorine residual, the cation exchange resin shall be a type that is not damaged by residual chlorine. Phenolic resin should not be used.

4.4.2.12 Sampling taps

Smooth-nose sampling taps shall be provided for the collection of representative samples. The taps shall be located to provide for sampling of the softener influent, effluent and blended water.

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The sampling taps for the blended water shall be at least 20 feet downstream from the point of blending. Petcocks are not acceptable as sampling taps. Sampling taps should be provided on the brine tank discharge piping.

4.4.2.13 Brine and salt storage tanks

- (a) Salt dissolving or brine tanks and wet salt storage tanks shall be covered and be corrosion-resistant.
- (b) The make-up water inlet shall be protected from back-siphonage. Water for filling the tank should be distributed over the entire surface by pipes above the maximum brine level in the tank. The tanks should be provided with an automatic declining level control system on the make-up water line.
- (c) Wet salt storage basins shall be equipped with manholes or hatchways for access and for direct dumping of salt from a truck. Openings shall be provided with raised curbs and watertight covers having overlapping edges similar to those required for finished water reservoirs.
- (d) Overflows, where provided, shall be protected with corrosion resistant screens and shall terminate with either a turned down bend having a proper free fall discharge or a self-closing flap valve.
- (e) Two wet salt storage tanks or compartments designed to operate independently should be provided.
- (f) The salt shall be supported on graduated layers of gravel placed over a brine collection system.
- (g) Alternative designs which are conducive to frequent cleaning of the wet salt storage tank may be considered.

4.4.2.14 Salt and brine storage capacity

Total salt storage should have sufficient capacity to provide for at least 30 days of operation.

4.4.2.15 Brine pump or eductor

An eductor may be used to transfer brine from the brine tank to the softeners. If a pump is used, a brine measuring tank or means of metering should be provided to obtain proper dilution.

4.4.2.16 Stabilization

Stabilization for corrosion control shall be provided. An alkali feeder shall be provided except when exempted by the reviewing authority.

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4.4.2.17 Waste disposal

Suitable disposal shall be provided for brine waste (See Appendix A Subpart 4.10). Where the volume of spent brine must be reduced, consideration may be given to using a part of the spent brine for a subsequent regeneration.

4.4.2.18 Construction materials

Pipes and contact materials shall be resistant to the aggressiveness of salt. Plastic and red brass are acceptable piping materials. Steel and concrete shall be coated with a non-leaching protective coating which is compatible with salt and brine.

4.4.2.19 Housing

Bagged salt and dry bulk salt storage shall be enclosed and separated from other operating areas in order to prevent damage to equipment.

4.5 Iron & Manganese Control

Iron and manganese control, as used herein, refers solely to treatment processes designed specifically for this purpose. The treatment process used will depend upon the character of the raw water. The selection of one or more treatment processes must meet specific local conditions as determined by engineering investigations, including chemical analyses of representative samples of water to be treated, and receive the approval of the Secretary. It may be necessary to operate a pilot plant in order to gather all information pertinent to the design. Consideration should be given to adjusting pH of the raw water to optimize reaction.

4.5.1 Removal by oxidation, detention and filtration

4.5.1.1 Oxidation may be by aeration or by chemical oxidation with chlorine, potassium permanganate, ozone or chlorine dioxide.

4.5.1.2 Detention

- (a) Reaction - A minimum detention time of 20 minutes shall be provided following aeration to insure that the oxidation reactions are as complete as possible. This minimum detention may be omitted only where a pilot plant study indicates no need for detention. The detention basin should be designed as a holding tank with no provisions for sludge collection but with sufficient baffling to prevent short circuiting.
- (b) Sedimentation - Sedimentation basins are recommended when treating water with high iron and/or manganese content, or where chemical coagulation is used to reduce the load on the filters. Provisions for sludge removal shall be made.

4.5.1.3 Filtration

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Filters shall be provided and shall conform to Subpart 4.2.

4.5.2 Removal by manganese greensand filtration

This process consists of either a continuous feed of potassium permanganate to the influent of a manganese greensand filter or regeneration of filter media by permanganate.

- a) Provisions should be made to apply the permanganate as far ahead of the filter as practical and to a point immediately before the filter.
- b) Other oxidizing agents or processes such as chlorination or aeration may be used prior to the permanganate feed to reduce the cost of the chemical.
- c) Anthracite media cap of at least six inches over manganese greensand is recommended.
- d) Normal filtration rate is three to five gallons per minute per square foot.
- e) Normal wash rate is 8 to 10 gallons per minute per square foot.
- f) Air washing should be provided.
- g) Sample taps shall be provided:
 - (1) prior to application of permanganate,
 - (2) immediately ahead of filtration,
 - (3) at the filter effluent.

4.5.3 Removal by ion exchange

This process of iron and manganese removal should not be used for water containing more than 0.3 milligrams per liter of iron, manganese or combination thereof. This process is not acceptable where either the raw water or wash water contains dissolved oxygen.

4.5.4 Sequestration by polyphosphates

Sequestration process will only be considered as a viable option for use in Vermont under the following conditions:

- (a) Pilot work done with specific sequestering agent being proposed demonstrating effectiveness under various conditions i.e. time, temperature, pH.
- (b) Specific program presented for operational control and monitoring of sequestering agent and its continued effectiveness.
- (c) Manganese shall not be equal to or greater than the health advisory.
- (d) Iron, manganese or combination thereof shall not be in excess of 1.0 mg/l.
- (e) The maximum concentration of phosphate applied shall not exceed 10 ppm PO_4 .
- (f) Feeding equipment shall conform to the requirements of Appendix A Subpart 5.
- (g) Stock phosphate solution must be kept covered and disinfected by maintaining approximately 10 mg/l free chlorine residual. Newer premixed phosphate solutions may not require free chlorine residual be maintained.
- (h) Polyphosphates shall not be applied ahead of iron and manganese removal treatment. The point of application shall be prior to any aeration, oxidation or disinfection if no iron or manganese removal treatment is provided.
- (i) Phosphate chemicals must meet NSF Drinking Water Treatment Chemicals and System Components Certification.

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- (j) Testing equipment for phosphates must be available to allow daily monitoring of sequestering chemical levels in the distribution system.

4.5.5 Sampling equipment

Taps shall be located on each raw water source, each treatment unit influent and each treatment unit effluent.

4.5.6 Testing equipment

Testing equipment should be provided for all plants. The equipment should have the capacity to accurately measure the iron content to a minimum detection level of 0.1 milligrams per liter and the manganese content to a minimum detection level of 0.03 milligrams per liter.

4.6 Fluoridation

Sodium fluoride, sodium silicofluoride and hydrofluorosilicic acid shall conform to the NSF *Drinking Water Treatment Chemicals and System Components Certification*. The proposed method of fluoride feed must be approved by the Secretary prior to preparation of final plans and specifications. The proposed method will conform to CDC *Water Fluoridation: A Manual for Engineers and Technicians*, latest edition.

4.6.1 Fluoride compound storage

Fluoride chemicals should be isolated from other chemicals to prevent contamination. Compounds shall be stored in covered or unopened shipping containers and should be stored inside a building. Unsealed storage units for hydrofluorosilicic acid must be vented to the atmosphere at a point outside any building. Bags, fiber drums and steel drums should be stored on pallets.

4.6.2 Chemical feed equipment and methods

In addition to the requirements in Appendix A Part 5, fluoride feed equipment shall meet the following requirements:

- (a) scales, loss-of-weight recorders, water meters or liquid level indicators, as appropriate, accurate to within five percent of the average daily change in reading shall be provided for chemical feeds;
- (b) feeders shall be accurate to within five percent of any desired feed rate;
- (c) the point of application of hydrofluorosilicic acid, if into a horizontal pipe, shall be in the lower half of the pipe;
- (d) a fluoride solution, including hydrofluorosilicic acid, shall be applied by a positive displacement pump;
- (e) anti-siphon devices shall be provided for all fluoride feed lines and dilution water lines;
- (f) a device to measure the flow of water to be treated is required;
- (g) the dilution water pipe shall terminate at least two pipe diameters above the solution tank when an upflow saturator is not used;

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- (h) water used for sodium fluoride dissolution shall be softened if hardness exceeds 75 mg/l as calcium carbonate;
- (i) fluoride solutions shall not be injected to a point of negative pressure;
- (j) the electrical outlet used for the fluoride feed pump should have a nonstandard receptacle and shall be electrically interconnected with the well or service pump; and
- (k) sodium fluoride saturators should be of the upflow type and be provided with a meter and backflow protection on the makeup water line.

4.6.4 Protective equipment

Protective equipment, as outlined in Appendix A Subpart 5.3.4, and as required by OSHA and VOSHA regulations, shall be provided for operators handling fluoride compounds.

4.6.5 Dust control

- (a) Provision must be made for the transfer of dry fluoride compounds from shipping containers to storage bins or hoppers in such a way as to minimize the quantity of fluoride dust which may enter the room in which the equipment is installed. The enclosure shall be provided with an exhaust fan and dust filter which place the hopper under a negative pressure. Air exhausted from fluoride handling equipment shall discharge through a dust filter to the outside atmosphere of the building.
- (b) Provision shall be made for disposing of empty bags, drums or barrels in a manner which will minimize exposure to fluoride dusts. A floor drain should be provided to facilitate the hosing of floors. A floor drain may require a discharge permit from the Secretary.

4.6.6 Testing equipment

Equipment shall be provided for measuring the quantity of fluoride in the water. Such equipment shall be subject to the approval of the Secretary.

4.7 Stabilization

Water that is unstable due to natural causes or to subsequent treatment should be stabilized.

4.7.1 Polyphosphates

The feeding of polyphosphates may be applicable for corrosion control.

- (a) Feed equipment shall conform to Appendix A Part 5, Chemical Application.
- (b) Phosphate must meet NSF Drinking water treatment chemicals and system components certification.
- (c) Stock phosphate solution must be kept covered and disinfected by carrying approximately 10 milligrams per liter free chlorine residual.
- (d) Satisfactory chlorine residuals shall be maintained in the distribution system when phosphates are used.

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4.7.2 Other treatment

Other treatment for controlling corrosive waters by the use of sodium silicate and sodium bicarbonate shall be used where necessary. Any proprietary compound must receive the specific approval of the Secretary before use. Chemical feeders shall be as required in Appendix A Part 5.

4.7.3 Water unstable due to biochemical action in distribution system

Unstable water resulting from the bacterial decomposition of organic matter in water (especially in dead end mains), the biochemical action within tubercles, and the reduction of sulfates to sulfides should be prevented by the maintenance of a free chlorine residual throughout the distribution system.

4.8 Taste & Odor Control

Provision shall be made for the control of taste and odor as required by the Secretary. Chemicals shall be added sufficiently ahead of other treatment processes to assure adequate contact time for an effective and economical use of the chemicals. Where severe taste and odor problems are encountered in-plant and/or pilot plant studies are required.

4.8.1 Flexibility

Treatment plants that supply water with known taste and odor problems should have equipment available to treat these problems. The equipment should have several control processes available for treatment flexibility in addressing the problem.

4.8.2 Chlorination

Chlorination can be used for the removal of some objectionable odors. Adequate contact time must be provided to complete the chemical reactions involved. Excessive potential trihalomethane production through this process should be avoided by adequate bench-scale testing prior to design. The breakpoint technique of chlorinating is recommended.

4.8.3 Chlorine dioxide

Chlorine dioxide has been generally recognized as a treatment for tastes caused by industrial wastes, such as phenols. However, chlorine dioxide can be used in the treatment of any taste and odor that is treatable by an oxidizing compound. Provisions shall be made for proper storing and handling of the sodium chlorite, so as to eliminate any danger of explosion.

4.8.4 Powdered activated carbon

- (a) Powdered activated carbon when prescribed should be added as early as possible in the treatment process to provide maximum contact time. Flexibility to allow the addition of

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carbon at several points is preferred. Activated carbon should not be applied near the point of chlorine application.

- (b) The carbon can be added as a premixed slurry or by means of a dry feed machine as long as the carbon is properly wetted.
- (c) Continuous agitation or resuspension equipment is necessary to keep the carbon from depositing in the slurry storage tank.
- (d) Provision shall be made for adequate dust and explosion control.
- (e) The required rate of feed of carbon in a water treatment plant depends upon the tastes and/or odors involved, but provision should be made for adding from 0.1 milligrams per liter to at least 40 milligrams per liter.
- (f) Powdered activated carbon shall be handled as a potentially combustible material. It should be stored in a building or compartment as nearly fireproof as possible. Other chemicals should not be stored in the same compartment. Carbon feeder rooms should be equipped with explosion-proof electrical outlets, lights and motors.

4.8.5 Granular activated carbon adsorption units

See Subpart 4.2.1.6 of this appendix.

4.8.6 Copper sulphate and other copper compounds

Continuous or periodic treatment of water with copper compounds to kill algae or other growths shall be controlled to prevent copper in excess of 1.3 milligrams per liter as copper in the plant effluent or distribution system. Care shall be taken to assure an even distribution. A permit shall be obtained from the Secretary prior to any such treatment. (See 10 V.S.A., § 1263(a))

4.8.7 Aeration

See Appendix A Subpart 4.4.

4.8.8 Potassium permanganate

Application of potassium permanganate may be considered, providing the treatment shall be designed so that the products of the reaction are not visible in the finished water.

4.8.9 Ozone

Ozonation can be used as a means of taste and odor control. Adequate contact time must be provided to complete the chemical reactions involved. Ozone is generally more desirable for treating water with high threshold odors.

4.8.10 Other Methods

The decision to use any other methods of taste and odor control should be made only after careful laboratory and/or pilot plant tests and on consultation with the Secretary.

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4.9 Microscreening

A microscreen is a mechanical supplement of treatment capable of removing some of the suspended matter from the water by straining. It may be used to reduce nuisance organisms, leaves, weeds and organic matter. It shall not be used in place of:

- (a) filtration, when filtration is necessary to provide a satisfactory water, or
- (b) coagulation, in the preparation of water for filtration.

4.9.1 Design

- (a) Design shall give due consideration to:
 - (1) nature of the suspended matter to be removed
 - (2) corrosiveness of the water
 - (3) effect of chlorination, when required as a pretreatment
 - (4) duplication of units for continuous operation during equipment maintenance
- (b) Design shall provide:
 - (1) a durable, corrosion-resistant screen
 - (2) by-pass arrangements
 - (3) protection against back-siphonage when potable water is used for washing
 - (4) proper disposal of wash waters (see Appendix A Subpart 4.10).

4.10 Waste Handling & Disposal

Provisions must be made for proper disposal of water treatment plant waste such as sanitary, laboratory, clarification sludge, iron sludge, filter backwash water, and brine. All waste discharges shall be permitted by the Secretary. In locating waste disposal facilities, due consideration shall be given to preventing potential contamination of the water supply and groundwater. The Department of Environmental Conservation's Permit Specialists should be contacted (see Rule Introduction) for assistance with regulatory jurisdiction with sludge disposal.

Alternative methods of water treatment and chemical use should be considered as a means of reducing waste handling and disposal problems.

4.10.1 Sanitary waste

The sanitary waste from water treatment plants, pumping stations, etc., must receive treatment. Waste from these facilities must be discharged directly to a sanitary sewer system, when feasible, or to an on-site waste treatment facility approved by the Secretary.

4.10.2 Alum sludge

Lagooning may be used as a method of handling alum sludge. Lagoon size can be calculated using total chemicals used plus a factor for turbidity. Mechanical concentration may be considered. A pilot plant study is required before the design of a mechanical dewatering installation. Freezing changes the nature of alum sludge so that it can be used for fill. Alum sludge can be discharged to a sanitary sewer. However, approval of this method will depend on

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obtaining approval from the owner of the sewerage system as well as from the Secretary before final designs are made.

Lagoons should be designed to produce an effluent satisfactory to the Secretary and should provide for:

- (a) location free from flooding
- (b) where necessary, dikes, deflecting gutters or other means of diverting surface water so that it does not flow into the lagoon
- (c) a minimum usable depth of five feet
- (d) adequate freeboard
- (e) adjustable decanting device
- (f) effluent sampling point, and
- (g) adequate safety provisions

4.10.3 "Red water" waste

Waste filter wash water from iron and manganese removal plants must be disposed of according to the Secretary's requirements.

4.10.4 Waste filter wash water

Waste filter wash water from surface water treatment plants should have suspended solids reduced to a level acceptable to the Secretary before being discharged. Many plants have constructed holding tanks and returned this water to the inlet end of the plant.

The holding tank should be of such a size that it will contain the anticipated volume of waste wash water produced by the plant when operating at design capacity. A plant that has two filters should have a holding tank that will contain the total waste wash water from both filters calculated by using a 15 minute wash at 20 gallons per minute per square foot. In plants with more filters, the size of the holding tank will depend on the anticipated hours of operation. It is recommended that waste filter wash water be returned at a rate of less than 10 percent of the raw water entering the plant. Filter backwash water should not be recycled when the raw water contains excessive algae, when finished water taste and odor problems are encountered, or when trihalomethane levels in the distribution system may exceed allowable levels. As such, a discharge permit, or municipal sewer connection or alternate means of treatment shall be required for waste filter wash water.

4.11 Granular Carbon Filtration

Granular activated carbon (GAC) filtration of contaminants in drinking water that exceed the maximum contaminant levels shall meet the following specifications.

4.11.1 Engineer's report requirements

Every construction permit application that proposes installation of GAC treatment at a **Public** Water System shall include an Engineer's Report that meets the Requirements of Appendix A,

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Part 1 of the Rule. The Engineer's Report shall describe the design basis for the proposed treatment, which shall include the following technical information:

- (a) Water quality characteristics of the water to be treated by the proposed GAC units.
Report must include characterization of the contaminants that the proposed treatment is designed to remove, characterization of water quality constituents that may interfere with GAC treatment (including, at a minimum, hardness, iron, manganese, nitrate, pH, alkalinity, turbidity, total organic carbon), discussion of pilot study results (if a pilot study is performed), and discussion of expected treated water quality characteristics. This water quality characterization shall be developed based on laboratory data obtained from representative sample locations in the water system within the past four years, obtained by samples collected and analyzed in accordance with requirements of Subchapter 21-6.
- (b) Empty Bed Contact Time for each carbon unit, including justification for the selected value.
- (c) Expected useful life of the carbon media, including breakthrough curve for proposed carbon media and contaminants to be treated.
- (d) Description of filter to waste and backwash provisions
- (e) Description of provisions for carbon media replacement.
- (f) Description of the expected pressure loss across each unit.
- (g) Equipment manufacturer's specifications, including:
 - (1) volume of media contained in each unit;
 - (2) unit dimensions;
 - (3) arrangement of piping, including lateral header and drain pipes installed within units; and
 - (4) material specifications for units, including maximum operating pressures and operating temperature ranges
 - (5) type of GAC used
- (h) Evaluation of existing **Public** water system disinfection treatment infrastructure (if applicable), including discussion of any improvements that are necessary to ensure disinfection treatment will meet requirements of Appendix A, Subpart 4.3 and 40 CFR Part 141.
- (i) Discussion of the hydraulic loading rate designed for each unit.
- (j) Discussion of the provisions to protect equipment from weather elements and provide freeze protection.
- (k) Discussion of provisions to precondition new carbon media in accordance with manufacturer recommendations.
- (l) When treatment is proposed for the removal of PFAS, discussion of treatment alternatives, including anion exchange.

4.11.2 Technical Standards for GAC filters

- (a) For **Transient Non-Community and Domestic Bottled Water** systems, at least one train of two GAC filters plumbed in series shall be provided.

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- (b) For **Public Community and Non-Transient Non-Community** water systems, at least two filter trains shall be provided, each train consisting of two GAC filters plumbed in series.
- (c) For **Public Community and Non-Transient Non-Community** water systems. Where only two filter trains are provided each train shall be capable of meeting the plant design capacity (the projected maximum daily demand) at the approved filtration rate. Where more than two filter trains are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter train removed from service.
- (d) GAC filters shall be provided with piping and valves as necessary to facilitate ease of operational adjustments to modify the configuration of primary (lead) and secondary (lag) carbon filters.
- (e) Pressure gauges in the appropriate range shall be located to monitor pressure loss across each filter. Manufacturer specifications shall be provided.
- (f) Sample ports shall be provided for the inlet and outlet of each filter.
- (g) GAC media shall meet AWWA B604, Standard for GAC.
- (h) All wetted components and materials shall be approved by the National Sanitation Foundation for use in drinking water.
- (i) Hydraulic loading rate for each unit shall not exceed 7 gallons per minute per square foot of bed area.
- (j) Total Empty Bed Contact Time shall be at least 10 minutes. For Public Community and Non-Transient Non-Community water systems, Empty Bed Contact Time shall be at least 10 minutes with one train removed from service. The Secretary must explicitly approve a modified design that includes a proposed Empty Bed Contact Time less than 10 minutes.
- (k) GAC media depth should not be less than 30 inches for each filter.
- (l) GAC filters shall be housed in enclosures that provide for adequate room for routine operation and maintenance and protection from weather elements (control of condensation, ventilation, and freeze protection shall be provided). Filters shall not be located in a confined space.
- (m) Design shall include provisions to add a chemical before the carbon filters.
- (n) Disinfection Treatment that meets the requirements of Appendix A Part 4.3 and 40 CFR Part 141 shall be provided to treat all water treated by GAC. This disinfection treatment shall be provided prior to the entry point to the distribution system.
- (o) Pretreatment shall be provided for the presence of any water quality constituent that will prevent successful performance of the proposed carbon treatment. Pretreatment shall be provided in the proposed design as necessary to ensure that iron and manganese concentrations are consistently and reliably less than the Secondary Maximum Contaminant Levels established in 21-6 and within the manufacturer's specified water quality parameters.
- (p) Manufacturer specifications for start-up of the equipment shall be followed.
- (q) Discharge pipes shall be installed with an air gap between the discharge and the disposal point to prevent back-siphonage. The air gap shall be a minimum of six inches or twice the discharge pipe diameter, whichever is greater.
- (r) Suitable disposal of waste shall be provided.

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4.12 Anion Exchange for PFAS removal

Anion exchange to remove PFAS in drinking water that exceed the maximum contaminant levels shall meet the following specifications.

4.12.1 Engineer's report requirements

Every construction permit application that proposes installation of anion exchange treatment to remove PFAS at a **Public** Water System shall include an Engineer's Report that meets the Requirements of Appendix A, Part 1 of the Rule. The Engineer's Report shall describe the design basis for the proposed treatment, which shall include the following technical information:

- (a) Water quality characteristics of the water to be treated by the proposed anion exchange units. Report must include characterization of the contaminants that the proposed treatment is designed to remove, characterization of water quality constituents that may interfere with anion exchange treatment (including, at a minimum, hardness, iron, manganese, nitrate, pH, alkalinity, turbidity, total organic carbon), discussion of pilot study results (if a pilot study is performed), and discussion of expected treated water quality characteristics. This water quality characterization shall be developed based on laboratory data obtained from representative sample locations in the water system within the past four years, obtained by samples collected and analyzed in accordance with requirements of Subchapter 21-6.
- (b) Empty Bed Contact time for each anion exchange unit, including justification for the selected value.
- (c) Expected useful life of the anion exchange resin.
- (d) Description of filter to waste provisions.
- (e) Description of regeneration, and backwash or backfill provisions if required by the resin manufacturer.
- (f) Description of provisions for anion exchange resin replacement.
- (g) Description of the expected pressure loss across each unit.
- (h) Equipment manufacturer's specifications, including:
 - (i) Volume of media contained in each unit;
 - (j) Unit dimensions;
- (k) Arrangement of piping, including lateral header and drain pipes installed within units; and
- (l) Material specifications for units, including maximum operating pressures and operating temperature ranges
- (m) Material specifications for the resin, including the resin's preferential list. Only single-use, PFAS-selective resin shall be used.
- (n) Evaluation of existing **Public** water system disinfection treatment infrastructure (if applicable), including discussion of any improvements that are necessary to ensure disinfection treatment will meet requirements of Appendix A, Subpart 4.3 and 40 CFR Part 141. The design should include provisions to prevent chlorine from

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degrading the anion exchange resin when the applied water contains a chlorine residual.

- (o) Discussion of the hydraulic loading rate designed for each unit.
- (p) Discussion of the provisions to protect equipment from weather elements and provide freeze protection.
- (q) Discussion of provisions to precondition new anion exchange resin in accordance with manufacturer recommendations.
- (r) When treatment is proposed for removal of PFAS, discussion of treatment alternatives, including the use of GAC.
- (s) Discussion of provisions to maintain acceptable finished water pH. Stabilization may be required by the Secretary.

4.12.2 Technical Standards for Anion Exchange units

- (a) For Transient Non-Community and Domestic Bottled water systems, at least one train of two anion exchange units plumbed in series shall be provided.
- (b) For Public Community and Non-Transient Non-Community water systems, at least two trains shall be provided, each train consisting of two anion exchange units plumbed in series.
- (c) For Public Community and Non-Transient Non-Community water systems. Where only two trains are provided each train shall be capable of meeting the plant design capacity (the projected maximum daily demand) at the approved filtration rate. Where more than two filter trains are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter train removed from service.
- (d) Anion exchange units shall be provided with piping and valves as necessary to facilitate ease of operational adjustments to modify the configuration of primary (lead) and secondary (lag) anion exchange units.
- (e) Anion exchange units are typically of the pressure type, downflow design. Automatic regeneration shall not be used. A manual override shall be provided on all automatic controls.
- (f) A bypass for the purpose of blending shall not be provided.
- (g) Pressure gauges in the appropriate range shall be located to monitor pressure loss across each unit. Manufacturer specifications shall be provided.
- (h) Sample ports shall be provided for the inlet and outlet of each unit. Sample taps shall comply with the requirements of Appendix A, Part 4.4.2.12 as applicable.
- (i) Brine and salt storage, salt and brine storage capacity, and brine pump or eductor shall comply with the requirements of Appendix A, Part 4.4 if required by the manufacturer. If proposed, salt storage should be enclosed and separated from other operating areas in order to prevent damage to equipment.
- (j) The treatment equipment shall be designed to include an adequate underdrain and support system and brine distribution system if required by the manufacturer.
- (k) Unless otherwise approved by the Secretary, the anion exchange resin must be selective for the contaminant of concern.
- (l) All wetted components and materials shall be approved by the National Sanitation Foundation for use in drinking water.

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- (m) Hydraulic loading rate for each unit shall be between 6 and 16 gallons per minute per square foot, or as specified by the resin manufacturer. The Secretary must explicitly approve a modified design that includes a proposed hydraulic loading rate outside the specified range.
- (n) Total Empty Bed Contact Time shall be at least 2 minutes. For Public Community and Non-Transient Non-Community water systems, Empty Bed Contact Time shall be at least 2 minutes with one train removed from service. The Secretary must explicitly approve a modified design that includes a proposed Empty Bed Contact Time less than 2 minutes.
- (o) Anion exchange units shall be housed in enclosures that provide for adequate room for routine operation and maintenance and protection from weather elements (control of condensation, ventilation, and freeze protection shall be provided). Anion exchange units shall not be located in a confined space.
- (p) No oxidant shall be applied to the anion exchange resin, unless technically justified by the resin manufacturer or by a pilot study.
- (q) Pretreatment shall be provided for the presence of any water quality constituent that will prevent successful performance of the proposed treatment. Pretreatment shall be provided in the proposed design as necessary to ensure that iron and manganese concentrations are consistently and reliably less than the Secondary Maximum Contaminant Levels established in 21-6 and within the manufacturer's specified water quality parameters.
- (r) Discharge pipes shall be installed with an air gap between the discharge and the disposal point to prevent back-siphonage. The air gap shall be a minimum of six inches or twice the discharge pipe diameter, whichever is greater.
- (s) Manufacturer specifications for start-up of the equipment, including but not limited to filter-to-waste requirements, shall be followed.
- (t) Suitable disposal of all waste shall be provided.
- (u) Appropriate test equipment shall be provided to measure pH.

Part 5 CHEMICAL APPLICATION

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-transient** water systems;
- (c) **Public Transient** water systems; and
- (b) **Domestic Bottled** water systems.

5.0 General

No chemicals shall be applied to treat drinking waters unless specifically allowed by the Secretary.

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5.0.1 Plans and specifications

Plans and specifications shall be submitted for review and approval, as provided for in Subpart 2, and shall include:

- (a) description of feed equipment, including maximum and minimum feed ranges;
- (b) location of feeders, piping layout and points of application;
- (c) storage and handling facilities;
- (d) specifications for chemicals to be used and dilution level, if any;
- (e) operating and control procedures including proposed application rates; and
- (f) descriptions of testing equipment and procedures.

5.0.2 Chemical application

Chemicals shall be applied to the water at such points and by such means as to:

- (a) assure maximum efficiency of treatment;
- (b) assure maximum safety to consumer;
- (c) provide maximum safety to operators;
- (d) assure satisfactory mixing of the chemicals with the water;
- (e) provide maximum flexibility of operation through various points of application, when appropriate; and
- (f) prevent backflow or back-siphonage between multiple points of feed through common manifolds.

5.0.3 General equipment design

General equipment design shall be such that:

- (a) feeders will be able to supply, at all times, the necessary amounts of chemicals at an accurate rate throughout the range of water delivery;
- (b) chemical feed pumps shall be installed so they can be easily calibrated;
- (c) chemical contact materials and surfaces are resistant to the aggressiveness of the chemical solution;
- (d) corrosive chemicals are introduced in such a manner as to minimize potential for corrosion;
- (e) chemicals that are incompatible are not stored or handled together;
- (f) all chemicals are conducted from the feeder to the point of application in separate conduits;
- (g) chemical feeders are as near as practical to the feed point; and
- (h) chemical feeders and pumps operate at no lower than 20 percent of the feed range.

5.1 Facility Design

5.1.1 Number of feeders

- (a) Where chemical feed is necessary for the protection of the supply such as chlorination, coagulation, or other essential processes:
 - (1) a minimum of two feeders shall be provided;

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- (2) the standby unit or a combination of units of sufficient capacity should be available to replace any unit during shutdowns; and
 - (3) where a booster pump is required, duplicate equipment should be provided and, when necessary, standby power.
- (b) A separate feeder shall be used for each chemical applied.
- (c) Spare parts shall be available for all feeders to replace parts which are subject to wear and damage.

5.1.2 Control

- (a) Feeders may be manually or automatically controlled, with automatic controls being designed so as to allow override by manual controls.
- (b) Chemical feed rates shall be proportional to flow.
- (c) A means to measure water flow must be provided in order to determine chemical feed rates.
- (d) Provisions shall be made for measuring the quantities of chemicals used.
- (e) Weighing scales:
 - (1) shall be provided for weighing cylinders, at all plants utilizing chlorine gas;
 - (2) may be required for fluoride solution feed;
 - (3) should be provided for volumetric dry chemical feeders; and
 - (4) should be accurate to measure increments of 0.5 percent of load.

5.1.3 Dry chemical feeders

Dry chemical feeders shall:

- (a) measure chemicals volumetrically or gravimetrically;
- (b) provide adequate solution water and agitation of the chemical in the solution pot;
- (c) provide gravity feed from solution pots where possible;
- (d) completely enclose chemicals to prevent emission of dust to the operating room; and
- (e) be specified as to make, model and design characteristics.

5.1.4 Positive displacement solution pumps

Positive displacement type solution feed pumps should be used to feed liquid chemicals, but shall not be used to feed chemical slurries. Pumps must be sized to match or exceed maximum head conditions found at the point of injection. Specify make and model number of pump for all pumps used.

5.1.5 Liquid chemical feeders - siphon control

Liquid chemical feeders shall be such that chemical solutions cannot be siphoned into the water supply by assuring discharge at a point of positive pressure; and

- (a) providing vacuum relief;
- (b) providing a suitable air gap; or
- (c) other suitable means or combinations as necessary to prevent siphoning.

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5.1.6 Cross connection control

Cross connection control meeting current AWWA Standard C-506 must be provided to assure that:

- (a) the service water lines discharging to solution tanks shall be properly protected from backflow as required by the Secretary;
- (b) liquid chemical solutions cannot be siphoned through solution feeders into the water supply as required in Appendix A Subpart 5.1.5; and
- (c) no direct connection exists between any sewer, and a drain or overflow from the feeder, solution chamber or tank by providing that all drains terminate at least six inches or two pipe diameters, whichever is greater, above the overflow rim of a receiving sump, conduit or waste receptacle.

5.1.7 Chemical feed equipment location

Chemical feed equipment shall:

- (a) be located in a separate room to reduce hazards and dust problems;
- (b) be conveniently located near points of application to minimize length of feed lines;
- (c) be readily accessible for servicing, repair and observation of operation; and
- (d) shown in schematic lay out for location and method of control and operation.

5.1.8 In Plant water supply

In plant water supply shall be:

- (a) ample in quantity and adequate in pressure;
- (b) provided with means for measurement when preparing specific solution concentrations by dilution;
- (c) properly treated for hardness, when necessary;
- (d) properly protected against backflow; and
- (e) obtained from a location sufficiently downstream of any chemical feed point to assure adequate mixing and contact time if necessary.

5.1.9 Storage of chemicals

- (a) Space should be provided for:
 - (1) at least 30 days of chemical supply;
 - (2) convenient and efficient handling of chemicals;
 - (3) dry storage conditions; and
 - (4) a minimum storage volume of 1.5 truck loads where purchase is by truck load lots.
- (b) Storage tanks and pipelines for liquid chemicals shall be specific to the chemicals and not for alternates.
- (c) Chemicals shall be stored in covered or unopened shipping containers, unless the chemical is transferred into an approved storage unit.
- (d) Liquid chemical storage tanks must:
 - (1) have a liquid level indicator; and

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- (2) have an overflow and a receiving basin or drain capable of receiving accidental spills or overflows (meeting OSHA and VOSHA regulations).

5.1.10 Solution tanks

- (a) A means which is consistent with the nature of the chemical solution shall be provided in a solution tank to maintain a uniform strength of solution. Continuous agitation shall be provided to maintain slurries in suspension.
- (b) Two solution tanks of adequate volume may be required for a chemical to assure continuity of supply in servicing a solution tank.
- (c) Means shall be provided to measure the solution level in the tank.
- (d) Chemical solutions shall be kept covered. Large tanks with access openings shall have such opening curbed and fitted with overhanging covers.
- (e) Subsurface locations for solution tanks shall;
 - (1) be free from sources of possible contamination; and
 - (2) assure positive drainage for groundwaters, accumulated water, chemical spills and overflows.
- (f) Overflow pipes, when provided should:
 - (1) be turned downward, with the end screened;
 - (2) have a free fall discharge; and
 - (3) be located where noticeable.
- (g) Acid storage tanks must be vented to the outside atmosphere, but not through vents in common with day tanks.
- (h) Each tank shall be provided with a valved drain, protected against backflow in accordance with Appendix A Subpart 5.1.5. and Appendix A Subpart 5.1.6.
- (i) Solutions tanks shall be located and protective curbings provided so that chemicals from equipment failure, spillage or accidental drainage shall not enter the water in conduits, treatment or storage basins.

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5.1.11 Day tanks

- (a) Day tanks should be provided where bulk storage of liquid chemical is provided.
- (b) Day tanks shall meet all the requirements of Appendix A Subpart 5.1.10.
- (c) Day tanks should be scale-mounted, or have a calibrated gauge painted or mounted on the side if liquid level can be observed in a gauge tube or through translucent sidewalls of the tank. In opaque tanks, a gauge rod extending above a reference point at the top of the tank, attached to a float, may be used. The ratio of the area of the tank to its height must be such that unit readings are meaningful in relation to the total amount of chemical fed during a day.
- (d) Hand pumps may be provided for transfer from a carboy or drum. A tip rack may be used to permit withdrawal into a bucket from a spigot. Where motor driven transfer pumps are provided a liquid level limit switch and an overflow from the day tank, must be provided.
- (e) A means which is consistent with the nature of the chemical solution shall be provided to maintain uniform strength of solution in a day tank. Continuous agitation shall be provided to maintain chemical slurries in suspension.
- (f) Day tanks shall be properly labeled to designate the chemical contained.
- (g) Labels shall also specify size, make, model and material of each tank.

5.1.12 Feed lines:

- (a) should be as short as possible, and:
 - (1) of durable, corrosion resistant material;
 - (2) easily accessible throughout the entire length;
 - (3) protected against freezing, and
 - (4) readily cleanable;
- (b) should slope upward from the chemical source to the feeder when conveying gases;
- (c) shall be designed consistent with scale-forming or solids depositing properties of the water, chemical, solution or mixtures conveyed; and
- (d) shall be color coded. (See Appendix A Subpart 2.14)

5.1.13 Handling

- (a) Carts, elevators and other appropriate means shall be provided for lifting chemical containers to minimize excessive lifting by operators.
- (b) Provision must be made for the proper transfer of dry chemicals from shipping containers to storage bins or hoppers, in such a way as to minimize the quantity of dust which may enter the room in which the equipment is installed.
- (c) Provision shall be made for measuring quantities of chemical used to prepare feed solutions.

5.1.14 Housing

- (a) Floor surfaces shall be smooth, impervious, slip proof and well drained with a positive slope to floor drains.
- (b) Vents from feeders, storage facilities and equipment exhaust shall discharge to the outside atmosphere above grade and remote from air intakes.

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5.2 Chemicals

5.2.1 Shipping containers

Chemical shipping containers shall be fully labeled to include:

- (a) chemical name, purity and concentration; and
- (b) supplier name and address.

5.2.2 Specifications

All products or chemicals which may come in contact with water intended for use in a **Public** water system shall meet American National Standards Institute/NSF International Standards, specifically ANSI/NSF Standards 60 and 61.

5.2.3 Assay

Provisions may be required for assay of chemicals delivered.

5.2.4 Safety Data Sheets

A Safety Data Sheet must be obtained from each vendor for each chemical used and readily available for in plant review by operating personnel.

5.3 Operator Safety

5.3.1 Ventilation

Special provisions shall be made for ventilation of chlorine feed and storage rooms.

5.3.2 Respiratory protection equipment

Respiratory protection equipment, meeting the requirements the National Institute for Occupational Safety and Health (NIOSH), shall be available where chlorine gas is handled, and shall be stored at a convenient location, but not inside any room where chlorine is used or stored. The units shall use compressed air, have at least a 30 minute capacity, and be compatible with or exactly the same as units used by the fire department responsible for the plant.

5.3.3 Chlorine leak detection

A bottle of ammonium hydroxide, 56 percent ammonia solution, shall be available for chlorine leak detection; where ton containers are used, a leak repair kit approved by the Chlorine Institute shall be provided. Continuous chlorine leak detection equipment is recommended. Where a leak detector is provided it shall be equipped with both an audible alarm and a warning light.

5.3.4 Protective equipment

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- (a) At least one pair of rubber gloves, dust respirator of a type certified by NIOSH for toxic dusts, an apron or other protective clothing and goggles or face mask shall be provided for each operator as required by the Secretary. A deluge shower and/or eyewashing device should be installed where strong acids and alkalis are used or stored.
- (b) Other protective equipment should be provided as necessary.

5.4 Specific Chemicals

5.4.1 Chlorine gas

- (a) Chlorine gas feed and storage shall be enclosed and separated from other operating areas. The chlorine room shall be:
 - (1) provided with a shatter resistant inspection window installed in an interior wall;
 - (2) constructed in such a manner that all openings between the chlorine room and the remainder of the plant are sealed; and
 - (3) provided with doors equipped with panic hardware, assuring ready means of exit and opening outward only to the building exterior.
- (b) Full and empty cylinders of chlorine gas should be:
 - (1) isolated from operating areas;
 - (2) restrained in position to prevent upset;
 - (3) stored in rooms separate from ammonia storage; and
 - (4) stored in areas not in direct sunlight or exposed to excessive heat.
- (c) Where chlorine gas is used, the room shall be constructed to provide the following:
 - (1) each room shall have a ventilating fan with a capacity which provides one complete air change per minute when the room is occupied;
 - (2) the ventilating fan shall take suction near the floor as far as practical from the door and air inlet, with the point of discharge so located as not to contaminate air inlets to any rooms or structures;
 - (3) air inlets should be through louvers near the ceiling;
 - (4) louvers for chlorine room air intake and exhaust shall facilitate airtight closure;
 - (5) separate switches for the fan and lights shall be located outside of the chlorine room and at the inspection window. Outside switches shall be protected from vandalism. A signal light indicating fan operation shall be provided at each entrance when the fan can be controlled from more than one point;
 - (6) vents from feeders and storage shall discharge to the outside atmosphere, above grade;
 - (7) the room location should be on the prevailing downwind side of the building away from entrances, window louvers, walkways, etc.; and
 - (8) floor drains are discouraged. Where provided, the floor drains shall discharge to the outside of the building and shall not be connected to other internal or external drainage systems.
- (d) Chlorinator rooms should be heated to 60 degrees Fahrenheit, and be protected from excessive heat. Cylinders and gas lines should be protected from temperatures above that of the feed equipment.
- (e) Pressurized chlorine feed lines shall not carry chlorine gas beyond the chlorinator room.

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5.4.2 Acids and caustics

- (a) Acids and caustics shall be kept in closed corrosion-resistant shipping containers or storage units.
- (b) Acids and caustics shall not be handled in open vessels, but should be pumped in undiluted form from original containers through suitable hose, to the point of treatment or to a covered day tank.

5.4.3 Sodium chlorite for chlorine dioxide generation

Proposals for the storage and use of sodium chlorite must be approved by the Secretary prior to the preparation of final plans and specifications. Provisions shall be made for proper storage and handling of sodium chlorite to eliminate any danger of explosion.

(a) Storage

- (1) Sodium chlorite shall be stored by itself in a separate room and preferably shall be stored in an outside building detached from the water treatment facility. It must be stored away from organic materials which would react violently with sodium chlorite.
- (2) The storage structures shall be constructed of noncombustible materials.
- (3) If the storage structure must be located in an area where a fire may occur, water must be available to keep the sodium chlorite area cool enough to prevent decomposition from heat and the resultant explosive conditions.

(b) Handling

- (1) Care should be taken to prevent spillage.
- (2) An emergency plan of operation should be available for the clean up of any spillage.
- (3) Storage drums must be thoroughly flushed prior to recycling or disposal.

(c) Feeders

- (1) Positive displacement feeders shall be provided.
- (2) Tubing for conveying sodium chlorite or chlorine dioxide solutions shall be Type 1 PVC, polyethylene or materials recommended by the manufacturer.
- (3) Chemical feeders may be installed in chlorine rooms if sufficient space is provided or facilities meeting the requirements of Appendix A Subpart 5.4.1 shall be provided.
- (4) Feed lines shall be installed in a manner to prevent formation of gas pockets and shall terminate at a point of positive pressure.
- (5) Check valves shall be provided to prevent the backflow of chlorine into the sodium chlorite line.

Part 6 PUMPING FACILITIES

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

6.0 General

Pumping facilities shall be designed to maintain the sanitary quality of pumped water. Subsurface pits or pump rooms and inaccessible installations should be avoided. No pumping station shall be subject to flooding. Any below grade electrical installation must be provided with a ground fault interrupted electrical service, within 50' of equipment and on all 15-20 amp receptacles.

6.1 Location

The pumping station shall be so located that the proposed site will meet the requirements for sanitary protection of water quality, hydraulics of the system and protection against interruption of service by fire, flood or any other hazard.

6.1.1 Site protection

The station shall be:

- (a) elevated to a minimum of three feet above the 100- year flood elevation, or three feet above the highest recorded flood elevation, whichever is higher, or protected to such elevations;
- (b) readily accessible at all times unless permitted to be out of service for the period of inaccessibility;
- (c) graded around the station so as to lead surface drainage away from the station; and
- (d) protected to prevent vandalism and entrance by animals or unauthorized persons.

6.2 Pumping Stations

Both raw and finished water pumping stations shall:

- (a) have adequate space for the installation of additional units if needed, and for the safe servicing of all equipment;
- (b) be of durable construction, fire and weather resistant and with outward-opening doors;
- (c) have a floor elevation of at least six inches above finished grade;
- (d) have underground structure waterproofed;
- (e) have all floors drained in such a manner that the quality of the potable water will not be endangered. All floors shall be well drained with a positive slope to a floor drain; and
- (f) provide a suitable outlet for drainage from pump glands without discharging onto the floor.

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6.2.1 Suction well

Suction wells shall:

- (a) be watertight;
- (b) have floors sloped to permit removal of water and entrained solids; and
- (c) be covered or otherwise protected against contamination.

6.2.2 Equipment servicing

Pump stations shall be provided with:

- (a) craneways, hoist beams, eyebolts, or other adequate facilities for servicing or removal of pumps, motors or other heavy equipment;
- (b) openings in floors, roofs, or wherever else needed for removal of heavy or bulky equipment; and
- (c) a convenient tool board, or other facilities as needed, for proper maintenance of the equipment.

6.2.3 Stairways and ladders

Stairways or ladders shall:

- (a) be provided between all floors, and in pits or compartments which must be entered;
- (b) have handrails on both sides, and treads of non-slip material. Stairs are preferred in areas where there is frequent traffic or where supplies are transported by hand. They shall have risers not exceeding nine inches and treads wide enough for safety; and
- (c) conform to OSHA and VOSHA regulations covering these fixtures

6.2.4 Heating

Provisions shall be made for adequate heating for:

- (a) the comfort of the operator; and
- (b) the safe and efficient operation of the equipment.

In pump houses not occupied by personnel, only enough heat need be provided to prevent freezing of equipment or treatment processes.

6.2.5 Ventilation

Ventilation shall conform to existing local and/or state codes. Adequate ventilation shall be provided for all pumping stations. Forced ventilation of at least six changes of air per hour shall be provided for:

- (a) all rooms, compartments, pits and other enclosures below ground floor; and
- (b) any areas where unsafe atmosphere may develop or where excessive heat may be built up.

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6.2.6 Dehumidification

In areas where excess moisture could cause hazards to safety or damage to equipment, means for dehumidification should be provided.

6.2.7 Lighting

Pump stations shall be adequately lighted throughout. All electrical work shall conform to the requirements of the American Insurance Associations and related agencies and to the relevant state and/or local codes.

6.2.8 Sanitary and Other Conveniences

All pumping stations that are regularly occupied for extended periods should be provided with potable water, lavatory and toilet facilities. Plumbing must be so installed to prevent contamination of a **Public** water system. Wastes shall be discharged in accordance with Appendix A Subpart 4.10 and with other applicable regulations.

6.3 Pumps

At least two pumping units shall be provided. With any pump out of service, the remaining pump or pumps shall be capable of providing the maximum daily pumping demand of the system. Pumping stations for **Public Non-Community** systems may be designed with one pumping unit. The pumping unit(s) shall:

- (a) have ample capacity to supply the peak demand without dangerous overloading. The calculated peak demand should be no less than the total gpm obtained by using fixture methods outlined in, AWWA Manual M22, *Sizing Water Service Lines and Meters*, or the required fire flows if fire hydrants are provided for the system;
- (b) be driven by a prime mover able to operate against the maximum head;
- (c) have spare parts and tools readily available; and
- (d) be served by control equipment that has proper heater and overload protection for air temperature encountered.

6.3.1 Suction Lift

Suction lift should:

- (a) be avoided, if possible; and
- (b) be within allowable limits, preferably less than 15 feet.

If suction lift is necessary, provision shall be made for priming the pumps.

6.3.2 Priming

Prime water must not be of lesser sanitary quality than that of the water being pumped. Means shall be provided to prevent back siphonage. When an air operated ejector is used, the screened intake shall draw clean air from a point at least 10 feet above the ground or other source of

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possible contamination, unless the air is filtered by an apparatus approved by the Secretary. Vacuum priming may be used.

6.4 Booster Pumps (Main Line)

Booster pumps shall be located or controlled so that:

- (a) they will not produce negative pressure in their suction lines;
- (b) the intake pressure shall be at least 20 psi when the pump is in normal operation;
- (c) automatic cutoff pressure shall be at least 10 psi in the suction line;
- (d) automatic or remote control devices shall have a range between the start and cutoff pressure which will prevent excessive cycling; and
- (e) a bypass is available.

6.4.1 Duplicate Pumps

Each booster pumping station should contain not less than two pumps with capacities such that peak demand can be satisfied with the largest pump out of service.

6.4.2 Metering

All booster pumping stations should contain a totalizer meter.

6.4.3 Inline Booster Pumps

In addition to the other requirements of this part, inline booster pumps shall be accessible for servicing and repairs.

6.5 Automatic & Remote Controlled Stations

All automatic stations should be provided with automatic signaling apparatus which will report when the station is out of service. All remote controlled stations shall be electrically operated and controlled and shall have signaling apparatus of proven performance. Installation of electrical equipment shall conform with the applicable state and local electrical codes and the latest edition of the National Electrical Code.

6.6 Appurtenances

6.6.1 Valves

Pumps shall be adequately valved to permit satisfactory operation, maintenance and repair of the equipment. If foot valves are necessary, they shall have a net valve area of at least 2.5 times the area of the suction pipe and they shall be screened. Each pump shall have a positive-acting check valve on the discharge side between the pump and the shutoff valve.

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6.6.2 Piping

In general, piping shall:

- (a) be designed so that the friction losses will be minimized;
- (b) not be subject to contamination;
- (c) have watertight joints;
- (d) be protected against surge or water hammer; and
- (e) be such that each pump has an individual suction line or that the lines shall be so manifolded that they will insure similar hydraulic and operating conditions.

6.6.3 Gauges and Meters

Each pump:

- (a) shall have a standard pressure gauge on its discharge line;
- (b) shall have a compound gauge on its suction line;
- (c) shall have recording gauges in the larger stations; and
- (d) should have a means for measuring the discharge.

The station should have indicating, totalizing, and recording metering of the total water pumped.

6.6.4 Water Seals

Water seals shall not be supplied with water of a lesser sanitary quality than that of the water being pumped. Where pumps are sealed with potable water and are pumping water of lesser sanitary quality, the seal shall:

- (a) be provided with a break tank open to atmospheric pressure; and
- (b) have an air gap of at least six inches or two pipe diameters, whichever is greater, between the feeder line and the spill line of the tank.

6.6.5 Controls

Pumps, their prime movers and accessories, shall be controlled in such a manner that they will operate at rated capacity without dangerous overload. Where two or more pumps are installed, provision shall be made for alteration. Provision shall be made to prevent energizing the motor in the event of a backspin cycle. Electrical controls shall be located above grade.

6.6.6 Water Prelubrication

When automatic pre lubrication of pump bearings is necessary and an auxiliary direct drive power supply is provided, the pre-lubrication line shall be provided with a valved bypass around the automatic control so that the bearings can, if necessary, be lubricated manually before the pump is started or the pre lubrication controls shall be wired to the auxiliary power supply.

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6.6.7 Standby power

To ensure continuous service when the primary power has been interrupted, a power supply shall be provided from at least two independent sources or a standby or an auxiliary source shall be provided. If standby power is provided by onsite generators or engines the fuel storage and fuel line must be designed to protect the water system from contamination. Natural gas or bottled gas is the preferred fuel. This requirement may be waived for small sized systems on a case by case basis.

Part 7 FINISHED WATER STORAGE

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

7.0 General

The materials and designs used for finished water storage structures shall provide stability and durability as well as protect the quality of the stored water. Steel structures shall follow the current AWWA standards concerning steel tanks, standpipes, reservoirs, and elevated tanks wherever they are applicable. Other materials of construction are acceptable when properly designed to meet the requirements of Appendix A Part 7. Design for cast-in-place and pre-cast concrete structures must show the placement of structural steel and specify the material for sealing the joints.

7.0.1 Sizing

Storage facilities shall have sufficient capacity, as determined from engineering studies, to meet average daily domestic demands, and where fire protection is provided, fire flow demands.

- (a) When fire protection is provided, the minimum flow requirement shall be 500 gpm at 20 p.s.i. system residual pressure for a 2-hour duration for residential structures. If the Insurance Services Office or a other responsible agency (e.g., local fire department) recommends a higher flow rate than this minimum, the higher flow rate should be considered.
- (b) The minimum storage capacity (or equivalent capacity) for systems not providing fire protection shall be equal to the average daily demand. This requirement may be reduced when the source and treatment facilities have sufficient capacity with standby power to supplement peak demands of the system.
- (c) Level control is recommended but low water level alarm is required for **Public Community** water systems. (See Appendix A Subpart 7.3.3)

7.0.2 Location of ground level reservoirs

- (a) The bottom of reservoirs and standpipes shall be above maximum flood level. Steel and glass fused to steel water storage tanks shall be placed at the normal ground surface. Cast in place and pre-cast, pre-stressed concrete storage structures may be partially buried. In order to determine the location of other materials, consult with the Secretary's staff.
- (b) The bottom of any reservoir or standpipe shall be placed above the groundwater table. Artificially lowering the groundwater table is acceptable. Sewers, drains, standing water, and similar sources of possible contamination must be kept at least fifty feet from the

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reservoir. Water main pipe, pressure tested in place to 50 psi without leakage, may be used for gravity sewers at distances greater than 20 feet and less than 50 feet.

- (c) The top of a reservoir shall not be less than two feet above normal ground surface. Clear wells constructed under filters may be exempted from this requirement when the total design gives the same protection.

7.0.3 Location of Below Grade Reservoirs

Below grade installation may be acceptable for reservoirs. Provisions shall be made to minimize the risk of reservoir damage and the tendency of the tank to float during high groundwater conditions. The top of any earth covered reservoir shall be covered with a flexible waterproof membrane as approved by the Secretary.

7.0.4 Protection

All finished water storage structures shall have suitable watertight roofs which exclude birds, animals, insects, and excessive dust and shall have a perimeter drain at least 4" in diameter, if determined to be necessary, on a case-by-case basis.

7.0.5 Protection from Trespassers

Necessary precautions shall be provided to deter trespassing, vandalism, and sabotage.

7.0.6 Inflow and Outflow

Inflow and outflow shall be positioned so as to maximize chlorine contact time, if applicable.

7.0.7 Drains

No drain on a water storage structure may have a direct connection to a sewer or storm drain. The design shall allow draining the storage facility for cleaning or maintenance without causing loss of pressure in the distribution system.

7.0.8 Overflow

All water storage structures shall be provided with an overflow which should terminate 12 to 24 inches above the ground surface, and discharges over a drainage inlet structure or a splash plate. No overflow may be connected directly to a sewer or storm drain. All overflow pipes shall be located so that any discharge is visible.

- (a) The overflow shall be constructed of metallic pipe open downward and be screened with 24 mesh non-corrodible screen installed within the pipe at a location least susceptible to damage by vandalism.
- (b) The overflow pipe shall be of sufficient diameter to permit discharge of water in excess of the filling rate.

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- (c) When an internal overflow pipe is used on elevated tanks it shall be located in the access tube. For vertical drops on the other types of storage facilities, the over flow pipe shall be located on the outside of the structure.

7.0.9 Access

Finished water storage structures shall be designed with reasonably convenient access to the interior floor for cleaning and maintenance. Entrances above the water line shall:

- (a) be framed at least four inches, and preferably six inches, above the surface of the roof at the opening. On ground level structures, entrances should be elevated at least 18 inches above the top or covering sod;
- (b) be fitted with a solid watertight cover which overlaps the framed opening and extends down around the frame at least two inches;
- (c) be hinged at one side; and
- (d) have a locking device.

7.0.10 Vents

Finished water storage structures shall be vented. Overflows shall not be considered as vents. Open construction between the sidewall and roof is not permissible. Vents shall:

- (a) be made of metallic or other durable pipe;
- (b) prevent the entrance of surface water and rainwater;
- (c) exclude birds and animals;
- (d) will exclude insects and dust, as much as this function can be made compatible with effective venting, (for elevated tanks and standpipes, four mesh non-corrodible screen may be used);
- (e) on ground level structures, terminate in an inverted J construction with the opening 24 to 36 inches above the roof or sod and protected with 24 mesh non-corrodible screen installed within the pipe at a location least susceptible to vandalism; and
- (f) be adequately sized to keep the effects of negative pressure safely within the design load of the structure.

7.0.11 Roof and sidewall

The roof and sidewalls of all structures must be watertight with no openings except properly constructed vents, manholes, overflows, risers, drains, pump mountings, control ports, or piping for inflow and outflow.

- (a) Any pipes running through the roof or sidewall of a finished water storage structure must be welded, or properly gasketed in metal tanks. In concrete tanks, these pipes shall be connected to standard wall castings which were poured in place during the forming of the concrete. These wall castings should have seepage rings imbedded in the concrete.
- (b) Openings in a storage structure roof or top, designed to accommodate control apparatus or pump columns, shall be curbed and sleeved with proper additional shielding to prevent the access of surface or floor drainage water into the structure.

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- (c) Valves and controls should be located outside the storage structure so that the valve stems and similar projections will not pass through the roof or top of the reservoir.
- (d) The roof of concrete reservoirs with earthen cover shall be sloped to facilitate drainage. Consideration shall be given to installation of an impermeable roof covering.

7.0.12 Drainage of roof

The roof of the storage structure shall be well drained. Down spout pipes shall not enter or pass through the reservoir parapets, or similar construction which would tend to hold water and snow on the roof, will not be approved unless adequate waterproofing and drainage are provided.

7.0.13 Safety

The safety of employees must be considered in the design of the storage structure. As a minimum, such matters shall conform to pertinent laws and regulations of the area where the reservoir is constructed.

- (a) Ladders, ladder guards, balcony railings, and safely located entrance hatches shall be provided where applicable.
- (b) Elevated tanks with riser pipes over eight inches in diameter shall have protective bars over the riser openings inside the tank.
- (c) Railings or handholds shall be provided on elevated tanks where persons must transfer from the access tube to the water compartment.

7.0.14 Freezing

All finished water storage structures and their appurtenances, especially the riser pipes, overflows, and vents, shall be designed to prevent freezing which could interfere with proper functioning.

7.0.15 Internal catwalk

Every catwalk over finished water in a storage structure shall have a solid floor with raised edges so designed that shoe scrapings and dirt will not fall into the water.

7.0.16 Silt stop

The discharge pipes from all reservoirs shall be located in a manner that will prevent the flow of sediment into the distribution system. Removable silt stops should be provided.

7.0.17 Grading

The area surrounding a ground level structure shall be graded in a manner that will prevent surface water from standing within 50 feet of it.

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7.0.18 Painting and/or cathodic protection

Proper protection shall be given to metal surfaces by paints or other protective coatings, by cathodic protective devices, or by both.

- (a) Paints systems shall be acceptable to the Secretary (either EPA or NSF approved). Interior paint must be properly applied and cured. After curing, the coating shall not transfer any substances to the water which will be toxic or cause tastes or odors. Prior to placing in service, an analysis for volatile organic compounds is required to establish that the coating is properly cured.
- (b) Wax coatings for the tank interior should not be used on new tanks. Re coating with a wax system is discouraged; however, the old wax coating must be completely removed to use another tank coating.
- (c) Cathodic protection should be designed and installed by competent technical personnel; a maintenance contract should be provided.

7.0.19 Disinfection

- (a) Finished water storage structures shall be disinfected in accordance with current AWWA Standard C652. Two or more successive samples, taken at 24 hour intervals, shall indicate microbiologically satisfactory water before the facility is placed into operation.
- (b) Disposal of heavily chlorinated water from the tank disinfection process shall be in accordance with the requirements of the Secretary.
- (c) The disinfection procedure (AWWA chlorination method 3, section 4.3 C652) which allows use of the chlorinated water held in the storage tank for disinfection purposes is not recommended. When that procedure is used, it is required that the initial heavily chlorinated water be properly disposed in order to prevent release of water which may contain various chlorinated organic compounds into the distribution system.

7.1 Plant Storage

The applicable design standards of Appendix A Subpart 7.0 shall be followed for plant storage.

7.1.1 Washwater tanks

Washwater tanks shall be sized, in conjunction with available pump units and finished water storage, to provide the backwash water required by Appendix A Subpart 4.2.1.10. Consideration shall be given to the backwashing of several filters in rapid succession.

7.1.2 Clear well

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Clear well storage should be sized, in conjunction with the distribution system storage, to relieve the filters from having to follow fluctuations in water use.

- (a) When finished water storage is used to provide contact time for chlorine (see Appendix A Subpart 4.3.2) special attention shall be given to size and baffling.
- (b) An overflow shall be provided.

7.1.3 Adjacent compartments

Finished water must not be stored or conveyed in a compartment adjacent to unsafe water when the two compartments are separated by a single wall.

7.1.4 Basins and wet wells

Receiving basins and pump wet wells for finished water shall be designed as finished water storage structures.

7.2 Hydropneumatic Tanks

Hydropneumatic (pressure) tanks, when provided as the only storage facility, are acceptable only in very small water systems. When serving more than 150 living units, ground or elevated storage designed in accordance with Appendix A Subpart 7.0.1 should be provided. Pressure tank storage is not to be considered for fire protection purposes. Pressure tanks shall meet ASME code requirements.

7.2.1 Location

The tank should be located above the normal ground surface and be completely housed, except that a pressure tank may be placed below grade within a building served by the system if adequate drainage and access are provided.

7.2.2 Sizing

- (a) The capacity of the pumps in a hydropneumatic system should be at least ten times the average daily consumption rate or capable of meeting the peak instantaneous demand (See Appendix A Subpart 6.3). The usable volume of the hydropneumatic tank, in gallons, should be chosen from the following table based upon the type, horsepower and average capacity rated in gallons per minute of the largest pump in the system. For example, a 3/4 horsepower, single phase submersible pump rated at 20 gpm would require a pressure tank with a usable volume of 24 gallons.

Submersible Pumps		
Pump Motor Rating	Cycles per Hour	Usable Tank Volume
Up to: 3/4 HP single phase or 5 HP three phase	12.5	1.2 x PC

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1 to 5 HP single phase or 7½ HP & over three phase	4.17	3.6 x PC
7½ HP & over single phase	2	7.5 x PC

Non-submersible Pumps		
Pump Motor Rating	Cycles per Hour	Usable Tank Volume
All horsepower and phases	2	2.5 x PC

* PC = capacity of largest pump in gpm

- (b) Sizing of hydropneumatic storage tanks must consider the need for chlorine detention time, as applicable, independent of the requirements in Appendix A Subpart 7.2.2.a above.

7.2.3 Piping

The tank shall have bypass piping to permit operation of the system while it is being repaired or painted.

7.2.4 Appurtenances

Each tank without a separate air bladder shall have an access hole, a drain, and control equipment consisting of pressure gauge, water sight glass, automatic or manual air blow-off, means for adding air, and pressure operated start-stop controls for the pumps. Where practical the access manhole should be 24 inches in diameter.

7.3 Distribution Storage

The applicable design standards of this subpart shall be followed for distribution system storage.

7.3.1 Pressures

The maximum variation between high and low levels in storage structures providing pressure to a distribution system should not exceed 30 feet. The minimum working pressure in the distribution system should be 35 psi and the normal working pressure should be approximately 60 psi.

When static pressures exceed 100 psi, pressure reducing devices should be provided on mains in the distribution system.

7.3.2 Drainage

Storage structures which provide pressure directly to the distribution system shall be designed so they can be isolated from the distribution system and drained for cleaning or maintenance without necessitating loss of pressure in the distribution system. The drain shall discharge to the ground surface with no direct connection to a sewer or storm drain.

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7.3.3 Level Controls

Controls shall be provided to maintain levels in distribution system storage structures. Level indicating devices should be provided at a central location. Low level alarms are required.

- (a) Pumps should be controlled from tank levels with the signal transmitted by telemetering equipment when any appreciable head loss occurs in the distribution system between the source and the storage structure.
- (b) Altitude valves or equivalent controls may be required for second and subsequent structures on the system.
- (c) Overflow and low-level warnings or alarms shall be located at places in the community where they will be under responsible surveillance 24 hours a day. This requirement does not apply to **Public Non-Community** water systems.
- (d) The low water level control shall be high enough so that the water system operator has time to correct the problem before a water shortage occurs.

Part 8 DISTRIBUTION SYSTEMS

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

8.0 Materials

8.0.1 Standards, Materials Selection

Pipe, fittings, valves and fire hydrants shall conform to the latest standards issued by the AWWA. Special attention shall be given to selecting pipe materials which will protect against both internal and external pipe corrosion.

8.0.2 Used materials

Water mains which have been used previously for conveying potable water may be reused provided they meet the above standards and have been restored practically to their original condition.

8.0.3 Joints

Packing and jointing materials used in the joints of pipe shall meet the standards of the AWWA. Pipe with mechanical joints or slip-on joints with rubber gaskets is preferred. Gaskets containing lead shall not be used. Repairs to lead joint pipe shall be made using alternative methods. Transition couplings used between dissimilar piping materials shall have pressure ratings greater or equal to the pipe pressure rating.

8.1 Water Main Design

8.1.1 Pressure

All water mains, including those not designed to provide fire protection, shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The system shall be designed to maintain a minimum pressure of 20 psi at ground level at all points in the distribution system under all conditions of flow. The normal working pressure in the distribution system should be approximately 60 psi and not less than 35 psi.

8.1.2 Diameter

The minimum size of water main for providing fire protection and serving fire hydrants shall be eight inch diameter. Larger size mains will be required if necessary to allow the withdrawal of the required fire flow while maintaining the minimum residual pressure specified in Appendix A Subpart 8.1.1.

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8.1.3 Fire Protection

When fire protection is to be provided, system design shall meet the minimum flow standards in Appendix A, Part 7.0.1.

8.1.4 Small Mains

Any departure from minimum requirements shall be justified by hydraulic analysis and future water use, and will be considered only in special circumstances.

8.1.5 Hydrants

Water mains not designed to carry fire flows shall not have fire hydrants connected to them.

8.1.6 Dead ends

Dead ends shall be minimized by looping of all mains whenever practical.

8.1.7 Flushing

Where dead end mains occur they shall be provided with a fire hydrant if flow and pressure are sufficient, or with an approved flushing hydrant or blow off for flushing purposes. Flushing devices should be sized to provide flows which will give a velocity of at least 2.5 feet per second in the water main being flushed. No flushing device shall be directly connected to any sewer. The open end of a blow off must be capped and terminate at least 18 inches above grade.

8.2 Valves

Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500 foot intervals in commercial districts, at not more than one block or 800 foot intervals in other districts, and at not more than 5000 foot intervals on transmission lines.

8.3 Hydrants

8.3.1 Location and spacing

Hydrants should be provided at each street intersection and at intermediate points between intersections as recommended by the state Insurance Services Office. Generally, hydrant spacing may range from 350 to 600 feet depending on the area being served.

8.3.2 Valves and nozzles

Fire hydrants should have a bottom valve size of at least five inches in diameter, one 4.5 inch diameter pumper nozzle and two 2.5 inch diameter nozzles.

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8.3.3 Hydrant leads

The hydrant lead shall be a minimum of six inches in diameter. Auxiliary valves shall be installed in all hydrant leads.

8.3.4 Drainage

Hydrant drains should be plugged. When the drains are plugged the barrels must be pumped dry after use during freezing weather. Where hydrant drains are not plugged, a gravel pocket or dry well shall be provided unless the natural soils will provide adequate drainage. Hydrant drains shall not be connected to or located within 10 feet of sanitary sewers or storm drains.

8.4 Air Relief Valves: Valve, Meter & Blow-Off Chambers

8.4.1 Air relief valves

At high points in water mains where air can accumulate, provisions shall be made to remove the air by means of hydrants or air relief valves. Automatic air relief valves shall not be used in situations where flooding of the accessway or chamber may occur.

8.4.2 Air relief valve piping

The open end of an air relief pipe from the automatic valve shall be extended to at least 1 foot above grade and provided with a screened, downward-facing elbow. The pipe from a manually operated valve shall be extended to the top of the pit.

8.4.3 Chamber drainage

Chambers, pits or manholes containing valves, blow-offs, meters, or other such appurtenances to a distribution system, shall not be connected directly to any storm drain or sanitary sewer, nor shall blow-offs or air relief valves be connected directly to any sewer. Such chambers or pits shall be drained to the surface of the ground where they are not subject to flooding by surface water, or to absorption pits underground.

8.5 Installation of Mains

8.5.1 Standards

8.5.1.1 Job specifications shall incorporate applicable provisions of the AWWA Standards.

Manufacturer's recommended installation procedures may be specified when they are equal to or better than AWWA procedures.

8.5.1.2 Piping, fittings and appurtenances which have been previously used for purposes other than for **Public** water system use shall not be used in a **Public** water system without the written approval of the Secretary.

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8.5.2 Bedding

A continuous and uniform bedding shall be provided in the trench for all buried pipe. Back fill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe. Stones found in the trench shall be removed for a depth of at least six inches below the bottom of the pipe.

8.5.3 The open ends of exposed pipe shall be left plugged in excavations at the conclusions of the day's work. During periods of delay and at the conclusion of the day's work, lengths of pipe with open ends shall be tightly closed with watertight plugs, special seals or by other suitable means to prevent the entry of animals, foreign matter and trench water. Trench water shall be pumped out before the seals, plugs or other closures are removed.

8.5.4 Cover

All water mains shall be covered with at least 5.5 feet of earth. Insulation may be used in lieu of cover depth when approved in advance by the Secretary.

8.5.5 Thrust Blocks

All tees, bends, plugs and hydrants shall be provided with reaction blocking, tie rods or joints designed to prevent movement. Specifications shall include a requirement that all air be removed from the pipes before water at test pressure levels is added. Size of blocks shall be specified and design basis shown (i.e. type of soil, design water pressure used).

8.5.6 Pressure and leakage testing

All types of installed pipe shall be pressure tested and leakage tested in accordance with the latest edition of AWWA *Standard C600*.

8.5.7 Disinfection

All new, cleaned or repaired water mains shall be disinfected in accordance with AWWA *Standard C651*, latest published version. The specifications shall include detailed procedures for the adequate flushing, disinfection, and microbiological testing of all water mains. If bacteriological tests show the treatment to be unsatisfactory, the disinfection procedures shall be repeated until satisfactory bacteriological sample results are obtained. The tablet method in AWWA *Standard 651* is not acceptable.

8.6 Separation of Water Mains, Sanitary Sewers, Storm Sewers & Other Sources of Contamination

8.6.1 General

The following factors should be considered in providing adequate separation:

- (a) materials and type of joints for water and sewer pipes;

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- (b) soil conditions;
- (c) service and branch connections into the water main and sewer line;
- (d) compensating variations in the horizontal and vertical separations;
- (e) space for repair and alterations of water and sewer pipes; and
- (f) off-setting of pipes around manholes.

8.6.2 Parallel installation

Water mains shall be laid at least 10 feet horizontally from any existing or proposed manhole or sanitary sewer. This distance can be reduced to 5 feet for storm sewers. The distance shall be measured edge to edge. In cases where it is not practical to maintain a 10 foot separation, the Secretary may allow deviation on a case by case basis if supported by data from the design engineer. Such deviation may allow installation of the water main closer to a sewer, provided that the water main is laid in a separate trench or on an undisturbed earth shelf located on one side of the sewer at such an elevation that the bottom of the water main is at least 18 inches above the top of the sewer. See Appendix A Subpart 8.6.4 for approval required for such exception.

8.6.3 Crossings

Water mains crossing sewers shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. At crossings, one full length of water pipe shall be located so both joints will be as far from the sewer as possible. If the sewer main is over the water main, the first sewer pipe joints on each side of the water main must be concrete encased. Special structural support for the water and sewer pipes may be required. Water mains shall not pass through sewer manholes or be submerged in basins containing sewage or other grossly contaminated or hazardous material. Stream crossings shall meet the provisions of Appendix A Subpart 8.7.

8.6.4 Exception

The Secretary must specifically approve any variance from the requirements of Appendix A Subparts 8.6.2, 8.6.3, 8.6.6 and 8.6.7 when it is impossible to obtain the specified separation distances. Where sewers are being installed and Appendix A Subparts 8.6.2 and 8.6.3 cannot be met, the sewer materials shall be water main pipe or equivalent and shall be pressure tested to ensure water tightness.

8.6.5 Force mains

There shall be at least a 10 foot horizontal separation between water mains and sanitary sewer force mains. There shall be an 18 inch vertical separation at crossings as required in Appendix A Subpart 8.6.3.

8.6.6 Septic Tanks and Leach Fields

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Distribution lines shall be placed not closer than fifty (50) feet horizontal distance from any septic tank or leach field except as provided in Appendix A Subpart 8.6.4.

8.6.7 Other underground storage tanks

Distribution lines shall be placed not closer than twenty five (25) feet horizontal distance from underground storage tanks. Fifty (50) feet separation is preferable except as provided in Appendix A Subpart 8.6.4.

8.7 Surface Water Crossings

Surface water crossings, whether over or under water, present special problems. The Secretary shall be consulted before final plans are prepared.

8.7.1 Above-water crossings

The pipe shall be adequately supported and anchored, protected from damage and freezing, and accessible for repair or replacement.

8.7.2 Underwater crossings

A minimum cover of two feet shall be provided over the pipe. When crossing water courses greater than 15 feet in width, the following shall be provided:

- (a) the pipe shall be of special construction, having flexible water tight joints;
- (b) valves shall be provided at both ends of water crossings so that the section can be isolated for testing or repair; the valves shall be easily accessible, and not subject to flooding; and the valve closest to the supply source shall be in a manhole; and
- (c) permanent taps shall be made on each side of the valve within the manhole to allow insertion of a small meter to determine leakage and for sampling purposes.

8.8 Cross-Connections & Interconnections

8.8.1 Cross-connections

There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system. This does not preclude approved cross connection control devices.

8.8.2 Cooling water; Heating Water

- (a) Neither steam condensate nor cooling water from engine jackets or other heat exchange devices shall be returned to a public water supply.
- (b) Notwithstanding subsection (a) of this section, standing column geothermal systems are allowed provided that:
 - (1) No additive is added to the re-circulated groundwater :

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- (2) The heat exchange medium in the system is R-410A or a different heat exchange medium approved by the Secretary;
 - (3) The system has a low pressure safety cutout circuit that will turn off the system when there is a pressure leak in the heat exchange medium containment vessel;
 - (4) All electrical components of the system are properly grounded to prevent potential electrolysis of metals; and
 - (5) In the event that the heat exchange unit is disconnected as a heating or cooling source, all piping associated with the unit shall either be capped and labeled or removed.
- (c) For the purposes of this section, a standing column geothermal system is one where groundwater is taken from a public water supply well for heating and/or cooling purposes and re-circulated back into the same well below the estimated low water elevation of the well.

8.8.3 Interconnections

Drains from the fire hydrants, air relief pits and blow off valve pits shall not connect directly to sewer lines or discharge at a point which will permit possible back siphonage conditions. The approval of the Secretary shall be obtained for interconnections between potable water systems.

8.9 Service Meters

Each service connection should be individually metered.

8.10 Water Loading Stations

Water loading stations present special problems since the fill line may be used for filling both potable water vessels and other tanks or contaminated vessels. To prevent contamination of both the **Public** system and potable water vessels being filled, the following principles shall be met in the design of water loading stations:

- (a) there shall be no backflow to the **Public** water system;
- (b) the piping arrangement shall prevent contaminant being transferred from a hauling vessel to others subsequently using the station; and
- (c) hoses shall not be contaminated by contact with the ground.

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Part 9 (RESERVED)

Part 10 (RESERVED)

Part 11 NON-COMMUNITY WATER SYSTEMS

11.1 Introduction and Definitions

11.1.0 General

This part provides regulation and guidance for potable water sources, storage, and distribution systems serving **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems. Information to be submitted with permit applications, methodologies to be used in source evaluation, and minimum standards for construction and operation of such systems are provided.

Public Transient Non-Community water systems are administered by the Department's Drinking Water and Groundwater Protection Division.

These standards and limits represent minimum criteria. Designers should note that the use of this part requires professional judgement. The standards are minimal and the safety factors are marginal, and will not yield satisfactory designs, by themselves, in all situations.

These regulations have two principal goals:

- (a) the prevention of health hazards caused by water sources of inadequate quality and quantity; and
- (b) the assurance that water sources and distribution systems are adequate for the needs of a project.

11.1.1 Alternative Designs

The professional engineer may propose alternative engineering designs for water systems and justify the design based on its reliability in providing water of adequate quality and quantity for the size and nature of the project.

11.1.2 Definitions

The following definitions apply for the purposes of this Part (Appendix A Part 11); additional definitions are contained in Subchapter 21-2.

AVERAGE DAY DEMAND - The volume of water anticipated to be used by a particular building or project in a 24 hour period; expressed in gallons per day (gpd).

CONSTANT DISCHARGE PUMPING TEST - A test of a water source in which the well is pumped for a specified duration at one flow rate to determine the yield of the well, aquifer characteristics and/or well interference.

FLOOD PLAIN - Any area which is flooded with an average frequency of once or more in each 100 years as determined by the Secretary.

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FLOODWAY - The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge a 100 year frequency flood without cumulatively increasing the water surface elevation more than one foot.

HYDROFRACTURING - A method of bedrock well development used to increase the yield of wells, in which high pressures are generated in the well to open fractures. Propping agents may be introduced to keep the fractures open.

HYDROGEOLOGIC CONNECTION - A situation where a water source is down-gradient of a potential source of contamination under either natural groundwater flow conditions or pumping conditions.

INSTANTANEOUS PEAK DEMAND - The instantaneous flow rate that the system must satisfy. This is determined by the number and type of plumbing fixtures on it.

LICENSED WELL DRILLER - An individual licensed under the Vermont Well Driller Licensing Rules and Standards.

LONG-TERM YIELD - The amount of water that the source is capable of providing on a daily basis over the design life of the project; expressed in gallons per minute (gpm).

MAXIMUM DAY DEMAND - For **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems, the rate at which the average day demand is to be used by a particular building or project divided by not more than 720 minutes; expressed in gallons per minute (gpm).

QUALIFIED CONSULTANT - Certified Site Technician, or Vermont Registered Professional Engineer, working within the scope of his or her certification and expertise.

SHALLOW WATER SOURCE - A developed structure to collect groundwater, generally less than 20 feet deep. This includes springs, dug wells, jetted wells, drilled wells, and well points, and other water intake structures which may or may not be under the jurisdiction of the Vermont Well Driller's Rules and Construction Standards.

SOURCE INTERFERENCE - **Public** water systems and potable water supplies affected by the pumping of other proposed or existing sources.

STATE ELECTRICAL CODE - State of Vermont Electrical Safety Rule adopted by the Vermont Department of Public Safety per 26 V.S.A. §891.

STATE PLUMBING CODE - State of Vermont Plumbing Rule, adopted by the Vermont Department of Public Safety per 26 V.S.A. §2173.

TOTAL AVAILABLE HEAD - The difference in elevation between the static water level and the hydraulic base of a well.

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WATER SOURCE - An existing or permitted water well or shallow water source designed to collect potable groundwater.

WATER SYSTEM - The source, pumping facility, storage, distribution system and related appurtenances used to provide potable water.

11.2 Preconstruction Requirements

11.2.0 General

For all **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems, a water source site plan, basis of design statement, and design plans and specifications, along with all available information on the source, must be submitted with the permit application. Design plans shall include a professional engineer's seal and signature. In addition, a Long Range Plan, Source Protection Plan, and Engineer's Report, as required by Subchapters 4.2.2, 5.5(e), 15.1, and 16.1, must be submitted for new **Public Non-Transient Non-Community** water systems. Some of this information may be developed in pre-application work and may require review and approval by the Secretary before an application will be considered complete.

Increased demands to existing or previously approved **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems will require analysis of additional maximum day demand and/or instantaneous peak demand.

11.2.1 Basis of Design

A statement of the basis of design, and supporting calculations, shall include:

- (a) Average Day Demand;
- (b) Maximum Day Demand;
- (c) Instantaneous Peak Demand;
- (d) Source Capacity;
- (e) Storage Capacity;
- (f) Pump Capacities;
- (g) Operating Pressure Ranges; and
- (h) reference to the flood plain

11.2.2 Water Source Site Plan

A water source site plan shall include:

- (a) plan view at a scale of 1" = 200', or larger;
- (b) surface drainage features and general topography;
- (c) potential sources of contamination within the distances listed in Appendix A Part 11 Tables 11-1 and 11-2;
- (d) neighboring wells as shown in the interference monitoring distance table; and
- (e) minimum separation zones per Appendix A Subpart 11.4.1.

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11.2.3 Design Plans and Specifications

The design plans and specifications shall include:

- (a) source development, transmission, storage and distribution;
- (b) system component site plan at a scale of 1" = 100', or larger;
- (c) piping, valving and standard pressure; and
- (d) specific construction instructions.

11.2.4 Source Development and Testing

11.2.4.1 Projects with Maximum Day Demand of 5 gpm or less

These projects will be permitted prior to water source development unless there is reason to suspect that sufficient water may not be available, in which case the Secretary may:

- (a) require that the water source be developed and tested before the permit is issued; or
- (b) issue a permit with a condition that the water source be developed and tested before a subdivision is created, a building is constructed or a mobile home park is established.

11.2.4.2 Projects with Maximum Day Demand of More Than 5 gpm

These projects will not normally be permitted before the source is developed and tested, unless:

- (a) the applicant demonstrates a high probability of adequate yield and quality from the proposed water source. In such a case the source must be developed, tested and analyzed in accord with Subpart 11.6 prior to the creation of subdivision lots, construction of buildings or the establishment of a mobile home park.

11.2.4.3 Subdivision With Individual On-Site Sources

These projects are normally approved prior to source development. Multiple lot subdivisions may need to show evidence that adequate yields are likely to be available, and/or that proposed sources are not likely to cause unacceptable interference in nearby existing or permitted water sources.

11.3 Water System Demand

11.3.0 Average Day Demand

- (a) For **Public** water systems, the average day demand shall be determined according to the design flows per Appendix A, Part 2, Table A2-1 of this rule.
- (b) For residential units average day demand shall be 90% of the design flow.
- (c) Installation of low flow plumbing fixtures, 3.5 gallon or less flush toilets, 3.0 gallon per minute or fewer showerheads, and faucet aerators will allow for a 10% reduction in design flows as calculated from Table A2-1.

11.3.1 Maximum Day Demand

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The maximum day demand is calculated by dividing the average day demand by not more than 720 minutes. The resulting flow rate is expressed in gallons per minute.

11.3.2 Instantaneous Peak Demand

The instantaneous peak demand, expressed in gallons per minute (gpm), shall be calculated as follows:

- (a) determined by the State Plumbing Code; or
- (b) for residential units only, the instantaneous peak demand equals 5 gpm multiplied by the number of units.

11.4 Isolation and Separation Distances

11.4.0 General

The proposed site of the water source for the building or project shall be approved by the Secretary before the source is developed.

Adequate horizontal isolation distances between wells and potential sources of contamination are required. The required horizontal minimum distances are listed in Tables A11-1 and A11-2 below. Qualified consultants, Site Technicians, Professional Engineers or Hydrogeologists, as appropriate, are responsible for assuring that these minimums are adequate for individual cases, and should increase them as they deem appropriate in their professional judgement. The Secretary may increase the minimum horizontal isolation distances in Tables A11-1 and A11-2 or prescribe any additional safeguards it deems necessary when the depth to the aquifer or the nature of overburden material is not sufficient to protect the water source from pollution. The Secretary will consider permitting reductions of these individual cases only on the written request of the qualified consultants, which technically justifies the reduction in a particular case.

The minimum recommended horizontal isolation distances in these regulations from water systems to sewage systems are based on sewage treatment in soils, pathogen attenuation, effluent travel time in soil and dispersion, without site specific hydrogeologic information. Site specific data may be collected and justification made for reducing the distances listed in Tables A11-1 and A11-2.

Table A11-1 - REQUIRED HORIZONTAL MINIMUM SEPARATION DISTANCES

Potential Source of Contamination	Water Sources in Bedrock or Confined Surficial Aquifer	Water Sources in Unconfined Surficial Aquifer
Agriculture cropland	100	200
Buildings or structures, porches, foundations of buildings or structures	10	10
Cemeteries	100	150

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Composting sites (commercial or agricultural)	200 (see a.)	300 (see a.)
Concentrated livestock holding areas barnyard	200 (see b.)	500 (see b.)
Driveways (fewer than 3 residences)	15	15
Driveways (3 or more residences), roadways, parking lots	25	25
Fertilizer or pesticide storage structures (buried tank of any size; above ground tank >1,500 gallons; dry or liquid; and piping serving a nonresidential facility)	100	200
Flood ways	(see c.)	(see c.)
Fuel oil, gasoline & other petroleum tanks and piping (not including liquefied petroleum gas tank)	25	100
Hazardous or Solid Waste Disposal Site	(see d.)	(see d.)
Leachfields (proposed, existing, or permitted)	(see e.)	(see e.)
Limit of Herbicide Application on a ROW	100 (see f.)	200 (see f.)
Manure storage systems, above ground	50 (see b.)	100 (see b.)
Manure storage systems, inground concrete or geosynthetic lined	100 (see b.)	200 (see b.)
Manure storage system, earthen lined	200 (see b.)	500 (see b.)
Non-sewage Wastewater Disposal Field	(see d.)	(see d.)
Property lines	10	10
Salvage yards	300 (see g.)	300 (see g.)
Sanitary sewer collection lines and sanitary sewer service lines	50	75

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Silage storages	50	75
Solid waste transfer facilities	100 (see h.)	200 (see h.)
Stormwater treatment practice (lined)	10	10
Stormwater treatment practice (unlined and subsurface systems)	100	150
Storm sewers	10	50
Surface water, normal high water elevation	10 (see i.)	25 (see i.)
Wastewater disposal spray area and lagoons	200 (see j.)	300 (see j.)
Wastewater tanks (proposed, existing, or permitted)	(see e.)	(see e.)

- a. Isolation distances for composting sites (commercial and agricultural) shall be measured from the perimeter of the composting area or area used for storage of composted material.
- b. Isolation distances for concentrated livestock holding areas and manure storage systems shall be measured from the perimeter of the holding area or outside perimeter of the manure storage system.
- c. Water sources shall not be located in a flood way.
- d. If a water source is potentially downgradient of a source of contamination, then the Secretary shall apply the criteria in Appendix A Subpart 11.4.2.2.
- e. See Table A11-2. Wastewater Tanks include septic tanks, pump stations, dosing siphons, holding tanks, wastewater storage tanks, wastewater treatment tanks, sand filters, constructed wetlands, and grease tanks.
- f. Applies to rights-of-way (ROW) where herbicides have been applied in the past 12 months or may be applied in the future.
- g. Isolation distances for salvage yards shall be measured from the perimeter of the area used for the storage of salvaged materials to the component. If the applicant's designer demonstrates that the groundwater flow from the salvage yard is not in the direction of the public drinking water source, the isolation distance shall be 100 feet rather than 300 feet.
- h. Isolation distances for solid waste transfer facilities shall be measured from points within the transfer facility used for storing solid waste.
- i. For Public water sources, see Appendix A, Part 3, Subpart 3.4. The horizontal location to surface water should allow for possible future widening of the surface water due to bank erosion.

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- j. For isolation distance applies unless identified as being superseded by Table 11-2 or Section 11.4.1 below.

Table A11-2 - REQUIRED MINIMUM HORIZONTAL SEPARATION DISTANCES TO SEWAGE SYSTEM DISPOSAL FIELDS^{1,2} (Feet)

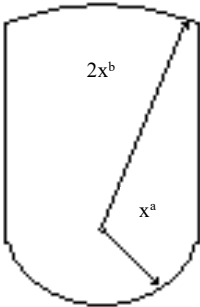
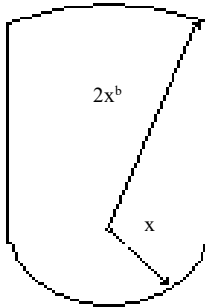
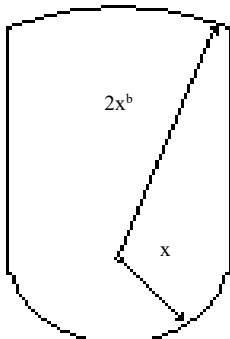
Design Flow of Domestic Sewage System Disposal Field (GPD)	Water Source Maximum Daily Demand (GPM)			
	0-1.9	2.0-4.9	5.0-7.9	>8.0
Fewer than 2,000	100	150	200	200 ⁺ ^a
2,000 through 6,499	150	150	200	200 ⁺ ^a
Equal to or Greater than 6,500	200 ⁺⁺ ^b	200 ⁺⁺ ^b	200 ⁺⁺ ^b	200 ⁺ ^a

- 1 The minimum separation distance, (X), is used to determine the minimum separation zone (see Appendix A Subpart 11.4.1 and Figure 11-1).
- 2 For shallow water sources the minimum separation distance, X, per Subpart 11.4.1, shall not be less than 150 feet, and the minimum upslope separations distance shall be 500 feet instead of 2X regardless of the minimum separation distance, X, listed. If the bottom of the well or spring is higher than the ground surface at the disposal field then the minimum separation distance, X, may be reduced to 50 feet.
 - a Hydrogeologic evaluation required to define potential recharge area of the source and two year time of travel.
 - b For all water sources with less than 8 gpm maximum daily demand, the minimum presumptive upslope separation distance to greater than 6,500 gpd leachfields, per Appendix A Subpart 11.4.1, shall be 1,000 feet instead of 2X.

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FIGURE 11-1.

PLAN VIEW OF REQUIRED MINIMUM SEPERATION DISTANCES TO DOMESTIC SEWAGE DISPOSAL FIELDS¹

Domestic Sewage System Disposal Field Design Flow (gpd)	Water Source Maximum Daily Demand, MDD (gpm)			
	MDD < 2	2 < MDD	5 < MOD < 8	8 < MDD
< 2000	X = 100' 			X= 200' For water source with demands of 6 gpm or greater, the well must be located outside the 2 year time of travel of all effluent plume paths.
> 2000 and < 6500		X = 150' 	X = 200' 	
> 6500	X= 200' For septic systems over 6500 gpd wells must be located outside the 2 year time of travel effluent plume path, or greater than 1000' from the disposal fields.			

1. These shapes assume parallel ground surface contours horizontally across page with a downslope direction toward the bottom of the page.
 - a. For shallow water supplies X = 150'
 - b. For shallow water supplies use 500' distance instead of 2X

11.4.1.0 Separation Distances to Sewage System Disposal Fields

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Wells and sewage system disposal fields should be located to optimize the hydrogeologic separation within the project limitations. The applicant's designer must establish a separation zone around the water source which defines the probable area of groundwater recharge to the water source. The separation zone may be established by a presumptive method which uses ground surface topography and minimum distances.

The minimum separation distances for leach fields can be also estimated by using methods to define Source Protection Areas in accord with procedures defined in this rule (see Appendix A Part 3), or with other methods approved by the Secretary.

11.4.1.1 Presumptive Minimum Separation Zone Methods for a Water Well

To determine the size and shape of the required minimum separation zone between sewage disposal fields and a water well the following steps should be taken (see Figure 11-1):

- (a) draw a circle with a radius equal to the required minimum separation distance, X , from Table A11-2, around the well head or water source;
- (b) now either:
 - (1) if the circle drawn intersects with the contour elevation of the source, then draw lines beginning at these intersections, extending upslope and perpendicular to the contours, until these lines intersect an arc with a radius equal to twice the minimum separation distance ($2X$) from the source. If necessary, to provide closure of the area draw an arc with radius $2X$ from the source; or
 - (2) if the circle drawn in Step 1 is in all cases at a lower elevation than the source elevation, no further delineation may be required (resulting in the smallest possible minimum separation zone of a circle with radius X); or,
 - (3) if the circle drawn in Step 1 is in all cases is above the elevation of the well, the water shed area or a circle with a radius of $2X$, whichever is smaller, shall represent the minimum separation zone (resulting in the largest possible minimum separation zone of a circle with a radius $2X$).

11.4.1.2 Presumptive Minimum Separation Zone Methods for a Shallow Water Source

To determine the size and shape of the required minimum separation zone between sewage disposal fields and a shallow water source, the following steps should be taken (see Figure A11-1):

- (a) draw a circle with a radius equal to the required minimum separation distance, X , from Table A11-2, around the well head or water source;
- (b) now either:
 - (1) if the circle drawn intersects with the contour elevation of the source, then draw lines beginning at these intersections, extending upslope and perpendicular to the contours, until these lines intersect an arc with a radius equal to 500 feet from the source. If necessary, to provide closure of the area draw an arc with radius of 500 feet from the source; or

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- (2) if the circle drawn in Step 1 is in all cases at a lower elevation than the source elevation, no further delineation may be required (resulting in the smallest possible minimum separation zone of a circle with radius X); or
- (3) if the circle drawn in Step 1 is in all cases above the elevation of the well, the water shed area or a circle with a radius of 500 feet, whichever is smaller, shall represent the minimum separation zone (resulting in the largest possible minimum separation zone of a circle with a radius of 500 feet).

11.4.2.0 Requirements for Investigation of Potential Hydrogeologic Connections Between Water Sources and Sewage Disposal Fields

This subpart applies when a hydrogeologic connection may exist between a sewage system disposal field and a potable water source.

These distances listed in Table A11-1 & A11-2 provide a minimal level of protection for water sources. These distances may be increased or reduced based on site specific data.

11.4.2.0.1 Increasing the Minimum Separation Zone

These distances may be increased up to a maximum of 500 feet if a sewage disposal field is discharging upgradient of a water source and to the same unconsolidated, unconfined aquifer from which the water source is withdrawing.

11.4.2.0.2 Reduction of the Minimum Separation Zone

These distances may be reduced with the use of site specific data under the following conditions:

- (a) If there is a continuous impeding layer from the sewage system disposal field to the well head, and the well is properly sealed to prevent contaminant migration along the well casing then the minimum separation zone around the well head may be reduced to a radius of not less than 100 feet; or
- (b) If the groundwater flow from beneath the sewage system disposal fields is not toward a minimum separation zone around the well head that has a radius of X; or
- (c) If a detailed hydrogeologic investigation reveals that groundwater flow from beneath the sewage system disposal field does not flow toward the source under pumping conditions the minimum separation zone around the well head may be reduced to a radius of not less than 100 feet; or
- (d) If a detailed hydrogeologic investigation demonstrates a time of travel exceeding two years in accordance with Appendix A Subpart 11.4.2.1, then the minimum separation zone around the well head may be reduced to a radius of not less than 100 feet.

11.4.2.1 Two Year Time of Travel

If required elsewhere in Appendix A Subpart 11.4.2, then a minimum travel time of two years must exist in the materials between a potential source of contamination that may contain pathogenic microorganisms and the drinking water source. The two year travel time is based on the reasonable assurance of pathogen attenuation. Calculations of travel time must take into

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account hydraulic gradient, porosity, saturated hydraulic conductivities in the materials with the largest saturated hydraulic conductivity, the cone of influence of production wells or the recharge area of springs being considered, and mounding of the water table due to groundwater recharge by discharge of the sewage effluent.

11.4.2.2 Increased Level of Contamination

The potential source(s) of contamination may not increase the level of contamination in any drinking water source to more than the Maximum Contaminant Levels (MCL) of the Drinking Water Standards in Subchapter 21-6 of this rule. Nitrate (expressed as N) may be used as an indicator when dealing with domestic (non-industrial) wastes. Calculations must take into account the concentration of nitrate-nitrogen at the base of the leach field, which is assumed to be 40 mg/l, dilution by precipitation and groundwater flow, dispersion, background concentrations of nitrate-nitrogen, and other existing sources of nitrate-nitrogen, including fertilizers, in the subsurface drainage basin, using the assumption that no denitrification takes place in the subsoil. Methods of calculation and evaluation must closely approximate actual conditions and should be determined in consultation with the Secretary before any work is done.

The minimum separation distances for leach fields can be also estimated by using methods to define Source Protection Areas as contained in Appendix A Part 3 or with other methods approved by the Secretary.

11.5 Well and Spring Construction Standards

11.5.0 Water Well

The requirements of this subpart presume that water wells are constructed in compliance with Appendix A, Part 12 (Construction and Isolation Standards for Wells).

11.5.1 Spring and Shallow Well Construction

11.5.1.1 Materials

Acceptable materials include:

- (a) concrete tiles (grouted together);
- (b) poured in place concrete;
- (c) well casing; and
- (d) other metallic or plastic casing as approved by the Secretary.

11.5.1.2 Site Work

Spring and shallow well site construction shall include the following:

- (a) screened ventilation or overflow openings;
- (b) surface water diversion berm at least 50 feet upslope when feasible;
- (c) back fill material of high clay content sloping away from source;
- (d) minimum of 4 inches of top soil over the clay;

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- (e) a watertight, rodent-proof sanitary cover; and
- (f) for **Public** water systems, an entrance access hatch and lock.

11.6 Water Quantity Testing

11.6.0 Water Sources

11.6.0.1 Projects with a Maximum Day Demand of 5 gpm or less:

These projects:

- (a) may use 50 percent of the well drillers estimated yield as long term yield; and
- (b) if project maximum day demand is greater than 50 percent of the well drillers estimated yield, a constant discharge pumping test as defined in Appendix A Subpart 11.6.1 is required.

11.6.0.2 Projects with Maximum Day Demand of more than 5 gpm

These projects shall conduct a constant discharge pumping test in accord with Subpart 11.6.1 to determine the long term yield of the well.

11.6.0.3 Springs

A spring source shall require that the yield be determined by hydrogeologic flow analysis per Appendix A Subpart 11.6.1.2. Single family residences and projects classified as home occupations, shall be exempt from this requirement.

11.6.1 Long Term Yield Testing

11.6.1.1 Water Wells

When a constant discharge test is required by the provisions of Appendix A Subpart 11.6.0, the following conditions shall be met:

- (a) the test shall be designed and analyzed by a qualified hydrogeologist, or a professional engineer, who is proficient in well testing and analyses;
- (b) the test shall be conducted for the durations listed in Table A11-3 at a pumping rate greater than or equal to the required maximum day demand of the well;
- (c) water level drawdown and rate of discharge shall be measured using accepted methods at intervals that will plot evenly on a logarithmic scale graph;
- (d) the draw down measurements shall continue into the recovery period for two days or until a minimum of 90% recovery is achieved whichever occurs first.
- (e) alternate testing methods may be considered by the Secretary; and
- (f) monitoring for interference shall be performed as required in Appendix A Subpart 11.6.3.

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Table A11-3 - CONSTANT DISCHARGE PUMPING TEST DURATION

MAXIMUM DAY DEMAND OF WELL ^a	MINIMUM TEST LENGTH, HOURS
0.0 - 1.9 gpm	24
2.0 - 4.9 gpm	36
5.0 - 7.9 gpm	48 ^b
8.0 - 49.9 gpm	72
50.0 - 99.9 gpm	96
100 gpm or Greater	120

a. Rounded to nearest tenth.

b. This duration may be increased to 72 hours if interference or special studies are required.

11.6.1.2 Shallow Water Sources

11.6.1.2.1 Springs

- (a) A proposal for adequately determining long term yield of springs shall be prepared by a qualified hydrogeologist or professional engineer and submitted to the Secretary for approval prior to testing; and
- (b) Long term yield tests for springs shall normally include monitoring during low flow periods.

11.6.1.2.2 Shallow Water Sources Excluding Springs

These sources shall be tested in accordance with the requirements of Appendix A Subpart 11.6.1.1. and take into account seasonal fluctuations in water level.

11.6.2 Long Term Yield Analysis

The following material shall be submitted to the Secretary for approval:

- (a) “as-built” water source site plans;
- (b) pumping test data;
- (c) predicted long-term yield and method of analysis;
- (d) predicted interference; and
- (e) all supporting graphs and calculations.

11.6.2.1 Water Wells

The analysis shall predict the long term yield that shall meet or exceed the following criteria:

- (a) constant withdrawal at the Average Day Demand for 180 days; and
- (b) drawdown shall not exceed 90 percent of the total available head.

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11.6.2.2 Springs

Analysis of monitoring data shall follow accepted hydrogeologic methods such as low flow analyses or other suitable methods.

11.6.2.3 Shallow Water Sources Excluding Springs

Analyses shall be in accordance with Appendix A Subpart 11.6.2.1 and take into account seasonal low static water level.

11.6.3 Interference Testing and Analysis

- (a) Any existing water source for a public or private potable water system, located within the distances specified in Table A11-4 shall be located and reported with the application. The Secretary may require interference testing to assess the impact of the project well or wells on, and/or from, other water sources.
- (b) Water sources within the distances specified in Table A11-4 shall be monitored for interference during long term yield pumping tests, unless the consultant demonstrates that it is not feasible or necessary to monitor those wells.
- (c) If any **Public** Community water systems exist within the distances given in Table A11-4, then the consultant shall notify the Drinking Water and Groundwater Protection Division. The Division may require additional testing or testing on additional wells to assess the impact of wells on each other.
- (d) Other methods to address the potential for interference may be submitted to the Secretary by a qualified hydrogeologist, or a professional engineer, who is proficient in aquifer analysis.
- (e) Water sources must not cause unacceptable interference on other water sources, unless resolved in accordance per Appendix A Subpart 11.6.3.2.

11.6.3.1 Unacceptable Interference

Public and private water systems affected by the pumping of other proposed or existing groundwater sources shall be able to meet their average day demand while the proposed water system is operated at the proposed pumping rates. If, as a result of predicted source interference, existing water systems cannot meet their design demands, then unacceptable interference exists. Unacceptable interference may also include water quality problems resulting from source testing.

11.6.3.2 Resolution of Unacceptable Interference

- (a) The applicant must resolve all source interference problems prior to issuance of a Source Permit for proposed water sources. Any agreement between the applicant and the affected party will be reviewed by the Secretary. The applicant is responsible for identification of all sources in use within the monitoring radius defined in Table A11-4. The Secretary may either reduce the approved yield or require additional testing or analysis to determine the impact upon the unmonitored source. A Source Permit will not

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be granted if unacceptable interference cannot be resolved or if the owner of the affected source does not accept a proposed solution.

- (b) Solutions may include:
- (1) drill affected source deeper and test for water quantity;
 - (2) test affected source or re-evaluate existing data;
 - (3) connect affected water source onto acceptable **Public** water system;
 - (4) develop an alternative water source for the affected source;
 - (5) for some private water system, additional storage may be developed to offset the source interference; and
 - (6) hydrofracture the well or redevelop by other methods.

Table A11-4 - MONITORING DISTANCES FROM TEST WELLS

MONITORING DISTANCE FROM TEST WELL TO A POTABLE WATER SOURCE	
MAXIMUM DAILY DEMAND OF TESTED WELL, GPM	DISTANCE, FT.
0 - 1.9	0 - 200
2 - 4.9	0 - 500
5 - 19.9	0 - 1000
20 - 49.9	0 - 2000
50 - 99.9	0 - 2500
100 or greater	0 - 3000

11.7 Water Quality

11.7.0 Water Quality Requirements for **Public Transient Non-Community**

Public Transient Non-Community water systems shall be designed to provide potable water. The requirements for water quality testing are as follows:

- (a) All **Public Transient Non-Community** water systems shall monitor initially for contaminants as follows:
- (1) **Public Transient Non-Community** water systems shall initially monitor for all the contaminants identified in Tables A11-5 and A11-6.

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Table A11-5 - SECONDARY CONTAMINANT STANDARDS FOR Public Transient Non-Community water systems	
Secondary Contaminant Standards	Secondary Maximum Contaminant Level
Chloride	250 mg/l
Sodium	250 mg/l
Iron	0.3 mg/l
Manganese	0.05 mg/l
Odor	3 threshold odor number
pH	6.5 to 8.5

Table A11-6 - PRIMARY CONTAMINANT STANDARDS FOR PUBLIC TRANSIENT NON-COMMUNITY WATER SYSTEMS	
Primary Contaminant Standards	Maximum Contaminant Level
Arsenic	0.010 mg/l
Nitrate	10 mg/l
Nitrite	1.0 mg/l
Total Coliform Bacteria	<i>There is no total coliform MCL; see E. coli MCL in Table 6-5.</i>
Uranium	20 µg/l

- (b) The Secretary may require the monitoring and compliance with the additional contaminants not listed in Tables A11-5 and A11-6, as well as with the contaminants listed in these tables when there is reason to suspect their presence, or suspect a public health or welfare risk.
- (c) **Public Transient Non-Community** water systems shall comply with the sampling and laboratory requirements as described in Subchapter 21-6.
- (d) **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems shall comply with the water quality standards and monitoring requirements as specified in Subchapter 21-6 of this rule and in 40 CFR, Part 141. **Public Transient Non-Community** water systems with contaminants exceeding the primary or secondary standards may be required to treat or abandon the sources at the discretion of the Secretary.
- (e) When a water system is developed before a permit is issued, the analysis shall be part of the permit application.

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- (f) When a water system is developed after a permit is issued, the analysis shall be submitted as a permit condition.

11.8 Design Standards for Pumping, Storage and Distribution

11.8.0 General Considerations

The Secretary has jurisdiction over water system appurtenances including pumps, pressure tanks and water storage tanks, including those located within a building.

Service water, storage facilities and all water system appurtenances shall be located to provide adequate isolation from potential sources of contamination.

11.8.0.1 Sample Taps

Sample taps shall be provided so that water samples can be obtained from each water source and from appropriate locations in each unit of distribution.

11.8.0.2 Disinfection Prior to Use

- (a) All walls, pipe, tanks, and equipment which can convey or store potable water shall be disinfected in accordance with AWWA procedures; and
- (b) for single family residences or public buildings with flows not exceeding 500 gallons per day, which have individual on-site water systems, shall be disinfected in accordance with Appendix A Subpart 12.

11.8.0.3 Isolation Distances

Suction water lines shall be located to comply with the isolation distances for water wells in Appendix A Subpart 11.4, Table A11-1 and be located greater than 100' from any domestic sewage disposal field.

11.8.1 Pumping Facilities

11.8.1.0 General

Pumping facilities shall be designed to maintain the sanitary quality of pumped water. Subsurface pits or pump rooms should be avoided unless there is a non-mechanical way of avoiding flooding from either groundwater, surface water, or interior pipe break. No pumping station shall be subject to flooding. Any below grade electrical installation must be provided with a ground fault interrupted electrical service. All installations shall be safely and easily accessible for monitoring, maintenance, and equipment removal.

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11.8.1.1 Location

The pumping station shall be so located that the proposed site will meet the requirements for sanitary protection of water quality, hydraulics of the system and protection against interruption of service by fire, flood or any other hazard.

11.8.1.1.1 Site Protection

The station shall be:

- (a) elevated to a minimum of three feet above the 100 year flood elevation, or three feet above the highest recorded flood elevation, whichever is higher, or protected to such elevations;
- (b) readily accessible at all times unless permitted to be out of service for the period of inaccessibility;
- (c) graded around the station so as to lead surface drainage away from the station; and
- (d) protected to prevent vandalism and entrance by animals or unauthorized persons.

11.8.1.2 Pumping Stations

Both raw and finished water pumping stations shall:

- (a) have adequate space for the installation of additional units if needed, and for the safe servicing of all equipment;
- (b) be of durable construction, fire and weather resistant and with outward-opening doors;
- (c) have floor elevation of at least six inches above finished grade;
- (d) have underground structure waterproofed;
- (e) have all floors drained in such a manner that the quality of the potable water will not be endangered. All floors shall slope to a suitable drain, that runs to daylight; and
- (f) provide a suitable outlet for drainage from pump glands, relief valves or control valves without discharging onto the floor.

11.8.1.2.1 Equipment Servicing

Pump stations shall be provided with:

- (a) crane-ways, hoist beams, eyebolts, or other adequate facilities for servicing or removal of pumps, motors or other heavy equipment that cannot be serviced or removed by other more conventional methods; and
- (b) openings in floors, roofs, or wherever else needed for removal of heavy or bulky equipment.

11.8.1.2.2 Stairways and Ladders

Stairways or ladders shall:

- (a) be provided between all floors, and in pits or compartments which must be entered;
- (b) have handrails on both sides, and treads of non-slip material. Stairs are preferred in areas where there is frequent traffic or where supplies are transported by hand; and
- (c) conform to OSHA and VOSHA regulations covering these fixtures.

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11.8.1.2.3 Heating

Provisions shall be made for adequate heating for the safe and efficient operation of the equipment.

11.8.1.2.4 Ventilation

Adequate ventilation shall be provided for all areas where unsafe atmosphere may develop or where excessive heat may be built up.

11.8.1.2.5 Dehumidification

In areas where excess moisture could cause hazards to safety or damage to equipment, means for dehumidification should be provided.

11.8.1.2.6 Electrical

All electrical work shall conform to the requirements of the Vermont Code and to the relevant state and/or local codes.

11.8.1.3 Pumps

The pumping unit shall:

- (a) have ample capacity to supply the instantaneous peak demand without dangerous overloading, or the required fire flow if fire demand is required from the pumping station;
- (b) be driven by a prime mover able to operate against the maximum head; and
- (c) be served by control equipment that has proper heater and overload protection for air temperature encountered.

11.8.1.3.1 Suction Lift

Suction lift should:

- (a) be avoided, if possible; and
- (b) be within allowable limits, preferably less than 15 feet.

If suction lift is necessary, provision shall be made for priming the pump.

11.8.1.3.2 Priming

Prime water must not be of lesser sanitary quality than that of the water being pumped. Means shall be provided to prevent back siphonage. When an air operated ejector is used, the screened intake shall draw clean air from a point at least 10 feet above the ground or other source of possible contamination, unless the air is filtered by an apparatus approved by the Secretary. Vacuum priming may be used.

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11.8.1.4 Appurtenances

11.8.1.4.1 Valves

Pumps shall be adequately valved to permit satisfactory operation, maintenance and repair of the equipment. If foot valves are necessary, they shall have a net valve area of at least 1-1/2 times the area of the suction pipe and they shall be screened. Each pump shall have a positive-acting check valve on the discharge side between the pump and the shut-off valve.

11.8.1.4.2 Piping

In general, piping shall:

- (a) be designed so that the friction losses will be minimized;
- (b) not be subject to contamination;
- (c) have watertight joints;
- (d) be protected against surge or water hammer; and
- (e) be such that each pump has an individual suction line or that the lines shall be so manifolded that they will insure similar hydraulic and operating conditions.

11.8.1.4.3 Gauges

Each pump shall have a standard pressure gauge in its discharge line.

11.8.1.4.4 Water Seals

Water seals shall not be supplied with water of a lesser sanitary quality than that of the water being pumped. Where pumps are sealed with potable water and are pumping water of lesser sanitary quality, the seal shall:

- (a) be provided with a break tank open to atmospheric pressure; and
- (b) have an air gap of at least six inches or two pipe diameters, whichever is greater, between the feeder line and the spill line of the tank.

11.8.1.4.5 Controls

Pumps, their prime movers and accessories, shall be controlled in such a manner that they will operate at rated capacity without dangerous overload. Where two or more pumps are installed, provision shall be made for alternation. Provision shall be made to prevent energizing the motor in the event of a backspin cycle.

11.8.2 Finished Water Storage

11.8.2.1 Water Storage Requirements

A water system and distribution system must be capable of satisfying both the maximum day demand of a project or building and the instantaneous peak demand of the plumbing system. Unless the combination of the water source, withdrawal system and pressurization system can

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meet both these criteria, water storage shall be required. The following types of projects are exempt from this subpart of the rules, provided they are served by an individual water system:

- (a) non-residential buildings with design flows of not more than 500 gallons per day with an instantaneous peak demand of less than 15 gallons per minute;
- (b) a single family residence; or
- (c) a single family residence with a one-bedroom apartment, where the average day demand is 540 gpd or less.

11.8.2.2 Instantaneous Peak Yield Testing

If the water source's long-term yield is less than the water system instantaneous peak demand, then an abbreviated peak demand test may be performed on the source by one of the following methods:

- (a) pumping of the source at the water system instantaneous peak demand rate or greater for a duration at which the total volume pumped equals twice the average day demand. The pumping test must be supervised by a qualified hydrogeologist, professional engineer, licensed well driller or well servicer. The pump discharge rate shall be measured and recorded at 30 minute intervals with a minimum of three readings. If the pumping discharge rate during the test period is equal to, or greater than the water system instantaneous peak demand, and the source is not dewatered to the level of the pump, then no water storage is required to meet instantaneous peak demand, provided the well service pump is capable of delivering at a flow rate equal to, or greater than the peak demand;
- (b) a three hour blow test with flow measurements at less than or equal to 30 minute intervals performed by a licensed well driller;
- (c) licensed well driller's yields determined by methods which do not meet the requirements of Appendix A Subpart 11.8.2.2(a) or (b) shall be divided by two to determine flow rate for instantaneous peak; and
- (d) other methods for determining instantaneous peak yield of the water source may be used if a written proposal detailing them is approved by the Secretary prior to testing.

11.8.2.3 Storage Volume

If the water system instantaneous peak demand exceeds the water source yield and/or the source pump capacity, water storage volume computed by one of the following methods shall be provided:

- (a) storage equal to average day demand if the water source long term yield equals or exceeds two-thirds of the maximum day demand;
- (b) storage equal to 55 percent of average day demand if the water source long term yield equals or exceeds the maximum day demand; or
- (c) storage equal to the following equation if the water source yield equals or exceeds the maximum day demand:

$$S = D (1 - Y/P)$$

Where S = Volume of water storage (gallons)

D = Project average day demand (gallons) (See Appendix A Subpart 11.3);

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- P = Project water system instantaneous peak demand (gallons/minute) (See Appendix A Subpart 11.3); and
- Y = Water source yield (either long term yield per Appendix A Subpart 11.6 or peak yield per Appendix A Subpart 11.8.2.2).

11.8.2.3.1 Casing Storage

A portion of the required storage may be met by using the effective storage provided by the well casing, well tile or spring box. Calculation of the effective storage shall take into account the predicted drawdown of the water level in the casing, based on the daily usage of the water source.

- (a) For water wells, the effective storage shall be determined as follows:
- (1) for a source where a pumping test and analysis has been performed, the effective storage shall be the volume of water between the predicted drawdown associated with Subpart 11.6.2.1(a) of this rule and the pump cut-off level.
 - (2) for a source where the pumping test and analysis has not been performed, the effective storage shall be the volume of water between the predicted drawdown, as calculated below, and the pump cut-off level.

The predicted drawdown shall be based on the long term yield, the maximum day demand and the total available head as follows:

$$DD = SE + (TAH (MDD / Y))$$

where DD= depth to predicted drawdown, below ground surface (ft)
SE= depth to static water level in well, below ground surface (ft)
TAH= total available head (ft)
MDD=maximum day demand (gpm)
Y= long term yield (gpm) (per 11.6)

- (b) for shallow water sources, the effective storage is one half of the volume between the annual low water level and the outlet or pump cut off level.

11.8.2.4 Reservoirs General

The materials and designs used for finished water storage structures shall provide stability and durability as well as protect the quality of the stored water. Steel structures shall follow the current AWWA standards concerning steel tanks, reservoirs, and elevated tanks wherever they are applicable. Other materials of construction are acceptable when properly designed and approved by the Secretary. Design for cast-in-place and pre-cast concrete structures must be reinforced and specify the material for sealing the joints. Reservoirs should be tested for leakage.

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11.8.2.4.1 Location of Reservoirs

- (a) The bottom of steel reservoirs should be placed at the normal ground surface and shall be above maximum flood level.
- (b) When the bottom of a steel tank must be below normal ground surface, it shall be placed above the groundwater table. Artificially lowering the groundwater table is acceptable.
- (c) For all storage reservoirs, sewers, drains, standing water, and similar sources of possible contamination must be kept at least fifty feet from the reservoir. Water main pipe, pressure tested in place to 50 psi without leakage, may be used for gravity sewers at distances greater than 20 feet and less than 50 feet.
- (d) The top of a reservoir access shall not be less than two feet above normal ground surface.
- (e) Below grade installation of precast and poured in-place concrete reservoirs are acceptable. Provisions shall be made to eliminate the tendency of the tank to float during high groundwater conditions. All joints shall be water tight.

11.8.2.4.2 Protection

- (a) All finished water storage structures, shall have suitable water tight roofs which exclude birds, animals, insects, and excessive dust. If necessary, these structures shall have a perimeter drain at least 4" in diameter.
- (b) Fencing, locks on access manholes, and other necessary precautions shall be provided to prevent trespassing, vandalism, and sabotage.

11.8.2.4.3 Drains

No drain on a water storage structure may have a direct connection to a sewer or storm drain. The design shall allow draining the storage facility for cleaning or maintenance.

11.8.2.4.4 Overflow

All water storage structures shall be provided with an overflow. The discharge end of the overflow should terminate at least 18 inches above the ground surface, and discharge over either a drainage inlet structure or a splash plate. No overflow may be connected directly to a sewer or storm drain. All overflow pipes shall be located so that any discharge is visible.

- (a) The above grade portion of the overflow shall be open downward and be screened with 24 mesh noncorrodible screen installed within the pipe at a location least susceptible to damage by vandalism; and
- (b) the overflow pipe shall be of sufficient diameter to permit discharge of water in excess of the filling rate.

11.8.2.4.5 Access

Finished water storage structures shall be designed with reasonably convenient access to the interior floor for cleaning and maintenance.

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- (a) On ground level structures, manholes should be elevated at least 18 inches above the top or covering sod;
- (b) shall be fitted with a solid watertight cover which overlaps the framed opening and extends down around the frame at least two inches;
- (c) shall have a locking device; and
- (d) drainage shall be directed away from the access.

11.8.2.4.6 Vents

Finished water storage structures shall be vented. Overflows shall not be considered as vents. Open construction between the sidewall and roof is not permissible. Finished water source vents shall:

- (a) prevent the entrance of surface water and rain water;
- (b) exclude birds and animals;
- (c) exclude insects and dust, as much as this function can be made compatible with effective venting. For elevated tanks and standpipes, four-mesh noncorrodible screen may be used; and
- (d) on ground level structures, terminate in an inverted U construction with the opening 24 mesh noncorrodible screen installed within the pipe at a location least susceptible to vandalism.

11.8.2.4.7 Roof and Sidewall

The roof and sidewalls of all structures must be watertight with no openings except properly constructed vents, manholes, overflows, risers, drains, pump mountings, control ports, or piping for inflow and outflow.

- (a) Any pipes running through the roof or sidewall of a finished water storage structure must be welded, or properly gasketed in metal tanks. In concrete tanks, these pipes shall be connected to standard wall castings which were poured in place during the forming of the concrete or wall sleeves, with flexible wall penetration sleeves;
- (b) openings in a storage structure roof or top, designed to accommodate control apparatus or pump columns, shall be curbed and sleeved with proper additional shielding to prevent the access of surface or floor drainage water into the structure; and
- (c) valves and controls should be located outside the storage structure so that the valve stems and similar projections will not pass through the roof or top of the reservoir.

11.8.2.4.8 Drainage of Roof

The roof of above grade storage structures shall be well drained. Roofs shall not tend to hold water.

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11.8.2.4.9 Safety

The safety of employees must be considered in the design of the storage structure. As a minimum, such matters shall conform to pertinent laws and regulations of the area where the reservoir is constructed.

11.8.2.4.10 Freezing

All finished water storage structures and their appurtenances, shall be designed to prevent freezing which will interfere with proper functioning.

11.8.2.4.11 Grading

The area surrounding a ground level structure shall be graded in a manner that will prevent surface water from standing within 50 feet of it.

11.8.2.4.12 Painting and/or Cathodic Protection

Proper protection shall be given to metal surfaces by paints or other protective coatings, by cathodic protective devices, or by both.

- (a) Paints systems shall be acceptable to the Secretary (either EPA or NSF approved). Interior paint must be properly applied and cured. After curing, the coating shall not transfer any substances to the water which will be toxic or cause tastes or odors. Prior to placing in service, an analysis for volatile organic compounds is required to establish that the coating is properly cured; and
- (b) cathodic protection should be designed and installed by competent technical personnel. A maintenance contract should be provided.

11.8.2.4.13 Disinfection

- (a) Finished water storage structures shall be disinfected in accordance with correct AWWA Standard C652. Two or more successive samples, taken at 24-hour intervals, shall indicate microbiologically satisfactory water before the facility is placed into operation;
- (b) disposal of heavily chlorinated water from the tank disinfection process shall not be discharged to groundwater or surface water; and
- (c) the disinfection procedure (AWWA chlorination method 3, section 4.3 C652) which allows use of the chlorinated water held in the storage tank for disinfection purposes is not recommended. When that procedure is used, it is required that the initial heavily chlorinated water be properly disposed in order to prevent release of water which may contain various chlorinated organic compounds into the distribution system.

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11.8.2.5 Hydropneumatic Tanks

Hydropneumatic (pressure) tanks, when provided as the only storage facility, are acceptable. Pressure tank storage is not to be considered for fire protection purposes. Pressure tanks shall meet BOCA code requirements.

11.8.2.5.1 Location

The tank shall be completely housed.

11.8.2.5.2 Sizing

The capacity of the wells and pumps in a hydropneumatic storage should be such that the minimum pump on time is 2 minutes, unless the pump manufacturer certifies less is acceptable. In no case will a pump on time of less than 1 minute be acceptable. Only the available storage during the pump-on time shall be considered in meeting storage requirements.

11.8.2.5.3 Appurtenance

Each tank shall have a drain, pressure gauge, water sight glass, if applicable, automatic or manual air blow-off, means for adding air, and pressure operated start-stop controls for the pumps.

11.8.2.6 Distribution Storage

The applicable design standards of Appendix A Subpart 11.8.2 shall be followed for distribution system storage.

11.8.2.6.1 Pressures

The minimum working pressure at the hydropneumatic tank system should be set at no less than 20 psi. When static pressures exceed 100 psi, pressure reducing devices should be provided on mains in the distribution system.

11.8.2.6.2 Drainage

Storage structures which provide pressure directly to the distribution system shall be designed so they can be isolated from the distribution system and drained for cleaning or maintenance. The drain shall discharge to the ground surface with no direct connection to a sewer or storm drain.

11.8.2.6.3 Level Controls

Controls shall be provided to maintain levels in distribution system storage structures. Controls shall have the following features:

- (a) low level alarm is required;
- (b) pumps should be controlled from tank levels;

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- (c) overflow and low-level warnings or alarms shall be located at places in the community where they will be reasonably noticed by maintenance personnel;
- (d) the low water level control shall be high enough so that the water system operator has time to correct the problem before a water shortage occurs.

11.8.3 Distribution Systems

11.8.3.0 Materials

11.8.3.0.1 Standards, Materials Selection

Pipe, fittings, valves and fire hydrants shall conform to the latest standards issued by AWWA. Special attention shall be given to selecting pipe materials which will protect against both internal and external pipe corrosion.

11.8.3.0.2 Used Materials

Water mains which have been used previously for conveying potable water may be reused provided they meet the above standards and have been restored practically to their original condition.

11.8.3.0.3 Joints

Packing and jointing materials used in the joints of pipe shall meet the standards of the AWWA. Pipe having mechanical joints or slip-on joints with rubber gaskets is preferred.

11.8.3.1 Service Connections

Service connection detail must be provided. Curb stops must be shown on plan drawings; they must be incapable of conveying surface loads onto the service line.

11.8.3.2 Water Main Design

11.8.3.2.1 Pressure

All water mains shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The normal working pressure in the distribution system should be:

- (a) 35 psi at the main;
- (b) 20 psi at the ground level at the foundation wall; or
- (c) 8 psi at the highest fixture.

11.8.3.2.2 Hydrants

Water mains not designed to carry fire flows shall not have fire hydrants connected to them.

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11.8.3.2.3 Dead Ends

Dead ends shall be minimized by looping of all mains whenever practical.

11.8.3.2.4 Flushing

Flushing devices should be sized to provide flows which will give a velocity of at least 2.5 feet per second in the water main being flushed. No flushing device shall be directly connected to any sewer. The open end of a blow off must be capped and terminate at least 18 inches above grade.

11.8.3.3 Valves

Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500 foot intervals in commercial districts, at not more than one block or 800 foot intervals in other districts, and at not more than 5,000 feet on transmission lines.

11.8.3.4 Air Relief and Blow-off Chambers

11.8.3.4.1 Air Relief Valves

At high points in water mains where air can accumulate, consideration shall be made to incorporate air relief devices.

11.8.3.4.2 Chamber Drainage

Chambers, pits or manholes containing valves, blow-offs, meters, or other such appurtenances to a distribution system, shall not be connected directly to any storm drain or sanitary sewer, nor shall blow-offs or air relief valves be connected directly to any sewer. Such chambers or pits shall be drained to the surface of the ground where they are not subject of flooding by surface water, or to absorption pits underground.

11.8.3.5 Installation of Mains

11.8.3.5.1 Bedding

A continuous and uniform bedding shall be provided in the trench for all buried pipe. Back fill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe.

11.8.3.5.2 Cover

All water mains shall be covered with at least 5-1/2 feet of earth. Insulation may be used in lieu of cover depth.

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11.8.3.5.3 Thrust Blocks

All tees, bends, plugs and hydrants shall be provided with reaction blocking, tie rods or joints designed to prevent movement. The size and shape of the blocks shall be appropriate for the site conditions and design water pressure.

11.8.3.5.4 Disinfection

All new or reconstructed water mains shall be disinfected in accordance with AWWA *Standard C651-86*. The specifications shall include detailed procedures for the adequate flushing, disinfection, and microbiological testing of all water mains. If bacteriological tests show the treatment to be unsatisfactory, the disinfection procedures shall be repeated until satisfactory bacteriological sample results are obtained. The tablet method in AWWA *Standard 651* is not acceptable.

11.8.3.5.5 Pressure Testing

All types of installed pipe shall be pressure tested and leakage tested in accordance with the latest edition of AWWA *Standard C600*.

11.8.3.6 Water and Sewer Mains

11.8.3.6.1 Crossings

Water mains crossing sewers shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. At crossings, one full length of water pipe shall be located so both joints will be as far from the sewer as possible. If the sewer main is over the water main, then the sewer main must be encased by concrete, extending beyond the first sewer pipe joints and resting on undisturbed soil on each side of the water main, or the sewer line shall be installed to meet the Secretary's sewer line standards for Source Protection Areas. Special structural support for the water and sewer pipes may be required. Water pipes shall not pass through sewer manholes or be submerged in basins containing sewage or other grossly contaminated or hazardous material. Properly constructed and approved submerged stream crossings shall be exempted from this provision of the regulations.

11.8.3.6.2 Parallel Installation

Water mains shall be laid at least 10 feet horizontally from any existing or proposed manhole or sanitary sewer. This distance can be reduced to 5 feet for storm sewers. The distance shall be measured edge to edge. In cases where it is not practical to maintain a 10 foot separation, the Secretary may allow deviation on a case by case basis if supported by data from the design engineer. Such deviation may allow installation of the water main closer to a sewer, provided that the water main is laid in a separate trench or on an undisturbed earth shelf located on one side of the sewer at such an elevation that the bottom of the water main is at least 18 inches above the top of the sewer.

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11.8.3.6.3 Exception

The Secretary must specifically approve any variance from the requirements of Appendix A Subparts 11.8.3.6.1 and 11.8.3.6.2 when it is impossible to obtain the specified separation distances. Where sewers are being installed and Appendix A Subparts 11.8.3.6.1 and 11.8.3.6.2 cannot be met, the sewer materials shall be water main pipe or equivalent and shall be pressure tested to ensure water tightness.

11.8.3.7 Surface Water Crossings

Surface water crossings, whether over or under water, present special problems. The reviewing authority should be consulted before final plans are prepared.

11.8.3.7.1 Above-water Crossings

The pipe shall be adequately supported and anchored, protected from damage including flood waters, floating debris, ice and freezing, and shall be accessible for repair or replacement.

11.8.3.7.2 Underwater Crossings

A minimum cover of two feet measured from the lowest point of the stream bed, shall be provided over the pipe. When crossing water courses, the pipe shall be of special construction, having flexible water tight joints.

11.8.3.8 Cross-connections and Interconnections

11.8.3.8.1 Cross-connections

There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system. This does not preclude approved cross connection control devices.

11.8.3.8.2 Cooling Water; Heating Water

- (a) Neither steam condensate nor cooling water from engine jackets or other heat exchange devices shall be returned to a **Public** water system.
- (b) Notwithstanding subsection (a) of this section, standing column geothermal systems are allowed provided that:
 - (1) No additive is added to the re-circulated groundwater;
 - (2) The heat exchange medium in the system is R-410A or a different heat exchange medium approved by the Secretary;
 - (3) The system has a low pressure safety cutout circuit that will turn off the system when there is a pressure leak in the heat exchange medium containment vessel;
 - (4) All electrical components of the system are properly grounded to prevent potential electrolysis of metals: and

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- (5) In the event that the heat exchange unit is disconnected as a heating or cooling source, all piping associated with the unit shall either be capped and labeled or removed.
- (c) For the purposes of this section, a standing column geothermal system is one where groundwater is taken from a **Public** water system well for heating and/or cooling purposes and re-circulated back into the same well below the estimated low water elevation of the well

11.8.3.8.3 Interconnections

Drains from the fire hydrants, air relief pits and blow off valve pits shall not connect directly to sewer lines or discharge at a points which will permit possible back-siphonage conditions.

11.8.3.9 Water Services and Plumbing

11.8.3.9.1 Plumbing

Water services and plumbing shall conform to the state plumbing code.

11.8.3.10 Water Loading Stations

Water loading stations present special problems since the fill line may be used for filling both potable water vessels and other tanks or contaminated vessels. To prevent contamination of both the water system and potable water vessels being filled, the following principles shall be met in the design of water loading stations:

- (a) there shall be no backflow to the water system;
- (b) the piping arrangement shall prevent contaminant being transferred from a hauling vessel to others subsequently using the station;
- (c) hoses shall not be contaminated by contact with the ground.

Part 12 CONSTRUCTION AND ISOLATION STANDARDS FOR WELLS

12.1 General

12.1.1 Pursuant to 10 V.S.A. Section 1395a(b), this subpart sets forth certain minimum construction standards, which apply to any person engaged in the business of well drilling (“well driller” as used in this part) for **Public** water systems unless explicitly stated otherwise.

12.2 Construction Standards for Monitoring Wells, Public Non-Transient Non-Community water systems and Public Transient Non-Community water systems

12.2.1 Drilling - General

12.2.1.1 Damage to Site

The well driller shall not cause undue soil erosion or water pollution; or pollute the site with fuels, lubricants, solvents, or other contaminants used in the construction or repair of the well. The well driller must obtain approval from the Secretary before allowing or causing the discharge of water or other substances to waters of the State. The well driller should make preparations in advance to contain and promptly remove any contaminants which are accidentally spilled.

12.2.1.2 Drilling fluids and cuttings

The well driller shall not use materials and procedures which may adversely affect the public health, the drill site, or groundwater. The use of drilling fluids, additives, cements or other materials that may adversely affect the public health or the environment is prohibited. All drilling fluids shall be disposed of properly upon completion of their use. Contaminated drill cuttings, samples or liquids shall be disposed of as approved by the Secretary.

All water used in drilling or servicing water wells shall be potable water (see definition in Subchapter 21-2).

All wells shall be sufficiently developed to remove all additives and well development fluids (such as hydrofracturing water) and provide reasonably clear water.

12.2.1.3 Contaminated Equipment

When constructing or repairing a well for potable water, the well driller shall not use or reuse casing, tools, or drilling fluids which may have become contaminated. All drilling equipment which may have become contaminated during a drilling operation shall be thoroughly cleaned and decontaminated before reuse.

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12.2.1.4 Disinfection

All potable water wells shall be adequately chlorinated promptly upon completion of well construction, servicing, or repair or installation of pumps, and may include circulation of the chlorinated solution as necessary to ensure adequate disinfection of the entire well.

12.2.1.5 Heat Pump Wells

Only non toxic fluids shall be used in closed loop heat pump well installations.

12.2.2 Casing and Liner

12.2.2.1 The casing and liner material used on all wells shall be of such strength and composition as to prevent the movement of water or contaminants into or out of the well in the interval cased. The casing or liner shall not distort, collapse, crack, or disintegrate during placement or under normal conditions. The casing and liner shall be adequate to provide for the installation, removal, and maintenance as appropriate of caps, pitless adapters, screens, pumps, pipes, wires or other devices which may be used. Any casing which is driven shall be protected with a firmly attached drive shoe or equivalent. All steel casing shall have full circumferential welds or threaded coupling joints.

12.2.2.2 The well driller shall perform the following, unless the Department grants an exemption:

- (a) **Bedrock Wells**
All bedrock wells shall be constructed with not fewer than 20 feet of water tight casing. The casing shall be securely set into competent bedrock. The casing shall prevent sediment or fluids from above the bottom of the casing from entering the well.
- (b) **Gravel Wells**
All gravel wells shall be constructed with not less than 20 feet of water tight casing.
- (c) **Lining Wells**
When a liner is set to control hole stability within the uncased hole it shall be terminated with a packer or otherwise secured to the bore hole. It may be slotted, screened or perforated to permit the movement or storage of water. When a liner is set to control water movement or contamination, it shall be adequately grouted and water tight.
- (d) **Monitoring Wells**
Monitoring wells are exempt from minimum casing length requirements, however, they shall be designed and constructed to prevent any migration of contaminants into uncontaminated zones.

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- (e) Closed Loop Heat Pump Wells
Heat pump wells in which a closed loop is to be installed shall be exempt from the casing length requirements of this subpart. A temporary casing may be used but shall be adequately set to prevent contamination. The full depth of the loop shall be grouted in place. The temporary casing may be removed at the time of grouting. Closed loop heat pump wells may require an underground injection control (UIC) permit (contact the UIC program for more information).

12.2.3 Annular Space

12.2.3.1 Annular space shall be grouted unless the native materials such as drill cuttings can achieve the following:

- (a) when placed are at least as impervious, competent and compact as the surrounding materials;
- (b) completely fill the annular space from the bottom of the casing to land surface;
- (c) do not allow the accumulation of water around the well or artesian flow in the annular space; and
- (d) securely support the casing so that it cannot be moved by manual means.

12.2.3.2 In cases where contamination occurs and impermeable natural materials cannot be adequately placed and compacted as required in Appendix A Subpart 12.3.3.1 or where geologic conditions or the isolation distance may not be adequate as required in Appendix A Subpart 12.2.2, the annular space shall be grouted for the full length of the unscreened portion of the casing, or the portion thereof below the frost line or pitless adaptor, so that no fluids may move in the zone needing to be grouted. Grouting procedures and materials set forth in Appendix A Subpart 12.3.4 shall be followed.

12.2.3.3 Under most conditions, driven steel casing shall be considered to have no annular space provided no pilot hole larger than the casing has been drilled below the depth of the pitless adaptor or the frost line.

12.2.4 Grouting

12.2.4.1 Grouting or the use of a grout mixture is recommended or required under the following conditions:

- (a) Filling the annular space as required in Appendix A Subpart 12.3.3;
- (b) Providing additional protection when isolation distances are less than that required in Appendix A Subpart 12.2.3 or 11.4;
- (c) Plugging abandoned wells, and closed loop heat pump wells; and
- (d) As needed in the construction or closure of monitoring wells.

12.2.4.2 A grouting material or mixture shall:

- (a) Allow negligible movement of all fluids in the annular space;
- (b) Support and secure the casing; and
- (c) Provide negligible shrinkage, breakage, or deterioration of the grout after placement.

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12.2.4.3 The grout shall be placed in a continuous operation to ensure against any voids, mixing with or diluting contaminated fluids, or damaging the casing or borehole. Fluid based grouts shall be placed from the bottom to the top of the annular space under positive pressure. The amount of water utilized in mixing any grout shall be carefully limited to only the amount needed to properly hydrate and place the grout mixture.

12.2.4.4 The full depth of all closed loop heat pump installations shall be grouted in place.

12.2.5 Closure of Abandoned Wells

12.2.5.1 All abandoned wells shall be closed to prevent the contamination of ground or surface water resources, the migration of fluids, and risks to the health and safety of the public.

12.2.5.2 Prior to closing, all wells or holes shall be cleared of any pumps, wires, piping, or other materials which may interfere with effective closing.

12.2.5.3 An abandoned well or hole shall be completely filled with a grout or other material to render the bore hole at least as impervious as the surrounding native material. Contaminated wells shall be closed with grout material for the full depth of the well or at least the zone shown to be contaminated. If a flowing well is to be abandoned, it shall be closed to prevent fluids from flowing out of the well.

12.2.5.4 All abandoned monitoring wells shall be closed. Wells located where contaminants are present shall be completely filled with grout material to prevent migration of fluids in the bore hole. Contaminated materials shall be transported and disposed of in accordance with the Secretary's requirements.

12.2.6 Well Finish

12.2.6.1 Each well shall be finished to prevent damage to the well and minimize the potential for contamination.

12.2.6.2 The well casing shall extend not less than 18 inches above existing grade, or at least 12 inches above the pump house floor or concrete apron surface, except as permitted in Appendix A Subpart 12.3.6.4.

The well shall be covered with a temporary or permanent tight fitting cap or protective structure which cannot be removed or opened without the use of tools, a key, or a combination.

12.2.6.3 Any well located in the 100 year frequency floodplain or floodway shall be floodproofed to prevent flood water from entering the well.

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12.2.6.4 No well shall be located in a well pit, underground enclosure, or in a hazardous location unless specifically requested by the owner. If an underground enclosure is used it shall prevent intrusion by persons or animals and shall be passively drained to prevent any ponding of water in the enclosure. The well shall be capped with a water tight cap meeting the Standard for Watertight Well Caps (PAS-97) adopted by the Water Systems Council, Chicago, IL. A sanitary seal shall not be used. Any well which is buried in a well pit, or underground enclosure shall be separately vented. The wiring for the pump shall either be sealed for water tightness where it enters the cap or be contained in a watertight conduit system.

Wells permitted under Appendix A Subparts 12.4.2(c) and (d) may only be buried when approved by the Secretary.

12.2.6.5 No well shall be finished, vented or capped in a manner which has any similarity to any oil or gas filling pipe unless specifically and permanently labeled to prevent confusion.

12.2.7 Pump Installation for Water Wells

12.2.7.1 If a pump house is placed over a well, it shall be passively drained. The casing shall extend at least 12 inches above the floor. The well shall be capped as required in Appendix A Subpart 12.2.6.2 or shall otherwise be suitably covered to prevent foreign material from entering the well.

12.2.7.2 If a pitless unit is used it shall be constructed of durable water tight materials. The pitless unit shall be at least the same size as the well casing and securely attached by welding, cementing or threading.

12.2.7.3 If a pitless adapter is used it shall be of durable construction and of sufficient strength and size for the pump and pipe to be attached to it. The attachment hole through the well casing must be properly sized, smooth and without burrs. The pitless adapter must be securely connected to the well casing and must be watertight.

12.2.7.4 All wells should be properly vented at the well head or by adequate size pipe into a protected structure. The vent opening shall be covered with a very fine mesh screen. Wells which have special construction (e.g., flowing wells) need not be vented.

12.2.7.5 All wells shall be finished as required in 12.2.6 and shall be disinfected upon completion of work as required in Appendix A Subpart 12.2.1.4.

12.2.7.6 All wiring in the well shall conform to all applicable standards and shall be done under the license of a licensed electrician where appropriate and required.

12.2.7.7 All wiring outside of the casing shall be contained in a suitable conduit or pipe from the well cap to at least 2 feet below land surface. Connection to the well cap assembly shall be tight fitting.

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12.2.7.8 All pumps, piping, and fittings shall be of durable construction suitable for use in water systems and shall not contain any hazardous materials. All in-well pumps should have a check valve to prevent backflow. Torque arresters, taping of electrical lines, and piping and other appropriate means shall be used to properly support and prevent excessive movement of the pumping system in the well or damage to the well.

12.2.7.9 Due to the inherent health risks associated with inadequate pump installations, the Department recommends that all final pump installations be performed by a licensed water well driller or a licensed plumber.

12.2.8 Flowing Wells

12.2.8.1 Flowing wells should be constructed and finished in a manner to prevent unreasonable depletion of the aquifer, loss of artesian pressure, and erosion of the aquifer confining materials or the land surface.

12.2.9 Well Tag Identification

12.2.9.1 Each new water well or untagged water well which is deepened or serviced shall be identified with a permanently attached identification tag. The tag shall identify the well driller's license number and a unique number which shall be used on the Well Completion Report. When deepening or servicing a previously tagged well, the complete previous tag number shall be recorded on the Well Completion Report. Identification tags will be supplied by the Secretary. Each driller will be provided with a supply of tags upon request. Each water well shall be tagged within 30 days of completion.

12.2.9.2 Each monitoring well shall be adequately and permanently identified with a unique identification (usually supplied by the owner's consultant) and noted on the Monitoring Well Report and on any site plan. This identification shall not be subsequently removed but may be added to. Where feasible, the same tag used by water well drillers shall be used on monitoring wells. All monitoring wells shall be tagged or permanently identified within 30 days of construction.

12.2.10 Inspection of Wells

12.2.10.1 The Secretary may observe the construction of wells to assure compliance with this chapter. Upon request of the Secretary, the well driller shall provide details of material, equipment, and methods used and other information that the Secretary may require.

12.2.10.2 The Secretary may inspect, with permission of the well owner, any well as it deems necessary or desirable. The Secretary may inspect any well which is the subject of any formal complaint filed with the Secretary.

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- 12.2.10.3 The Secretary shall notify the well owner, and other parties if appropriate, of the time and date of the inspection.

12.3 Construction and Isolation Standards for Wells Requiring Permits

12.3.1 Purpose and Scope

- 12.3.1.1 Vermont's Water Supply Rule (Chapter 21) require permits for wells drilled under these jurisdictions. The well driller shall request of the landowner whether a state permit is required or not for the construction of the proposed well. If a state permit is required, the well driller shall construct the well in accordance with these Construction and Isolation Standards.

12.3.2 Wells Serving **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems

A well for a **Public Non-Transient Non-Community** water systems or **Public Transient Non-Community** water systems requiring permits means any well which requires a permit from the Wastewater Management Division. These permits are required by 10 V.S.A. Section 1973, and cover water sources for:

- (a) **Public Transient Non-Community** water systems (TNC), which serve 25 or more people more than 60 days per year.
- (b) **Public Non-Transient Non-Community** water systems (NTNC), which are **Public** water systems that are not **Public Community** water systems and that regularly serve at least 25 of the same persons over six months per year.

12.3.3 Construction Standards For **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems

- 12.3.3.1 Well construction for **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems must at minimum follow those standards outlined in Subpart 12.3 unless stated otherwise.

12.3.4 Isolation Distances

- 12.3.4.1 The proposed site of the water source for the building or project shall be approved by the Secretary before the source is developed. Adequate isolation distances between wells and potential sources of contamination are required. The distances are listed in Subpart 11.4 of this Appendix.

12.3.5 (Reserved)

12.3.6 Wells Requiring Source Permits under the Water Supply Rule

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12.3.6.1 Public Community water system wells require a permit from the Secretary as do wells for bulk and bottled water. They are as follows:

- (a) Wells for Public Community water systems are those which serve at least fifteen (15) service connections used by year-round residents or regularly serve at least 25 year round residents.
- (b) Wells for bulk water facilities (bulk water is water delivered to consumers or water surveyors by means other than pipeline or bottled water); and
- (c) Wells for Bottled Water Facilities (bottled water is non-carbonated, non-flavored water placed in a sealed container for sale or distribution to the public with the express or implied intent of providing water for human consumption).

12.3.7 Construction Standards from the Water Supply Rule

12.3.7.1 The following standards are in addition to those in Appendix A Subpart 12.3. Water used in drilling must be potable and all fluids, muds, additives must be National Sanitation Foundation (NSF) approved and listed. Every well shall be tested for plumbness and alignment in accordance with American Water Works Association (AWWA) Standards.

12.3.8 Minimum Protected Depths

12.3.8.1 Drilled wells shall provide watertight construction to such depths as may be required by the Secretary, to:

- (a) exclude surface contamination, and
- (b) seal off formations that are contaminated or yield undesirable water.

12.3.8.2 Drilled bedrock wells shall have casing installed a minimum of 10 feet into unweathered competent bedrock. A minimum of 20 feet of casing shall be installed in all bedrock wells.

12.3.9 Temporary Steel Casing

12.3.9.1 Temporary steel casing used for construction shall be capable of withstanding the structural load imposed during its installation and removal.

12.3.10 Permanent Steel Casing Pipe

12.3.10.1 Steel pipe used for permanent casing in permitted water wells shall be new pipe meeting AWWA, ASTM, or API specifications for water well construction,

12.3.10.2 Have minimum weights and thickness as indicated in the table below.

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STEEL PIPE					
SIZE	DIAMETER (inches)		THICKNESS (inches)	WEIGHT per FOOT (pounds)	
	EXTERNAL	INTERNAL		PLAIN ENDS (calculated)	W/THREADS & Couplings (nominal)
6 id.	6.625	6.065	0.280	18.97	19.18
8	8.625	7.981	0.322	28.55	29.35
10	10.750	10.020	0.365	40.48	41.85
12	12.750	12.000	0.375	49.56	51.15
14 od.	14.000	13.250	0.375	54.57	57.00
16	16.000	15.250	0.375	62.58	
18	18.000	17.250	0.375	70.59	
20	20.000	19.250	0.375	78.60	
22	22.000	21.000	0.500	114.81	
24	24.000	23.000	0.500	125.49	
26	26.000	25.000	0.500	136.17	
28	28.000	27.000	0.500	146.85	
30	30.000	29.000	0.500	157.53	
32	32.000	31.000	0.500	168.21	
34	34.000	33.000	0.500	178.89	
36	36.000	35.000	0.500	189.57	

12.3.10.3 When additional thickness and weight is necessary to assure reasonable life expectancy of a well, the casing shall:

- (a) be capable of withstanding forces to which it is subjected,
- (b) be equipped with a drive shoe when driven, and
- (c) have full circumferential welds or threaded coupling joints.

12.3.11 Nonferrous Casing Materials

12.3.11.1 The use of any nonferrous material as well casing shall be approved by the Secretary prior to submission of plans and specifications; and

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12.3.11.2 Nonferrous material proposed as a well casing shall be resistant to the corrosiveness of the water and to the stresses to which it will be subjected during installation, grouting and operation.

12.3.12 Packers

12.3.12.1 Packers shall be of material that will not impart taste, odor, toxic substance or bacterial contamination to the well water.

12.3.13 Screens

12.3.13.1 Screens shall be constructed of materials capable of withstanding the structural loads imposed and resistant to damage by chemical action of groundwater or cleaning operations, and shall

- (a) have size of openings based on sieve analysis of formation and/or gravel pack materials;
- (b) have sufficient diameter to provide adequate specific capacity and low aperture entrance velocity. The entrance velocity should not exceed 0.1 feet per second;
- (c) be installed so that the pumping water level remains above the screen under all operating conditions;
- (d) where applicable, be designed and installed to permit removal or replacement without adversely affecting watertight construction of the well;
- (e) be provided with a bottom plate or washdown bottom fitting of the same material as the screen; and
- (f) be reviewed and approved by the Secretary before installation.

12.3.14 Grouting Requirements

12.3.14.1 All permanent well casing, including the couplings, (except driven Schedule 40 steel casing with the approval of the Secretary), shall be surrounded by a minimum of 1½ inches of grout to the required depth. All temporary construction casings should be removed, but shall be withdrawn at least ten feet to insure grout contact with the native formation.

Deviation from the grouting standards contained herein may be allowed after review under the provisions of Section 3.7 in Subchapter 21-3.

12.3.14.2. Neat cement grout

- (a) Cement conforming to ASTM standard C150, with not more than 5 gallons of water per 94 pound sack of cement, shall be used for 1½ inch or larger annular openings.
- (b) Additives may be used to increase fluidity subject to approval by the Secretary.

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12.3.14.3. Concrete grout

- (a) Equal parts of cement conforming to ASTM Standard C150, and sand, with not more than 5 gallons of water per 94 pound sack of cement may be used for annular openings larger than 1½ inches.
- (b) Where an annular opening larger than 4 inches is available, gravel not larger than ½ inch in size may be added.

12.3.14.4. Clay Seal/Bentonite

Where an annular opening greater than 6 inches is available, a clay seal of clean local clay mixed with at least 10 percent swelling bentonite may be used when approved by the Secretary.

12.3.14.5 Application

- (a) Sufficient annular opening shall be provided to permit a minimum of 1½ inches of grout around permanent casings, including couplings.
- (b) When the annular opening is less than 4", grout shall be installed under pressure by means of a grout pump from the bottom of the annular opening upward in one continuous operation until the annular opening is filled.
- (c) When the annular opening is four or more inches and less than 100' in depth, and concrete grout is used, it may be placed by gravity through a grout pipe installed to the bottom of the annular opening in one continuous operation until the annular opening is filled.
- (d) When the annular opening exceeds six inches, is less than 100' in depth, and a clay seal is used, it may be placed by gravity.
- (e) After cement grouting is applied, work on the well shall be discontinued until the cement or concrete grout has properly set.
- (f) If clay or hard pan is encountered above the water bearing formation, the permanent casing and grout shall extend through such materials, or
- (g) If a sand or gravel aquifer is overlain only by permeable soils, the permanent casing and grout shall extend to at least 18.5 feet below original or final ground elevation, whichever is lower.
- (h) If a temporary outer casing is used, it shall be completely withdrawn as grout is applied.
- (i) Alternate methods of installing grout in rock wells follow. All examples include drilling a hole 3" in diameter greater than the casing (including couplings) at least 10' into unweathered bedrock. A minimum of 20 feet of casing is required.
 - (1) Place grout in open hole and insert plugged casing to displace grout upward and into the natural materials.
 - (2) Fill hole with grout, set open casing, let grout set, drill grout out; note that grout may be removed before the cement is set as long as the wet cement seal is not broken. Regrouting may be required in the event of a failure of the grout.
 - (3) Set casing near bottom of hole with tremie pipe fitting on end of casing, pump grout into bottom of pipe until it rises to the surface outside of the casing, set casing, remove tremie pipe, and drill out fittings.
 - (4) Other methods may be approved after review by the Secretary.

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12.3.14.6 Guides

The casing shall be provided with sufficient guides welded to the casing to permit unobstructed flow and uniform thickness of grout.

12.3.15 Well Construction

12.3.15.1 Permanent casing for all groundwater sources shall project at least 12 inches above the pump house floor or concrete apron surface and at least 18 inches above final ground surface.

12.3.15.2 Where a well house is constructed, the floor surface shall be at least 6 inches above the final ground elevation.

12.3.15.3 Sites subject to flooding shall be provided with an earth mound surrounding the casing and terminating at an elevation at least 2 feet above the 100 year flood elevation, or other suitable protection as determined by the Secretary.

12.3.15.4 The top of the well casing at sites subject to flooding shall terminate at least 3 feet above the 100 year flood elevation.

12.3.16 Development

12.3.16.1 Every well shall be developed to remove the native silts and clays, drilling mud and/or finer fraction of the gravel pack or rock fracture.

12.3.16.2 Development shall continue until the maximum specific capacity is documented from the completed well.

12.3.16.3 Where chemical conditioning is required, the specification shall include provisions for the method, equipment, chemicals, testing for residual chemicals, and disposal of waste and inhibitors.

12.3.16.4 Where blasting procedures may be used, the specifications shall include the provisions for blasting and cleaning.

12.3.16.5 Other development procedures including hydrofracturing may be approved by the Secretary.

12.3.17 Capping Requirements

12.3.17.1 A water-tight, non-corrodible vented cap must be installed on each well. Each cap must have a screened 40 mesh vent designed to shed water and snow.

12.3.17.2 At all times during the progress of work, the contractor shall provide protection to prevent tampering with the well or entrance of foreign materials.

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12.3.17.3 Caps for testing flowing wells shall include a pressure gauge sensitive enough to calculate static water level to the nearest tenth of a foot.

12.3.18 Closure of Abandoned Wells

12.3.18.1 Test wells and groundwater sources which are not in use or planned for use shall be sealed by such methods as necessary to restore the controlling geological conditions which existed prior to construction, or as directed by the Secretary.

12.3.18.2 Wells to be abandoned shall:

- (a) be sealed to prevent undesirable exchange of water from one aquifer to another;
- (b) preferably be filled with neat cement grout;
- (c) have fill materials other than cement grout or concrete approved by the Secretary;
- (d) when filled with cement grout or concrete, these materials shall be applied to the well hole through a pipe, tremie, or bailer; and
- (e) be disinfected and free from foreign materials.

12.3.18.3 Well abandonment shall be performed only by a Vermont licensed water well driller or monitoring well driller for their respective class and in conformance with all Department regulations.

12.3.19 Aquifer Types and Construction Methods - Special Conditions

12.3.19.1 Gravel Pack Wells

- (a) Gravel pack shall be well rounded particles, 95% siliceous material, that are smooth and uniform, free of foreign material, properly sized, washed and then disinfected immediately prior to or during placement.
- (b) Gravel pack shall be placed in one uniform continuous operation.
- (c) Gravel refill pipes, when used, shall be Schedule 40 steel pipe incorporated within the pump foundation and terminated with screwed or welded caps at least 12 inches above the pump house floor or concrete apron.
- (d) Gravel refill pipes located in the grouted annular opening shall be surrounded by a minimum of 1 ½ inches of grout.
- (e) Protection from leakage of grout or fine grained formation materials into the gravel pack or screen shall be provided for.
- (f) Permanent casings shall meet requirements of Subpart 12.3.10.
- (g) Minimum casing and grouted depth shall be acceptable to the Secretary.

12.3.19.2 Naturally Flowing Wells

- (a) Flow shall be controlled.
- (b) Permanent casing and grout shall be provided.
- (c) If erosion of the confining bed appears likely, special protective construction may be required by the Secretary.
- (d) Capping shall be in accordance with Subpart 12.2.6.2.

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12.3.20 Well Pumps, Discharge Piping and Appurtenances

12.3.20.1 Line Shaft Pumps

Wells equipped with line shaft pumps shall:

- (a) have the casing firmly connected to the pump structure or have the casing inserted into a recess extending at least one half inch into the pump base, and
- (b) have the pump foundation and base designed to prevent water from coming into contact with the joint.

12.3.20.2 Submersible Pumps

Where a submersible pump is used:

- (a) the top of the casing shall be effectively sealed against the entrance of water under all conditions of vibration or movement of conductors or cables, and
- (b) the electrical cable shall be firmly attached to the riser pipe at 20 foot intervals or less.

12.3.20.3 Discharge Piping

- (a) The discharge piping shall:
 - (1) be designed so that the friction loss will be low,
 - (2) have control valves and appurtenances located above the pump house floor when an above ground discharge is provided,
 - (3) be protected against the entrance of contamination,
 - (4) be equipped with a check valve, a shut off valve, a pressure gauge, a means of measuring flow, and a smooth nosed sampling tap located at a point where positive pressure is maintained,
 - (5) where applicable, be equipped with an air release vacuum relief valve located upstream from the check valve, with exhaust/relief piping terminating in a down-turned position at least 18 inches above the floor and covered with a 24 mesh corrosion resistant screen,
 - (6) be valved to permit test pumping and control of each well,
 - (7) have all exposed piping, valves and appurtenances protected against physical damage and freezing,
 - (8) be properly anchored to prevent movement, and
 - (9) be protected against surge or water hammer.
- (b) The discharge piping should be provided with a means of pumping to waste, but shall not be directly connected to a sewer.

12.3.20.4 Pitless Well Units

- (a) The Secretary must be contacted for approval of specific applications of pitless units.
- (b) Pitless units shall:
 - (1) be threaded or welded to the well casing,
 - (2) be of watertight construction throughout,

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- (3) be of materials and weight at least equivalent and compatible to the casing,
 - (4) have field connection to the lateral discharge from the pitless unit of threaded, flanged or mechanical joint connection, and
 - (5) have the wellhead terminate at least 18 inches above final ground elevation or 3 feet above highest known flood elevation or as the Secretary directs.
- (c) The design of the pitless unit shall make provision for:
- (1) access to disinfect the well,
 - (2) facilities to measure water levels in the well
 - (3) a cover at the upper terminal of the well that will prevent the entrance of contamination,
 - (4) a contamination-proof entrance connection for electrical cable,
 - (5) an inside diameter as great as that of the well casing, up to and including casing diameters of 12 inches, to facilitate work and repair on the well, pump, or well screen, and
 - (6) at least 1 check valve within the well casing or in compliance with requirements of the Secretary.

12.3.20.5 Casing Vent

Provisions shall be made for venting the well casing to atmosphere. The vent shall terminate in a downturned position, at or above the top of the casing or pitless unit in a minimum 1½ inch diameter opening covered with a 24 mesh, corrosion resistant screen. The pipe connecting the casing to the vent shall be of adequate size to provide rapid venting of the casing.

APPENDIX B - LONG RANGE PLAN REQUIREMENTS

The Long Range Plan required in Subsections 4.2.2 and 5.5(e) of this Rule shall include the following elements where applicable:

1. Existing ownership of the system.

- (a) Entity (Individual, Corporation, Association, Fire District, etc.) and formal name.
- (b) Owner's contact information
- (c) Address for receipt of official mail
- (d) Telephone number(s) for owner and operator(s)

2. For new system proposals, specify the final ownership structure.

- (a) Describe in narrative form the proposed or existing ownership structure and its legal basis.
- (b) Describe in narrative form any anticipated ownership changes (e.g., from developer to a homeowners association), and provide a summary of the mechanism that will trigger the ownership change (e.g., 70% of lots sold). If no changes are anticipated, so state.
- (c) Provide an organizational chart of the ownership and operational structure, which identifies the major water system responsibilities of each position listed on the chart.
- (d) Provide descriptions of the experience and expertise of all proposed management and operational personnel for the system.
- (e) Provide a copy or draft copy of proposed by-laws, policies, procedures, etc., for water system responsibilities, customer responsibilities, customer complaint procedures, etc., including fiscal management and controls.

3. Costs of Operation and Maintenance of System

- (a) Budget projections for five years.
 - (i) Provide a line item budget for all costs of operation and maintenance (O&M). Include operator salaries/benefits, training, chemical costs, electric and other utilities for each of the next five years.
 - (ii) Indicate how the budget items for maintenance were derived.
- (b) Capital fund reserve
 - (i) List the major project elements in table form, showing their useful lives, current age, and replacement cost.
 - (ii) For each of these, determine the funds needed annually for a reserve fund to pay for replacement of the major project elements at the end of their useful lives.

4. Revenues for Operation and Maintenance.

- (a) Describe any fees to be collected to begin operation (new system).
- (b) State the number of users on the system, and calculate the annual user charges for the next five years to fund the costs identified in 3 above.

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- (c) Describe in narrative form the method(s) to be used to fund the reserve for capital equipment.
- (d) Provide an analysis of the reliability of the anticipated revenues (i.e., relate user charges to median household income, property values, or projected sales).

5. Alternatives and Plans for Growth or Modernization.

- (a) Describe the scope of the plan in narrative form; include a Vermont Orthophoto Base Map with the existing and future service areas clearly marked.
- (b) Provide the information outlined in Subparts 1.2.2 and 1.2.3 of Appendix A.
- (c) Address the impact of feasible and appropriate water conservation measures on each of the alternatives and plans.

6. Water Conservation Planning

Development of a water conservation plan that, at a minimum, addresses the following:

- (a) evaluation of system water use efficiency, including evaluation of extent of unaccounted-for water, water accounting, and loss control;
- (b) universal metering;
- (c) a water rate system to promote water conservation;
- (d) public education and information on water conservation;
- (e) opportunities for water recycling or reuse by large commercial and industrial water users; and
- (f) promoting the installation of water saving fixtures and devices in new and existing residences and facilities.

NOTE: A plan adopted under Title 24, Chapter 117, Capital Budget Program, may be submitted for review to fulfill this long range plan requirement for existing systems. For new systems, the long range plan requirements may be incorporated in the Engineer's Report required for new systems. The Engineer's Report requirements are detailed in Appendix A, Subpart 1.2.

APPENDIX C - BACTERIOLOGICAL MONITORING REQUIREMENTS

Table C1-1 - BACTERIOLOGICAL MONITORING REQUIREMENTS

Minimum Number of Population Served	Samples per Monitoring Period
25 to 1,000	1
1,001 to 2,500	2
2,501 to 3,300	3
3,301 to 4,100	4
4,101 to 4,900	5
4,901 to 5,800	6
5,801 to 6,700	7
6,701 to 7,600	8
7,601 to 8,500	9
8,501 to 12,900	10
12,901 to 17,200	15
17,201 to 21,500	20
21,501 to 25,000	25
25,001 to 33,000	30
33,001 to 41,000	40
41,001 to 50,000	50
50,001 to 59,000	60
59,001 to 70,000	70
70,001 to 83,000	80
83,001 to 96,000	90
96,001 to 130,000	100
(Truncated for Vermont)	

Water systems over 1,000 in population are required to sample on a monthly frequency.

APPENDIX D - OPERATION AND MAINTENANCE MANUALS

O&M Manuals should meet the following two parameters of usefulness when prepared and completed:

- 1) Useful as a stand alone document to allow daily routine and trouble shooting operation by a properly trained operator, including testing and monitoring requirements necessary for the particular system.
- 2) Useful in conjunction with "as-built" system prints for full system maintenance to insure adequate quality water supply to the residents served.

The O&M Manual must reflect actual installation, actual equipment and actual control functions "as-built", not as proposed. For example, statements such as "use pump XYZ or equivalent" should not be used, rather the manual should read: "Pump installed is an XYZ, Model B."

The following elements shall be contained in all O&M Manuals:

1. General System Description

- (a) Approved source(s)
- (b) Raw water storage (if any)
- (c) Raw water treatment (will vary with system size)
- (d) Finished water storage
- (e) Distribution system
- (f) System pressure maintenance (gravity, hydropneumatic, booster pumps)
- (g) Source protection area (SPA) map, source protection plan.

2. System Schematic

- (a) Major elements identified
- (b) All system valves identified
- (c) List of equipment and valves. Brief description of each and their system function (use 2(a) and 2(b) for reference).

3. Start-up Procedure

- (a) Initial flushing and disinfection
- (b) Sequenced system start-up

4. Normal Operation

- (a) Periodic system checks required
- (b) Chemical tanks to be filled; periodic system backwashing, recharging, etc.
- (c) Routine tests to be performed.
- (d) Routine samples and forms to be sent to Vermont Department of Health (in-plant Quality Control for larger systems).

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- (e) Periodic system maintenance required (add oil, check for leaks, clean injectors, exercise valves, etc.)
- (f) Provide for calibration and standardization of test equipment (turbidimeter, pH meter, etc.)
- (g) Routine inspection and recording of sources of contamination in the source protection area and any associated sampling or monitoring.
- (h) Procedures for replacement/regeneration of carbon media, if applicable.
- (i) Process flow diagram and valve alignments of expected treatment system conditions.
- (j) Procedures to be followed in response to breakthrough of a carbon unit, if granular activated carbon is applied.

5. Safety

- (a) List of all system operational hazards including all chemicals to be used and their Safety Data Sheet(s).
- (b) Reinforce the need for the routine use of personal protective equipment.
- (c) Outline possible unsafe conditions caused by poor system operation.
 - (1) No disinfectant
 - (2) Elevated levels of treatment
 - (3) Low water pressure
 - (4) Cross connections (primarily in water plant facility)

6. Contingency Plan

- (a) Required notification.
- (b) Alternate water supply made available
- (c) Sequenced system shut down
- (d) Emergency procedure for non-scheduled shut down including emergency source(s)
- (e) Posting of any notice required for use of the emergency source.

7. Trouble Shooting Operation Problems

- (a) List typical causes of system problems
 - (1) Low water-pump shut off, line break, etc.
 - (2) Low disinfectant-chemical tank empty, etc.

NOTE: On a day to day basis, this section coupled with section 6 are the most important and critical; appropriate thought and time should be given to preparation of these sections.

8. Distribution

- (a) Key shut off points identified along with major line sizes.
- (b) System flushing:
 - (1) Method
 - (2) Frequency

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- (c) Special features (air relief valves, pressure reduction, backflow preventers, blow offs, etc.)
- (d) Fire protection (rated flow/hydrant, number of hydrants, pumper capacity, etc.)

9. Maintenance Program

- (a) Equipment list with recommended maintenance frequency.
- (b) Equipment/valve/control panel specifications sheets.
- (c) Tank information
- (d) Maintenance log procedure
- (e) Reference to "as-built" plans as needed.

10. Vendor List

- (a) Source of required chemicals.
- (b) Source of all mechanical equipment and valves.

11. Source Protection Plan

See requirements in Subchapter 16 (Source Water Protection) of this Rule.

12. Record Maintenance Procedures and Customer Notification

The manual shall identify the location of the records, identify the various files to be kept and the length of time to retain the records. Customer notification procedures for Consumer Confidence Reports and water quality data shall also be included.

13. Customer Complaint Procedures

The manual shall include a detailed procedure for addressing customer concerns, including identification of an appeal process if the customer does not obtain satisfaction from the operator. The procedure shall include the name and telephone number for the water system owner and operator, the Drinking Water and Groundwater Protection Division, Department of Health, and for privately owned systems, the number for the Consumer Affairs and Public Information Division in the Department of Public Service.

14. Water Conservation Program

The manual shall include a description of the system's water conservation measures, including where appropriate, public education, leak detection and repair, and metering.

15. Vermont Department of Environmental Conservation

The manual shall include a copy of this Water Supply Rule (Chapter 21). The copy of the manual submitted to the Secretary for approval does not need to contain a copy of the rule.

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Drinking Water and Groundwater Protection Division

ENVIRONMENTAL PROTECTION RULES
CHAPTER 21
WATER SUPPLY RULE

Original Effective Date: September 24, 1992

REVISION DATE: _____

NOTE: The complete rule consists of the following parts:

Subchapters 1 - 16

Appendix A, Parts 1 - 10 - General Standards

Appendix A, Part 11 - Non-Community Water Systems

Appendix A, Part 12 - Construction & Isolation Standards for Wells

Appendix B - Long Range Plan Requirements

Appendix C - Bacteriological Monitoring Requirements

Appendix D - Operation & Maintenance Manual Standards

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INTRODUCTION

Applicability of This Rule

This rule, known as the Water Supply Rule, applies to **all Public** water systems in Vermont, which include **Public** water systems, and bottled water systems. Only portions of this rule apply to each type of water system. The section below, entitled "Types of Water Systems," helps the reader identify their type of water system. There may also be other jurisdictions with regulations affecting water systems. This rule does not affect, modify or repeal existing orders of the Board of Health.

Purpose of This Rule

This rule is intended to serve a number of purposes. First, and most importantly, the rule's primary purpose is to regulate water systems in the state so that they provide clean and safe drinking water to Vermont's citizens. The rule also establishes well construction standards (contained in Part 12 of Appendix A) .

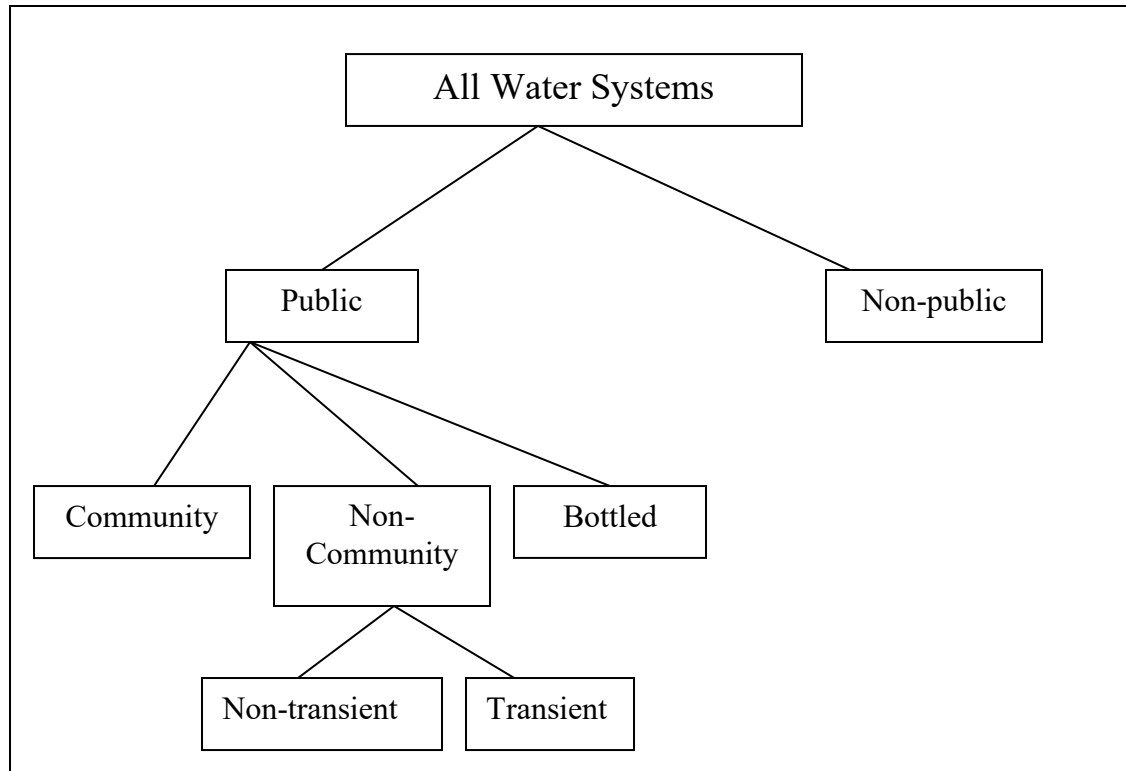
Second, by implementing this rule, Vermont qualifies to retain "primacy" for the Safe Drinking Water Act from the federal US Environmental Protection Agency (EPA). Primacy means that the state will administer the federal regulations that apply to all **Public** water systems in the country, instead of EPA. Without state regulations that are at least as strict as the federal ones, Vermont may not administer the federal regulations.

Having primacy represents an advantage to Vermont's water systems. The federal regulations contain some optional provisions that create exceptions to the regulations when mitigating factors make it difficult or impossible to follow the regulations. Also, there are situations where interpretations of the federal regulations can be made by states with primacy that provide some benefit to the ~~public~~ **Public** water systems. EPA has stated that, in the event that they have to administer their own rules in a state without primacy, they will not have the resources to provide most of these permitted exceptions to the regulations.

Types of Water Systems

This rule varies in its applicability to the different types of water systems. Due to the comprehensive nature of this rule, and for the convenience of the reader, the water systems have been categorized into groups, and the introduction at the beginning of each subchapter in the rule explains which sections apply to which water systems. Also, when these categories of water systems are referred to in this rule, they are displayed in **bold type**. The following figure displays the different categories in graphical format, although the reader is cautioned that there are formal definitions for each type of water system contained in the Rule.

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Public and Non-Public

All water systems are initially classified as either **Public** water systems or **Non-Public** water systems. Classification as a **Public** water system depends on the number of service connections (15 or more) or people served (25 or more) by the system, as is explained in the definition for **Public** water systems in Subchapter 21-2.

Community and Non-Community

Public water systems are further subdivided into **Public Community** water systems and **Public Non-Community** water systems. Generally, **Public Community** water systems are those which serve residents on a year-round basis, while **Public Non-Community** water systems serve non-residential groups of people (e.g., restaurants, schools).

Non-Transient and Transient

Public Non-Community water systems are further subdivided into those systems who serve non-residential users who don't change over time (**Public Non-Transient Non-Community** water system), such as schools and offices, and those non-residential users who do change over time (**Public Transient Non-Community** water system), such as restaurants and motels.

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Bottled water systems are considered to be a special case of **Public** water systems, and are regulated specifically under Subchapter 21-11. They are not included in the categories addressed here.

In summary, then, there are four categories of water systems referred to throughout this rule and grouped for convenience:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Bottled** water systems.

The formal definitions for (a) through (d) above (i.e., the **Public** water systems) are contained in Subchapter 2, Definitions. **Public** water systems are also subject to regulation under the federal Safe Drinking Water Act. By enacting this rule, the federal regulations will be administered by the Department of Environmental Conservation when it has primacy.

The design and construction standards for **Public Non-community** water systems are contained in Appendix A, Part 11. Continued operating requirements, including operating permits and fees, are administered by the Drinking Water and Groundwater Protection Division of the Department of Environmental Conservation.

Organization of the Rule

The complete Water Supply Rule consists of sixteen subchapters and four appendices. The chapters are divided into Sections (e.g., 2.12) and Subsections (e.g., 2.18(a)(1)). Each subchapter contains a brief introduction which identifies which type(s) of water systems are regulated by that subchapter. These subchapters contain regulatory requirements that water systems must follow.

Appendix A of the rule contains the Vermont Standards for Water System Design, Construction, and Protection. These are technical standards that apply to persons designing, constructing, and operating water systems. This appendix contains twelve Parts, and the introduction at the beginning of the appendix identifies which parts of the appendix apply to which water systems. The numbering in Appendix A is divided into Parts (e.g., 5) and Subparts (e.g., 5.1.2(a)).

Parts 1 through 9 of Appendix A apply to **Public Community** water systems and **Bottled** water systems with sources in Vermont. Part 11 contains the technical standards for **Public Non-community** water systems which are considerably simplified from those for **Public Community** systems. Finally, Part 12 contains standards for water sources for which permits are required from the Drinking Water and Groundwater Protection Division.

Appendix B contains the requirements for the Long Range Plan, a document required under the rules, whose purpose is to assist water systems in proper planning for the continued viability of their systems.

Appendix C is a table of the sampling frequencies required for bacteriological monitoring.

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Appendix D contains the standards for Operation & Maintenance (O&M) Manuals, which are also required under this rule.

Subchapter 21-1 AUTHORITY AND PURPOSE

Introduction

This subchapter applies to all water systems.

1.1 Authority

This rule is adopted under the authority of 10 V.S.A. Chapter 48, Groundwater Protection; 10 V.S.A. Chapter 56, Public Water Supply; and 18 V.S.A. §1218. Related statutes include: 3 V.S.A. § 2822 (j), regarding fees; 18 V.S.A. §501b, regarding certification of laboratories; 18 V.S.A. §503, regarding use of laboratory by people; and 24 V.S.A. Chapter 120, regarding funding of public water supply planning and construction.

This rule refers to and adopts the authority of the Federal Safe Drinking Water Act: 42 U.S.C. 300 f. *et. seq.* and except as explicitly provided herein, the rule adopts and incorporates by reference the National Primary Drinking Water Regulations, 40 CFR 141 (July 1, 2009), the National Primary Drinking Water Regulations Implementation, 40 CFR 142 (July 1, 2009), the National Secondary Drinking Water Regulations, 40 CFR 143 (July 1, 2009), ~~and~~ the Revised Total Coliform Rule, 40 CFR 141, 142 (February 13, 2013), and the Consumer Confidence Rule Revisions 40 CFR 141, 142 (May 24, 2024) under an agreement with the US Environmental Protection Agency, by which the State of Vermont has primary enforcement authority (primacy) in Vermont for the Safe Drinking Water Act.

Where necessary to protect the public health, but subject to appeal, the Secretary may require additional drinking water permit conditions under this rule.

1.2 Purpose

The purpose of this rule is to protect the public health by assuring safe, affordable drinking water from **Public** Water systems, and to implement and enforce the provisions of the Federal Safe Drinking Water Act and Vermont statutes.

The granting of a permit under this rule does not relieve the water supplier of the responsibility for the satisfactory functioning of the water system, nor limit their responsibility or liability under other statutes or rules.

Subchapter 21-2 DEFINITIONS AND ABBREVIATIONS

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community (NTNC)** water systems;
- (c) **Public Transient Non-Community (TNC)** water systems; and
- (d) **Domestic and Imported Bottled Water** systems.

Additional definitions applying only to **Non-Community** water systems and **Non-public** water systems requiring permits are contained in Part 11 of Appendix A.

Additional definitions are also contained in 40 CFR, Sections 141.2, 142.2, and 143.2 which are adopted herein. These definitions apply to federal regulations which affect **Public** water systems (see below for definition of **Public** water systems).

2.1 General

The following definitions and abbreviations shall apply in the interpretation and enforcement of this rule.

2.2 Definitions

ACTION LEVEL means the concentration of a substance in drinking water which clearly provides adequate public health protection, as determined by the Vermont Department of Health.

AGENCY means the Vermont Agency of Natural Resources.

BOTTLED WATER means any non-carbonated, non-flavored water placed in a sealed container for sale or distribution to the public with the express or implied intent of providing water for human consumption.

BOTTLED WATER SYSTEM means a **Public** water system which bottles drinking water for public distribution and sale. A Domestic Bottled Water System is a Bottled Water System with at least one source located within Vermont. An Imported Bottled Water System is a Bottled Water System with all sources located outside of Vermont.

BULK WATER means drinking water delivered to consumers or water purveyors by means other than pipeline or bottled water.

CAPACITY means that a ~~public~~**-Public** water system has the technical, financial, and management capabilities to consistently comply with current performance standards, including the requirements of this rule and the Safe Drinking Water Act, 42 U.S.C. Section 300f *et. seq.*, as amended.

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CERTIFIED OPERATOR means any person who has a responsibility for the operation of any water system and holds the class of certification equal to or greater than the class of the water system.

CLEAN COMPLIANCE HISTORY means having no *E. coli* violations, no monitoring violations under 40 CFR 141 Subpart Y, no coliform Treatment Technique trigger exceedances, or coliform Treatment Technique Violations.

COLIFORM TREATMENT TECHNIQUE VIOLATION means a violation that occurs when a water system exceeds a treatment technique trigger pursuant to 40 C.F.R. § 141.859 and fails to conduct the required assessment or corrective actions within the timeframe specified, or when a seasonal system fails to complete a state start-up procedure.

COLOR UNIT means the color produced by 1 mg/l platinum in the form of the chloroplatinate ion.

COMMISSIONER means the Commissioner of the Vermont Department of Environmental Conservation or the Commissioner's designee.

CONFINING LAYER means a continuous, extensive geologic unit of low permeability.

CONSECUTIVE WATER SYSTEM means a ~~public~~ **Public** water system that is permitted to receive some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems or a non-piped connection via water delivery via tanker truck or trailer.

CROSS CONNECTION means any actual or potential connection between the public water supply and a source of contamination or pollution.

DEPARTMENT means the Vermont Department of Environmental Conservation.

DESIGNATED CERTIFIED OPERATOR means the certified operator designated by the water facility owner to be responsible for quality, quantity, process control, and system integrity decisions involving public health, treatment, storage, distribution, and standards compliance. The Designated Certified Operator shall hold a valid certification equal to or greater than the classification of the treatment facility or distribution system, or both. This individual may delegate responsibilities to Certified operators or uncertified on-site personnel. Compliance with the requirements of this rule with respect to any delegated tasks are the ultimate responsibility of the Designated Certified Operator.

DRINKING WATER means non-carbonated, non-flavored water that is intended for human consumption or other consumer uses whether provided by a **Public** water system or in a container, bottle or package or in bulk, including water used for production of ice, foodstuffs or other products designed for human consumption.

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DRINKING WATER FACILITY means a bottled or bulk water facility requiring a permit to operate under this rule.

ENTRY POINT TO THE DISTRIBUTION SYSTEM: (also referred to as “entry point”) The location at which water enters the distribution system from any applicable source(s), storage tank, pumping facility, treatment plant or other water system facility immediately prior to or at the first location where water can be consumed. This location reflects all applicable source water treatment and disinfection contact time.

EMERGENCY SOURCE means a water source which is not permitted for use by a **Public** water system. It is identified only as an alternate water source that may be used for a limited duration emergency in the event of an unforeseen circumstance that prevents the water system’s permitted sources from supplying either adequate quantity or quality of water.

GROSS BETA ACTIVITY means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

GROUNDWATER means water below the land surface in a zone of saturation.

HAZARD INDEX (HI) is the sum of component hazard quotients, which are calculated by dividing the measured regulated PFAS component contaminant concentration in water (e.g., expressed as parts per trillion (ppt) or nanograms per liter (ng/l)) by the associated health-based water concentration (HBWC) expressed in the same units as the measured concentration (e.g., ppt or ng/l). For PFAS, a mixture Hazard Index greater than 1 (unitless) is an exceedance of the MCL.

HAZARD QUOTIENT means the ratio of the measured concentration in drinking water to the health-based water concentration (HBWC).

HEALTH-BASED WATER CONCENTRATION (HBWC) means the level below which there are no known or anticipated adverse health effects over a lifetime of exposure, including sensitive populations and life stages, and allows for an adequate margin of safety.

HYDROGEOLOGIST means a person with training or experience in bedrock geology, glacial geology, and groundwater hydrology sufficient to prepare adequately the hydrogeologic analyses required by this rule.

INFILTRATION GALLERY means a subsurface collection system located so as to intercept ambient groundwater or surface water flow and generally designed with roughly horizontal collection pipes.

LABORATORY CERTIFICATION means that a laboratory meets the minimum Vermont Department of Health requirements for specific parameters and that the laboratory is granted approval for analyses of these parameters for a maximum of three (3) years.

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LEVEL 1 SITE ASSESSMENT means, as defined in 40 C.F.R. § 141.2, a detailed inspection by the water system's operator or an operator of the same or higher class, that looks for all possible sanitary defects that could allow bacterial contamination into the system and examines sample protocols, methods, and sampling equipment used in collecting coliform samples. This is a form comprised of yes/no answers to assist in the operator's ability to assess the system.

LEVEL 2 SITE ASSESSMENT means an event triggered under the requirements of 40 C.F.R. § 141.859(2)i-iii. The site assessment is a comprehensive inspection performed by the State or a party approved by the State with specific training necessary to perform these detailed reviews. The question form is complex and involves detailed review of system infrastructure, interviews with system staff, and investigation of protocol, methods, and sampling equipment used in collecting coliform samples. This is a detailed form comprised of specific questions and topics designed to identify possible defects.

MAN-MADE BETA PARTICLE AND PHOTON EMITTERS means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, NBS Handbook 69, except the daughter products of thorium 232, uranium-235 and uranium-238.

MICROSCOPIC PARTICULATE ANALYSIS (MPA) means the analysis described in the US Environmental Protection Agency document, "Consensus Method for determining groundwaters under the direct influence of surface water using microscopic particulate analysis" (EPA document # 910/9-92-029).

MONITORING WELL means any well constructed for the purpose of monitoring groundwater quantity or quality.

OPERATOR means an individual who accepts responsibility for operational activities that will directly affect the quality and/or quantity of drinking water provided to consumers, and who is certified as such by the State of Vermont.

OWNER means the person(s) who owns or has an ownership interest in a **Public** water system. An OWNER may designate an authorized representative who has the authority to act on the owner's behalf in all matters regarding the **Public** water system, and is designated to be the contact person in place of the OWNER for all communications from the Secretary regarding the water system.

PFAS means per- and polyfluoroalkyl substances. For the purpose of this regulation, PFAS currently includes Perfluorooctanoic acid (PFOA), Perfluorooctanesulfonic acid (PFOS), Perfluorohexane sulfonic acid (PFHxS), Perfluorononanoic acid (PFNA), Hexafluoropropylene Oxide Dimer Acid (HFPO-DA or "GenX" chemicals) and Perfluorobutanesulfonic acid (PFBS).

PERMIT means a written document issued by the Secretary (see below) pursuant to these regulations, giving a designated person approval to operate and/or construct, alter, or renovate a specific water system or drinking water facility.

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PERSON means an individual, partnership, fire district, association, cooperative, syndicate, company, firm, trust, corporation, government corporation, municipal corporation, institution, state, federal, or municipal government department, division, bureau, agency, or any other entity recognized by law.

POTABLE WATER means water free from impurities in amounts sufficient to cause disease or harmful physiological effects, and having bacteriological, chemical, physical, and radiological quality conforming to applicable standards of the Secretary.

POTENTIAL SOURCE OF CONTAMINATION means any activity or condition which may adversely affect water quality.

PRIMARY DRINKING WATER STANDARD means a standard which:

- (a) applies to **Public** water systems and drinking water;
- (b) applies to contaminants which may have an adverse effect on the health of persons;
- (c) specifies for each such contaminant either:
 - (1) a maximum contaminant level (MCL), if, in the judgment of the Secretary, it is economically and technologically feasible to ascertain the level of such contaminants in drinking water and **Public** water systems, or
 - (2) if, in the judgment of the Secretary, it is not economically or technologically feasible to ascertain the level of such contaminant, each treatment technique known to the Secretary which leads to a reduction of the contaminants identified in Subchapter 21-6; and
- (d) contains criteria and procedures to assure a supply of drinking water which dependably complies with such maximum contaminant levels or treatment techniques.

PROTECTED SOURCE means a source that has no outstanding sanitary defects, has a valid source permit, or otherwise is acknowledged as predating the permitting program but has been recognized as a source serving the water system, has a valid Groundwater Under the Direct Influence of Surface Water determination and is determined to be groundwater, and for NTNC and Community drinking water system, does not have an outstanding Source Protection Plan or Source Protection Plan Update. This is included for the purpose of compliance with 40 C.F.R. § 141 subpart Y.

PUBLIC WATER SOURCE means any surface water or groundwater intake used, or permitted to be used, as a source of drinking water for a **Public** water system.

PUBLIC WATER SOURCE PROTECTION AREA means a surface and subsurface area from or through which contaminants are reasonably likely to reach a **Public** water system source.

PUBLIC WATER SYSTEM means any system(s) or combination of systems owned or controlled by a person, that provides drinking water through pipes or other constructed conveyances to the public and that has at least fifteen (15) service connections or serves an average of at least twenty five (25) individuals daily for at least sixty (60) days out of the year. Such term includes all collection, treatment, storage and distribution facilities under the control of the water supplier and used primarily in connection with such system, and any collection or

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pretreatment storage facilities not under such control which are used primarily in connection with such system. **Public** water system shall also mean any part of a system which does not provide drinking water, if use of such a part could affect the quality or quantity of the drinking water supplied by the system. **Public** water system shall also mean a system which bottles drinking water for public distribution and sale (see also **Bottled Water System**).

- (a) **PUBLIC COMMUNITY WATER SYSTEM** means a **Public** water system which serves at least fifteen (15) service connections used by year-round residents or regularly serves at least 25 year-round residents.
- (b) **PUBLIC NON-COMMUNITY WATER SYSTEM** means a **Public** water system that is not a **Public Community** water system.
 - (1) **PUBLIC NON-TRANSIENT NON-COMMUNITY WATER SYSTEM (NTNCWS)** means a **Public** water system that is not a **Public Community** water system and that regularly serves at least 25 of the same persons daily for more than six months per year. Examples: schools, factories, office buildings.
 - (2) **PUBLIC TRANSIENT NON-COMMUNITY WATER SYSTEM (TNCWS)** means a **Public Non-community** water system that is not a **Non-transient Non-community** system. Examples: restaurants, motels, campgrounds.

PUBLIC WATER SYSTEM CLASS means the grouping of **Public** water systems based on type of treatment technology and type of **Public** water system. A Class may, where appropriate, also be grouped according to size of population served by the system.

PUBLIC WATER TREATMENT PLANT means a facility providing for the treatment of water, or the protection of water by treatment, by any one, or any combination of the controlled processes of coagulation, flocculation, sedimentation, adsorption, filtration, disinfection, or other processes which produce potable water.

REPEAT COMPLIANCE PERIOD means any subsequent compliance period after the initial compliance period.

REGIONAL ADMINISTRATOR means the Regional Administrator of the United States Environmental Protection Agency, Region 1, in Boston, Massachusetts.

REGISTERED PROFESSIONAL ENGINEER means an engineer registered with the Vermont Board of Professional Engineering.

RESPONSIBLE CHARGE means the operator(s) in responsible charge is defined as the person(s) designated by the owner to be the certified operator(s) who makes decisions regarding the daily operational activities of a ~~public~~ **Public** water system, water treatment facility and/or distribution system that will directly affect the quality and/or quantity of drinking water.

RUNNING ANNUAL AVERAGE means the average of all sample analytical results taken during the previous four calendar quarters.

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SANITARY DEFECT means a defect that could provide a pathway of entry for microbial contamination into the water system or that is indicative of a failure or an imminent failure of an existing barrier.

SANITARY SURVEY means an onsite review of the water source, facilities, equipment, operation and maintenance of a ~~public~~ **Public** water system for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

SEASONAL SYSTEM means the only type of system in Vermont to be categorized as a seasonal water system are select TNC systems. These systems must startup and shutdown throughout the year and be closed for an entire calendar quarter (January – March; April – June; July – September; or October – December). If the water system serves water in each calendar quarter of the year, they are considered year-round, even if they close for part or most of the monitoring period. Seasonal systems may or may not completely depressurize during their off-season. It is possible for a water system to have multiple seasonal periods in which they serve public population(s).

SECONDARY DRINKING WATER STANDARD means a standard which is not a primary standard, which applies to **Public** water systems, and specifies the maximum contaminant levels which, in the judgment of the Secretary, are requisite to protect the public welfare. Such standards may apply to any contaminant in drinking water which may:

- (a) adversely affect the odor or appearance of such water and consequently may cause a substantial number of persons served by the **Public** water system providing such water to discontinue its use, or
- (b) otherwise adversely affect the public welfare.

SECRETARY means the Secretary of the Agency of Natural Resources or the Secretary's designee.

SERVICE CONNECTION means each single family home, each living unit within a condominium, single rental unit, mobile home, store, or other commercial, educational, or industrial establishment, or other living unit which obtains water from a water system.

SHALL means that the person or system designated must comply with the associated action verb or be subject to enforcement action (see **SHOULD**).

SHOULD means that compliance with the associated action verb is recommended, but not required and that no enforcement action will follow (see **SHALL**).

SOURCE PROTECTION AREA means a **PUBLIC WATER SOURCE PROTECTION AREA** (see above).

SPRING means a groundwater source entirely dependent on gravity to move water from the source to the distribution system.

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SURFACE WATER (for purposes of determining isolation distance from a groundwater source under Subsection 3.5.8) means any body of surface water including rivers, streams, creeks, brooks, reservoirs, natural or artificial ponds, lakes, swamps and marshes which have discernible edges and in which terrestrial vegetation does not grow.

TURBIDITY UNIT (TU) means the unit of measurement of particulate matter in a water sample based upon a comparison of the intensity of light scattered by the sample under defined conditions with intensity of light scattered by a standard reference suspension under the same conditions.

UNCERTIFIED ON-SITE PERSONNEL means any person who performs activities or tasks related to water system operation but does not hold a valid certification from the State of Vermont or holds a certification lower than what is required for the subject water system. This individual is performing activities under the direction and certification of the Designated Certified Operator. This person may not make process control/system integrity decisions about water quality and quantity that may affect public health.

VERMONT HEALTH ADVISORY LEVEL means the concentration of a substance in drinking water below which the water does not pose a public health risk, or public health hazard as defined in 18 V.S.A. Chapter 1, and for which there is no Maximum Contaminant Level identified in this rule.

VIRUS means a virus of fecal origin which is infectious to humans by waterborne transmission.

VOLUNTARY LEVEL 2 SITE ASSESSMENT means a site assessment that is not triggered due to any of the reasons established in 40 CFR 141.859, however is required for the system to change from monthly monitoring to quarterly monitoring as established in 40 CFR 141.854(g). This site assessment will use the same form as the triggered Level 2 Site Assessment and must be completed by the State or a party approved by the state having received special training necessary to perform the detailed reviews.

VULNERABLE means a **Public** water system, or source, which is at risk of contamination by a constituent or constituents because of known conditions in the water system, geologic setting, or land uses in the source protection area.

WATER SUPPLIER means any person who owns or operates a **Public** water system or who provides or sells bottled or bulk drinking water.

WATER VENDING MACHINE shall mean a water-connected vending machine designed to dispense drinking water, and to reduce or remove turbidity, off-tastes and odors and to provide disinfection. Processes for dissolved solids reduction or removal may also be used.

WELL means any hole drilled, driven, bored, excavated, or created by similar method into the earth to locate, monitor, extract, or recharge groundwater where the water table or potentiometric surface is artificially lowered through pumping.

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2.3 Abbreviations

AIX means Anion Exchange

ANSI means the American National Standards Institute

API means the American Petroleum Institute

ASME means the American Society of Mechanical Engineers

ASSE means the American Society of Sanitary Engineering

ASTM means the American Society for Testing Materials

AWWA means the American Water Works Association

BOCA means the Building Officials and Code Administration

CDC means the Center for Disease Control

CEUs means Continuing Education Units

CFR means Code of Federal Regulations

CT means "Concentration X Time" (see definition in 40 C.F.R. Subpart A)

DPD means N,N-diethyl-p-phenylenediamine or ferrous titrimetric

EPA means the Environmental Protection Agency, of the United States

EPTDS means Entry Point to the Distribution System

GAC means Granular Activated Carbon

GMPRs means Good Manufacturing Practice Regulations

HAV means Hepatitis A Virus

NIOSH means National Institute for Occupational Safety and Health

NSF means the National Sanitary Foundation

NTNC means Non-Transient Non-Community

MPA means Microscopic Particulate Analysis

MCL means Maximum Contaminant Level

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MCLG means Maximum Contaminant Level Goal

mg/l means milligram per liter

MRDL means Maximum Residual Disinfection Level

ng/l means nanogram per liter

NTNCWS means Non-Transient Non-Community Water System

O&M means Operation and Maintenance

OIT means Operator-In-Training

OSHA means the Occupational Safety and Health Administration

PE means Professional Engineer

PFAS means per- and polyfluoroalkyl substances

ppb means parts per billion

ppm means parts per million

ppt means parts per trillion

PSI means pounds per square inch.

PSOC means Potential Sources Of Contamination

PVC means Polyvinyl Chloride

RTCR means Revised Total Coliform Rule

ROW means Right Of Way

SMCL means Secondary Maximum Contaminant Level

SPA means Source Protection Area.

SPP means Source Protection Plan

TDS means Total Dissolved Solids

TNC means Transient Non-Community

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TNCWS means Transient Non-Community Water System

TU means Turbidity Unit

μg/l means microgram per liter

USC means United State Code

USGS means the United States Geological Survey

UV means Ultraviolet

VOSHA means the Vermont Occupational Safety and Health Administration

VDH means the Vermont Department of Health

VHA means Vermont Health Advisory

VOC means Volatile Organic Chemicals

V.S.A. means Vermont Statute Annotated

Subchapter 21-3 PERMITS - ADMINISTRATION

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic and Imported Bottled** water systems.

This subchapter applies to Source Permits, Construction Permits, Operating Permits, and Approvals to Sell Bottled Water in Vermont.

3.0 Prohibitions

- 3.0.1 No person shall modify, construct, or operate a **Public** water system without first obtaining the appropriate permit from the Secretary.
- 3.0.2 No person shall modify or construct a new **Public** or **Domestic Bottled** water system source, change an existing water source into a **Public** or **Domestic Bottled** water system source, or operate a **Public** or **Domestic Bottled** water system source without first obtaining a permit from the Secretary.
- 3.0.3 No person shall use or connect an unpermitted water source, including an emergency source, to a **Public** Water System, except
 - (a) following public notice to the water system customers (according to Agency public notification requirements);
 - (b) providing notice to the Secretary as soon as possible, but no later than within 12 hours of its connection or use; and
 - (c) in an emergency situation for a limited duration, no more than 90 cumulative days without prior written approval of extension by the Secretary.

3.1 Permits

- 3.1.1 The Secretary may issue, renew, deny, suspend, or revoke a **Public** water system or drinking water facility permit.
- 3.1.2 For each application for a new source for a **Public water system or Domestic Bottled** water system, the Secretary shall provide notice and opportunity for hearing or written comment, or both, in accordance with 10 V.S.A., §1675.

3.2 Suspension or revocation of permit

- 3.2.1 Any permit issued under these regulations may be suspended or revoked if the Secretary finds that the **Public** water system or drinking water facility is maintained or operated in

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violation of this rule or of any applicable law, rule, order, ordinance, or regulation, or is in violation of the conditions stated in the permit, or that the water supplier has submitted false or misleading information to the Secretary.

- 3.2.2 The Secretary shall comply with 10 V.S.A. §1675 and 3 V.S.A. §814 prior to revocation or suspension of a permit.
- 3.2.3 When a permit has been denied, suspended, or revoked, emergency orders to protect the users may be issued and remain in effect until the operating permit is validated.

3.3 Emergency Permits to Construct

- 3.3.1 The Secretary may issue an emergency permit to construct for modifications to a water system needed to address an exceedance of a maximum contaminant level pursuant to a Secretary-approved emergency response plan.
- 3.3.2 Emergency permits to construct shall be limited to authorizing measures identified in a Secretary-approved emergency response plan.
- 3.3.3 Emergency permits to construct shall be issued for not more than 180 days and may be renewed.
- 3.3.4 Emergency permits to construct shall follow the process for public notice and involvement established under 10 V.S.A. § 7716 (Type 5).

3.4 Appeals

- 3.4.1 Final decisions made by the Secretary regarding permit issuance, renewal, denial, revocation, and suspension, for **Public** water systems, may be appealed formally as provided by 10 V.S.A. §1680 (or 10 V.S.A. §1977 for **Non-Public** water systems).

3.5 Transfer or Assignment of Permits

- 3.5.1 Operating Permits (see Subchapter 21-5), Source Permits, and **Public** Water System Construction Permits are not transferable or assignable and shall automatically become invalid upon a change of ownership or upon suspension or revocation. A new owner shall obtain a new permit prior to operation of the water system.

3.6 Requirements of Other Statutes and Permitting Authorities

A permit issued under this rule allows the permittee to take specific actions. However, it does not relieve the permittee of obligations they may have under other statutes, regulations, or permitting authorities including but not limited to Act 250, Agency of Natural Resources, Department of Public Safety, Department of Agriculture, Food and Markets, Department of Education, Public Service Board, Agency of Human Services, and Department of Public Service.

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3.7 Variances from Technical Standards

3.7.1 General

A request for approval of alternatives to the requirements of the *Vermont Standards for Water System Design, Construction and Protection* (Appendix A) shall be filed in writing. The application for a variance shall state the manner in which the proposed system or design varies from the specified criteria of these standards, and a basis for finding ~~that~~ the proposal meets the criteria set forth in Subsection 3.7.2 below. Requests for approval under this section shall be reviewed by the Secretary within 30 days of application.

For **Public Transient Non-Community** Construction Permits, variances may only be issued under the criterion in Subsection 3.7.2(e), below.

The Secretary shall maintain a file available to the public of all decisions issued under this section.

3.7.2 Variances Criteria

The Secretary may permit an alternative to the requirements of the standards in Appendix A upon finding that:

- (a) The proposal is designed to achieve the purpose of the standards as set forth in Section 1.2;
- (b) The proposed design is based on established engineering and/or hydrogeologic principles and can be expected to perform at the same level of reliability and health protection as the design criteria and standards included in this rule;
- (c) The proposed project will comply with all drinking water quality standards and not create a public health hazard or significant risk to public health;
- (d) The public and persons using the water system are protected from health hazards, health risks, pollution, and increased costs in the event that the proposed alternative does not meet the purpose of this rule; and
- (e) In the case of remediation of existing health hazards, the proposal shall be in compliance, as closely as possible with Appendix A of this rule, shall not be to accommodate new growth, and shall not violate drinking water quality standards.

3.7.3 Performance Security

The Secretary may require bonding or other security of an appropriate amount to ensure performance or replacement of any alternative in the event that it fails to meet the purpose of this rule. Security or bonding shall be established for a specified time period in each case.

3.7.4 Decision and Notice

The Secretary shall make the decision to allow or deny an alternate proposal in writing and shall state the reasons of the decision. A copy of each decision granted or approved under this section shall be posted for at least one month in the offices of the ~~municipalities~~ water system ownership

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and/or management in which the project is located. Additionally, when deemed appropriate by the Secretary based on actual or perceived potential direct impact to system users, the Secretary shall direct the **Public** water system to provide public notification to the users of the system in accordance with the provisions of Subchapter 21-10.

3.8 Petition for Declaratory Ruling

On petition of a person who may be affected by a statute or rule administered by the Agency, the Secretary shall issue a declaratory ruling as to the applicability of any statutory provision or any rule as provided for in 3 V.S.A. §808.

3.9 Compliance with Permits

The Secretary may issue a permit to the applicant subject to the conditions consistent with the purposes of this rule. No person shall proceed with a construction project except in accordance with the terms and conditions of the permit.

Subchapter 21-4 SOURCE and CONSTRUCTION PERMITS

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic Bottled** water systems.

4.0 General

Source permits for **Public Community** and **Domestic Bottled** water systems shall be governed by Section 4.1 of this subchapter, and the requirements of Appendix A, Part 3. Source permits for **Public Non-Community** water systems shall be governed by Appendix A Part 11.

Construction permits for, or improvements to, **Public Community** and **Domestic Bottled** water systems shall be governed by Section 4.2 of this subchapter, as well as the requirements of Appendix A, Parts 1 through 10, and 12.

Construction permits for **Public Non-Community** water systems shall be governed by Sections 4.2.4, and 4.2.8 of this subchapter and the requirements of Appendix A, Parts 11 and 12. For **Public Non-Community** water systems, some provisions of Parts 1-10 apply and are clearly noted in the text of Part 11 of Appendix A.

4.0.1 Prohibitions

No person shall begin construction of, alter, renovate, or convert for use as a **Public** water system, any system or any portion thereof, except as provided in Section 4.0.2 of this subchapter, without first receiving a Source Permit or Construction Permit from the Secretary.

4.0.2 Exemptions from Source and Construction Permits

No Construction Permit for **Public** water systems will be required for minor system improvements such as replacement of hydrants on existing distribution line(s), pipe extension projects of less than 500 feet, minor alterations or maintenance of an existing water system, and no source permit will be required for minor maintenance such as replacement of source pump or source structure repair, which would not in and of itself affect the quality or quantity of water service rendered, providing work is done according to the *Vermont Standards for Water System Design, Construction and Protection* (see Appendix A of this rule). It is recommended that the water supplier contact the Secretary for consultation on plans for minor improvements.

4.0.3 Applicability of Vermont Standards

In addition to meeting the applicable requirements of this rule, all water system changes including construction, alteration, renovation, installation, extension and/or connection after the

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date this rule become effective shall conform to the *Vermont Standards for Water System Design, Construction and Protection* in Appendix A.

4.1 Source Permits

4.1.0.1 Application Requirements

- (a) Source Permits are required for new **Public** water systems and **Domestic Bottled** water system sources and an increase in approved yield of existing **Public Community, Public Non-Transient Non-Community, and Bottled** water system sources, including but not limited to hydrofracturing and deepening of sources and other methods determined by the Secretary to impact quantity or quality of the well.
- (b) General procedural requirements for **Public Community** and **Domestic Bottled** water system Source Permits are outlined in subsection 4.1.1 below. Technical requirements for surface water are outlined in Appendix A, Subpart 3.2 and for groundwater in Appendix A, Subpart 3.3.
- (c) General procedural requirements for **Public Non-Community** water system Source Permits are outlined in Appendix A Parts 11 and 12.
- (d) Any permitted **Public Community, Non-Community, or Domestic Bottled** water source which has not been connected to the water system for a period of time greater than two years, may at the discretion of the Secretary, be required to obtain a valid Source Permit prior to connection of the source.

4.1.0.2 First-In-Time

For the purpose of determining first-in-time for rights to water source development or groundwater degradation, and to accommodate compatible land uses, the following shall be recognized as initiating a project:

- (a) Submittal of a substantially complete application for approval of a drinking water source;
- (b) Submittal of a substantially complete application for a building permit or sewage disposal permit for a non-state regulated project;
- (c) Submittal of a substantially complete application for a State Permit to dispose, discharge, or use any substance which may affect water quality;
- (d) Existing land and groundwater uses; or
- (e) Other state and local planning actions as reviewed on a case by case basis.

4.1.1 Water System Source Permit Process ~~a~~And General Requirements

The Secretary uses a step-by-step process culminating in the permitting of a **Public Community, Non-Community and Domestic Bottled** water source. No Source Permit or Construction Permit will be issued until all of the Secretary's concerns are addressed.

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Applicants for a Source Permit shall apply for and receive, as appropriate:

- (a) Source Construction approval;
- (b) Source Testing approval; and
- (c) Source Evaluation Report approval.

4.1.1.1 Step 1. Source Permit Application

Application Form

The purpose of the Source Permit Application is to record information required to determine whether the site at the proposed location is suitable for source construction.

Applications for a Source Permit shall be submitted on forms provided by the Secretary that request information such as maps indicating source locations, nearby land use activities, project plans, and property ownership.

4.1.1.2 Step 2. Site Inspection

At the discretion of the Secretary, a site inspection shall be conducted by the Drinking Water and Groundwater Protection Division, along with the applicant and/or consultants.

4.1.1.3 Step 3. Source Application Public Notice and Source Construction

- (a) For site(s) approved by the Secretary, and prior to construction of source, the applicant shall provide the Secretary with certification that all landowners adjoining the parcel containing the proposed source have been notified of the proposed source. Certification shall be provided prior to receiving source construction approval.
- (b) The Secretary will review their findings and write a review letter requesting more information, or one of site approval, conditional approval, or denial of approval for the proposed site.
- (c) Source Construction approval shall be valid for two years and may be renewed upon written request by the applicant at the discretion of the Secretary.
- (d) The applicant may then construct the proposed source per the Secretary's approved plans.

4.1.1.4 Step 4. Source Testing Application/Source Testing

The purpose of the source testing application is to provide the applicant and Secretary with a review of the information needed to determine that the testing and data to be collected will address the concerns of the Secretary with respect to source yield, quality, site, interference/allocation, source protection area delineation, ground water under the direct influence of surface water, and the risk from potential sources of contamination.

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- (a) Applications for Source Testing approval shall be submitted on a form provided by the Secretary. The form will request information regarding the source, such as pump test specifications, data collection, and other water uses in the area.
- (b) The Secretary will review a completed application and write a letter of approval, conditional approval, or denial.
- (c) Source Testing approval shall be valid for two years and may be renewed upon written request of the applicant at the discretion of the Secretary.

4.1.1.5 Step 5. Source Evaluation Report

Source evaluation reports must be prepared under the supervision of a hydrogeologist or engineer, knowledgeable in the field of well hydraulics and contaminant hydrogeology. Each report must consider and comment on the following:

- (a) Site isolation zone, ownership and/or easements;
- (b) Water Quality Results for the primary and secondary contaminants contained in Table 6-4-5 and Table 6-3-7 (Appendix A Subpart 3.2.4 includes information about additional monitoring that may be required);
- (c) Water Quantity (See Appendix A, subparts 3.2.3 and 3.3.3);
- (d) Source construction, as built engineering plans shall be included;
- (e) Interference with other water supply withdrawals as appropriate;
- (f) Source Protection Area and Protection Plan (See Subchapter 21-16);
- (g) Agricultural lands in source protection area; and
- (h) Additional studies as required by the Secretary.
- (i) For pumped groundwater sources the report shall include but not be limited to the following:
 - (1) A summary of the test design, test method, problems encountered, analysis used, and detailed hydrogeologic setting. Include a drawdown/discharge vs. discharge graph (S_w/Q vs Q) and evaluation of step test data using published methodologies acceptable to the Secretary.
 - (2) Published analytical method or any preapproved proprietary method proposed by the consultant and approved by the Secretary for safe yield appropriate to the hydrogeologic setting based on data collected from the constant discharge and recovery tests. Rationale for choice of analytical method.
 - (3) All calculations used in the determination of source yields, source protection areas, and interference with other source withdrawals.
 - (4) Plots of time drawdown data on log-log or semi-logarithmic paper for source yield tests.
 - (5) Plot of discharge vs time on the same semi-log plots of time vs drawdown for proposed production and observation wells. Plot of distance vs drawdown (if 2 or more observation wells are available).
 - (6) Plots of precipitation and temperature conditions occurring before, during, and after the testing, when appropriate.
 - (7) All raw data including drawdown, discharge, and recovery.

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- (8) A final source protection area delineated on a USGS topographic map or other base map as approved by the Secretary and include rationale, calculations and information specified in Appendix A, Subpart 3.3.6.2.
- (9) Geologic cross sections and groundwater contour maps when data are available.
- (10) Hydraulic information as requested on forms provided by the Secretary.
- (11) Well Completion Report on Agency form.
- (12) Calculations and tables of aquifer coefficients.
- (13) Information as necessary to evaluate whether groundwater is under the direct influence of surface water. See Appendix A, Subpart 3.4.
- (j) A source protection plan, including a contingency plan, for emergency actions in cases of loss of source use. See Subchapter 21-16.

4.1.1.6 Step 6. Source Protection Area Public Notice and Hearing

The Secretary shall give public notice of each proposed Public water source protection area through the Environmental Notice Board. The Secretary shall also give notice to landowners within the source protection area and all appropriate officials of municipalities and state agencies. The Secretary shall provide an opportunity for written comment or a public hearing, or both, on the proposed area before designating the area.

4.1.1.7 Issuance of Source Permit

- (a) Following the public comment period the Secretary will review a completed Source Evaluation Report and write either a Source Permit containing any required permit conditions or a letter of denial.
- (b) If the Secretary finds there are agricultural lands in the Source Protection Area which are likely to affect the proposed source but not likely to constitute a public health hazard, the secretary shall require the applicant to certify in the permit that the proposed source will be abandoned, replaced or treated if it becomes contaminated by agricultural activities conducted on the agricultural lands.
- (c) A Source Permit shall be valid for a period of two years and may be renewed upon written request of the applicant at the discretion of the Secretary if the source is not connected to the **Public** water system.
- (d) Once the permitted source is connected to the water system it shall then become a permitted component of the water system's infrastructure, and shall be referenced in the water system's Permit to Operate.

4.2 Construction Permits

4.2.1 Application Requirements

- (a) An application for a construction permit shall be made on an application form provided by the Secretary, signed by the applicant, and shall be accompanied by, but not limited to, maps and detailed plans and specifications of the **Public** water system prepared by or

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under the direction of a Registered Professional Engineer, other than exceptions as provided in Paragraph 4.0.2.

- (b) Applications for permits to construct **Public Non-Transient Non-Community** and **Public Transient Non-Community** water systems shall follow the requirements as described in Appendix A, Parts 11 and 12.

4.2.2 Long Range Plan and Engineer's Report

In addition to meeting applicable requirements of this rule, all new **Public Community** and **Non-Transient Non-Community** water systems shall submit a long range plan (including but not limited to managerial capacity and financial capacity criteria. See Appendix B) and an Engineer's Report (See Appendix A, Subpart 1.2). This plan and report must be approved by the Secretary and a determination made that the system has demonstrated capacity in accordance with Subchapter 21-15 and other applicable requirements prior to issuance of a construction permit.

4.2.3 Deviation from Approved Plans and Specifications

New water systems and modifications to water systems shall be constructed in accordance with the plans and specifications approved by the Secretary. Proposed deviations from the approved plans or specifications, operating units, the functioning of water treatment processes, or proposed change in the quality of the water to be delivered must be submitted in writing, except for minor field changes, for review and approval. A construction permit shall be obtained or amended by the Secretary before such changes are made.

4.2.4 Suspension and Revocation of Construction Permits

A construction permit may be suspended or revoked in accordance with Section 3.2 of this rule.

4.2.5 Site Restrictions

To the extent practicable, no new or expanded water system, or parts thereof, shall be located at a site which:

- (a) is subject to adverse effects from potential sources of contamination;
- (b) is subject to adverse effects from natural disasters; or
- (c) is located within the floodplain of a 100 year flood (except for sources and water lines).

4.2.6 Permit Conditions

Construction permits issued under this rule may include, but shall not be limited to, conditions which:

- (a) limit the duration of the permit;
- (b) require construction in accordance with the approved plans;
- (c) require observation of construction under the general supervision of a Registered Professional Engineer;

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- (d) require special studies or testing to evaluate risk of contamination;
- (e) state that the permit is not transferable;
- (f) require operation and maintenance manual, certified operator, and application for permit to operate before the system and/or its alterations and/or additions is placed in operation; and
- (g) require submission of record drawings prior to obtaining an Operating Permit.

4.2.7 Term of Construction Permits

For **Public Community**, **Public Non-Community**, and **Domestic Bottled** water systems, a construction permit shall be valid for two years, and may be renewed at the discretion of the Secretary.

4.2.8 Avoidance of Public Health Hazard or Risk

A construction permit for a **Public** water system shall not be issued or renewed if the Secretary determines that operation of the system will constitute a public health hazard or public health risk.

4.2.9 Public Service Board

In cases where the Public Service Board has authority over a water system, a condition of any construction permit issued will require that the applicant receive a Certificate of Public Good (CPG) from the Board prior to commencing any construction. In the event that the CPG requires material modifications to the approved plans and specifications, the applicant must receive an amended construction permit from the Secretary before beginning construction.

Water systems under the jurisdiction of the Public Service Board are specified in 30 V.S.A., §203(3), and are generally any system, not municipally owned, which sells water to one or more users. Applicants are encouraged to contact the clerk of the Public Service Board for additional information.

An applicant for a construction permit under this rule is responsible for timely application to the Public Service Board for its approval of the proposed water system and its rates.

Subchapter 21-5 OPERATING PERMITS

Introduction

This subchapter applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** water systems;
- (c) **Public Transient Non-Community** water systems and
- (d) **Domestic Bottled** water systems.

5.1 Prohibitions

No person shall conduct, control, manage, operate or maintain a **Public** water system without first receiving from the Secretary an operating permit.

5.2 Posting of Permit

The water supplier shall post the current and valid operating permit in a conspicuous place at the **Public** water system headquarters or **Public** water system treatment plant.

5.3 Operating Permits

- 5.3.1 Application for an operating permit shall be submitted to the Secretary, signed by the owner and shall contain such information as may be requested by the Secretary to enable him or her to determine whether the facility and its operation will comply with this rule.
 - (a) Application for an operating permit for a **Public** water system shall be made at least 30 days before the actual operation of the **Public** water system is to begin.
 - (b) In the event of an intended change, or an actual change, in the ownership of a **Public** water system, a written application for an operating permit shall be made by the prospective owner at least 30 days before the proposed change or actual change, and where applicable, notification shall be made to the Public Service Board (see Sections 4.2.9 and 3.6 above).
 - (c) Applications for new **Public** water systems shall include appropriate documentation to verify compliance with the construction permit conditions for the water system.
- 5.3.2 An operating permit shall be valid for the period of time specified in the permit and may be amended by the Secretary to include new standards or requirements.
- 5.3.3 A **Public** water system operating permit shall only be issued or renewed upon a finding by the Secretary, included in the permit that operation of the system will comply with this Rule and will not constitute a public health hazard or significant public health risk. Such finding shall be based on a review of the application and other applicable information. The Secretary may exempt **Public** water systems, or portions of those systems, which

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were in existence prior to September 24, 1992, and which do not pose a significant public health risk, from Appendix A requirements.

5.3.4 The owner shall be the applicant for an operating permit.

5.4 (Reserved)

5.5 Conditions

Public water system operating permits issued under this rule may include, but shall not be limited to, conditions which:

- (a) Require the construction, installation, operation and maintenance of any purification, disinfection or other water processing or treatment facility in accordance with this rule;
- (b) Require notification of the characteristics of the water provided by the system to the public by letter, notice or other means deemed appropriate by the Secretary in accordance with Subchapter 21-10 of this rule;
- (c) Limit the number of connections to the system where the water system is not suitable to serve future connections; factors limiting the number of connections to the system may include, but shall not be limited to:
 - (1) Inadequate water quantity to meet the demand of the water system as determined by the Secretary, in accordance with Appendix A of this rule;
 - (2) A water system operating without a permitted water source; or
 - (3) Repeated MCL violations.
- (d) Limit maximum and daily output of the system or source.

The maximum daily output and average daily output of the system or source shall be determined by the Secretary during the source permitting process in accordance with Part 3 of Appendix A. Factors limiting the maximum and daily output of the system or source may include, but shall not be limited to:

 - (1) type of source;
 - (2) safe yield;
 - (3) potential or actual sources of contamination;
 - (4) construction limitations; or
 - (5) interference problems.
- (e) Require the development and submission to the Secretary of a long range plan for expansion, capital improvement and future service area including items contained in Appendix B.
- (f) Contain any additional conditions, requirements, schedules, restrictions, monitoring or testing programs which are deemed necessary to assure compliance with this rule, or to prevent risk to public health.

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- (g) Require the submission of reports on the attainment of milestones established within the permit to the Secretary within fifteen (15) days after the required completion date of the milestone, signifying it has been attained. If the milestone has not been attained, the submission shall document the reasons for non-attainment and shall request in writing that the Secretary amend the permit. The Secretary shall review the permit and reasons given for non-attainment and may amend the permit or proceed with enforcement action against the **Public** water system.
- (h) Require the development, submission to the Secretary, and implementation of a water conservation plan as outlined in Appendix B.
- (i) Require the development, submission to the Secretary, and implementation of a Source Protection Plan as outlined in Subchapter 21-16.
- (j) Require the payment of permit fees.

Subchapter 21-6 DRINKING WATER QUALITY REQUIREMENTS

Introduction

This subchapter applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic and Imported Bottled** water systems.

6.1 General Requirements

6.1.1 **Public** water systems (except as provided by Subsection 6.1.4) shall comply with the maximum contaminant levels (MCLs), maximum residual disinfectant levels (MRDLs), monitoring requirements, routine sampling and repeat sampling requirements, treatment techniques, reporting requirements and public notification requirements for microbiological, inorganic chemical, organic chemical, radiological, and disinfection byproduct contaminants established in this subchapter, Subchapter 21-11, and in 40 CFR, Parts 141 and 143. The monitoring requirements in this subchapter and Subchapter 21-11 are minimums. Additional monitoring may be required by the Secretary to ~~insure~~ensure protection of public health and welfare. Water suppliers are encouraged to comply with Maximum Contaminant Level Goals where they have been established (see Section 6.154). The Secretary may grant exemptions to the required monitoring for **Public** water systems which purchase their source water from other permitted systems.

6.1.2 Samples required in this subchapter shall be collected, transported, and analyzed according to methods approved by the Vermont Commissioner of Health, EPA's approved test methods in 40 CFR Part 141, and the methods identified in Section 6.172. The analyses shall be done only by the Vermont Department of Health laboratory or by other laboratories certified by the Vermont Department of Health, except that

- (a) turbidity, chlorine, daily fluoride monitoring, corrosion control chemicals, color, specific conductance, temperature, residual disinfectant concentration, and pH as required by this subchapter, may be tested by certified water system operators;
and

- (b) **Imported Bottled** water systems located in the United States may submit results from laboratories inside that United States that are certified by the primacy agent for the EPA Public Water System Supervision Program in that state or accredited by a state or an authority recognized by the National Environmental Laboratory Accreditation Program;~~;~~ or **Imported Bottled** water systems located outside the United States may submit results from laboratories outside the United States that are certified by the appropriate national, regional or provincial governing agent;~~;~~
and

- ~~(c) Analysis of samples taken in compliance with Section 6.18 shall only be conducted by laboratories that have been certified by the Vermont Department of Health to analyze samples for PFHxS, PFHpA, PFNA, PFOS, and PFOA pursuant to EPA~~

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~~Method 537.1, or an alternative method authorized by the Secretary pursuant to Section 6.17.2, and to report results at the minimum reporting level of 0.000002 mg/L.~~

- 6.1.3 Approved analytical requirements for contaminants are established in 40 CFR, Part 141, except the approved analytical requirements for HFPO-DA, PFBS, PFHxS, PFHpA, PFNA, PFOS, and PFOA, which is established in Section 6.127. The Vermont Commissioner of Health, with the concurrence of the US Environmental Protection Agency, may approve any alternate analytical technique which is substantially equivalent in both precision and accuracy to any method specified in 40 CFR, Part 141 or Section 6.127.
- 6.1.4 **Public** water systems, except **Imported Bottled** water systems, shall comply with the sampling requirements established in this section and in 40 CFR, Part 141 unless a waiver has been granted in writing by the Secretary. Waiver of sampling requirements may be for specified contaminants and may be based on a Source Protection Plan which includes a vulnerability assessment, a susceptibility assessment, and the analytical results of previous sampling and waivers will be consistent with the waiver criteria specified in 40 CFR Parts 141 and 142.
- 6.1.5 **Public** water systems, except **Imported Bottled** water systems, are required to sample and report on source water quality as part of the Source Permit process in Appendix A Part 3.
- 6.1.6 **Community and Non-Transient Non-Community and Domestic Bottled** water systems shall monitor for the contaminants as noted in Tables 6-4-5 and 6-2-7 of this section. **Transient Non-Community** water systems shall monitor for the contaminants listed in Tables A11-5 and A11-6 in Appendix A, Part 11.
- 6.1.7 Notwithstanding the reference to “all **Public** water systems” or “~~P~~**ublic** water systems” in Sections 6.2, 6.3, and 6.5 through 6.124, these sections do not apply to **Imported Bottled** water systems. Subchapter 21-11 establishes the monitoring requirements for **Imported Bottled** water systems.
- 6.1.8 When applying Sections to 6.6, 6.8, 6.9, and 6.10 to **Domestic Bottled** water systems, the sampling location of “entry point to the distribution system” shall mean the following locations: locations representative of each source prior to treatment and from each finished bottled water product type and package size.
- 6.1.89 When applying Sections to 6.2, 6.3, and 6.5 through 6.132 to **Domestic Bottled** water systems, sampling shall be at the frequency and number of samples identified in Table 6-26.
- 6.1.10 All maximum contaminant levels (MCL) are expressed in the number of significant digits permitted by the precision and accuracy of the specified analytical procedure(s). Data reported should be in a form containing the same number of significant digits as the

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MCL included in Table 6-5. In calculating data for compliance purposes, it is necessary to round-off by dropping the digits that are not significant. The last significant digit should be increased by one unit if the digit dropped is 5, 6, 7, 8, or 9. If the digit is 0, 1, 2, 3, or 4, do not alter the preceding number.

6.1.11 When a **Public** water system installs treatment, is permitted to blend sources, or otherwise adjusts operational controls to achieve compliance with an MCL in this section or Table A11-6, except for the *E. coli* MCL, turbidity MCL, lead and/or copper action levels, or Disinfection Byproducts MCLs, it shall commence sampling for that specific contaminant(s) on a quarterly basis as established by the Secretary to ensure the efficacy of the treatment, blending or operational changes. These systems shall not be eligible for a reduction in sampling frequencies established in 40 CFR 141 or detailed below. This section does not apply to monitoring and reporting of disinfectant residual(s), surface water filtration parameters, corrosion control water quality parameters, fluoride concentrations (when applied for dental benefits), and phosphate residuals (when providing corrosion control or sequestration of inorganics). Monitoring and reporting requirements for these items are established elsewhere in this rule and will have different monitoring and reporting frequencies.

6.2 Filtration and Disinfection of Surface Waters and Groundwater Under the Direct Influence of Surface Waters

6.2.1 All **Public** water systems using surface water sources and groundwater sources under the direct influence of surface water (see definition in 40 CFR, §141.2) must comply with the provisions of 40 CFR, Part 141, Subpart H, Filtration and Disinfection.

Waivers of the requirements of this section may be granted by the Secretary, in accordance with the provisions of Subsection 6.2.2.

6.2.2 The requirements of Subsection 6.2.1, to filter surface water sources and groundwater sources under the direct influence of surface water, may be waived by the Secretary, after a review conducted in accordance with the provisions of 40 CFR, §141.71, Criteria for Avoiding Filtration, and 10 V.S.A. Chapter 56, as amended.

6.2.2.1 The Secretary shall review each application for a construction grant under 10 V.S.A., §1624 to determine whether the project qualifies for an avoidance of filtration waiver and shall notify the applicant of the results of that review. The applicant shall be afforded the opportunity to submit information in support of a positive finding. Criteria for evaluation under this subsection shall not prohibit human activity within the watershed of the source, provided that such human activity does not constitute a public health hazard or a significant public health risk.

6.2.2.2 The Secretary shall grant an avoidance of filtration waiver to a **Public** water system when an applicant demonstrates that the water system has a proven record of delivering adequate quantities of clean and safe drinking water, and that adequate protection of the surface water source is or may be assured. An applicant under this section should contact

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the Drinking Water and Groundwater Protection Division for guidance on the demonstrations required in this section.

6.2.2.3 **Public** water systems must comply with 40 CFR, §141.71(a) for bacteria coliform concentrations; 40 CFR, §141.71(a)(2) for turbidity; and with the provisions of 40 CFR, §141.71(b) for site-specific conditions, in order to avoid the filtration requirements of Subsection 6.2.1.

6.2.2.4 If the Secretary denies an application for avoidance from the requirement to filter surface water, the owner of the water system may appeal the decision to the Water Resources Board within 30 days of such decision.

6.2.3 All **Public** water systems using a groundwater source and any new proposed groundwater sources must obtain a determination by the Secretary as to whether the groundwater source is under the direct influence of surface water.

The Secretary, when making the determination under this subsection, will use the criteria established under the provisions of 40 CFR, §142.16 (b)(2)(i)(B) as set out in Appendix A, Subpart 3.4.

All water systems using groundwater sources shall provide the Secretary information necessary to determine whether a source is under the direct influence of surface water.

6.3 Enhanced Filtration and Disinfection

Public water systems that use surface water or groundwater under the direct influence of surface water and serve 10,000 people or more shall comply with the provisions of 40 CFR, Part 141, Subpart P - *Enhanced Filtration and Disinfection*. See Subsection 7.9 for Composite Correction Program requirements.

All **Public** water systems that use surface water or ground water that is under the direct influence of surface water shall comply with the provisions of 40 CFR, Subpart T Sections 141.500-571 and Subpart W Sections 141.700-723. The purpose of the Long Term 2 Enhanced Surface Water Treatment (LT2) rule is to reduce disease incidence associated with *Cryptosporidium* and other pathogenic microorganisms in drinking water.

6.4 Disinfectant and Disinfection Byproduct Monitoring Requirements and Treatment Requirements for Control of Disinfection Byproduct Precursors.

Public Community and Non-Transient Non-Community water systems which add a chemical disinfectant to the water in any part of the drinking water treatment process shall comply with the provisions of 40 CFR, Part 141, Subpart L Section 141.130-135, *Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors* and Subpart G – *National Primary Drinking Water Regulations: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels*.

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The Stage 2 Disinfection Byproduct (DBP) rule applies to **Public Community and Non-Transient Non-Community** water systems that add and/or deliver water that is treated with a primary or residual disinfectant other than ultraviolet light. These systems shall comply with the provisions of 40 CFR Part 141, Subpart U Section 141.600-605 and Subpart V Section 141.620-629. The Stage 2 DBP rule builds upon earlier rules that addressed disinfection byproducts to improve drinking water quality and provide additional public health protection from disinfection byproducts.

6.5 Lead and Copper

All **Public** water systems, except **Domestic Bottled** water systems, shall comply with the provisions of 40 CFR, Part 141, Subpart I, *Control of Lead and Copper*, including §141.80-91.

6.6 Bacteriological Monitoring Requirements

6.6.1 All **Public** water systems shall comply with the provisions of 40 CFR, Part 141, Subpart Y *Revised Total Coliform Rule* including §141.851-861 except as identified in Sections 6.6.2.1 and 6.6.2.2 below.

~~(a.)~~ All ~~p~~**Public** water systems shall maintain documentation of personnel performing sampling, monitoring, and site assessments, including, as a minimum, the name and qualifications of the personnel.

~~(b.)~~ All plans, procedures, proposed schedules, and requests shall be submitted in writing to the Secretary. For a request, the system shall state the request and basis for the request and include any supporting documentation.

6.6.2 All **Public** water systems shall conduct coliform sampling in accordance with 40 CFR, §141.853 General monitoring requirements for all ~~Public~~**public** water systems.

6.6.2.1 Routine monitoring required for all **Public** systems. All **Public** systems shall collect the number of routine samples based on their respective populations as identified in Appendix C. Reduced monitoring shall not be permissible at any public drinking water system. Baseline Monitoring frequency shall be established as follows:

~~(a.)~~ Community Systems shall collect routine samples on a monthly frequency;

~~(b.)~~ Seasonal Systems shall collect routine samples on a monthly frequency the months in which they are in operation;

~~(c.)~~ All systems using surface water as a source shall sample on a monthly frequency;

~~(d.)~~ All Non-community systems serving over 1,000 users in population, regardless of source type, shall sample on a monthly frequency.

e.) All non-community systems, using only groundwater, operational year-round, and serving 1,000 or fewer users shall collect routine samples on a quarterly frequency unless and until triggering increases monitoring as identified in 40 CFR §141.854(f)(1) - (f)(4).

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6.6.2.2. Repeat Sampling: Repeat sampling under 40 CFR 141.858 directs water systems to collect repeat samples within 24 hours of notification of a total coliform or *E. coli* present sample. The system shall, on the same day, collect no fewer than three repeat samples for each total coliform-positive sample found.

a.) Should a routine sample result show the presence of *E. coli*, the water system shall collect repeat samples within 24 hours of being notified of the result. If the system is unable to collect repeat samples within 24 hours of being informed of the result, it shall implement a boil water notice until the system receives results of the repeat samples and documents that all repeat sample results are total coliform absent. Repeat samples shall be collected pursuant to the same procedures and notification requirements under 40 CFR 141.858 if the system violates the *E. coli* MCL under 40 CFR 141.860(a), the system must update the boil water notice to inform users of violation of the *E. coli* MCL, complete a Level 2 site assessment, address all sanitary defects identified, and collect the necessary number of samples required to lift the boil water notice based on the total water system population as identified in Appendix C.

b.) Should a routine sample show only the presence of total coliform (*E. coli* absent), the twenty-four hour time limit to collect repeat samples may be extended to seven days from the date of notification of the total coliform positive sample (*E. coli* absent) when one or more of the following conditions beyond the control of the ~~Public~~**Public** water system prevent it from complying:

(i.) Collection of samples within twenty-four hours would result in the holding time being exceeded before analysis is started due to limited delivery or courier service or a laboratory not being open.

(ii.) Sample bottles could not be obtained due to certified laboratories being closed on a weekend or holiday.

(iii.) Extreme weather conditions create unsafe travel or on-site conditions for the person collecting the samples.

c.) Upon a request from a ~~public~~**Public** water system, the Secretary may extend the twenty-four-hour limit on a case-by-case basis when the ~~public~~**Public** water system has a logistical problem collecting the repeat samples within twenty-four hours other than those specified in this paragraph or when one or more of the conditions in paragraph (b) above create an unavoidable delay longer than seven days. When an extension is granted by the Secretary, the Secretary shall specify and document how much time the ~~public~~**Public** water system has to collect repeat samples.

d.) Results of all routine and repeat samples taken under 6.6.2.2 not invalidated by the State must be used to determine whether a coliform treatment technique trigger specified in 40 CFR 141.859(a) has been exceeded.

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6.6.2.3 Upon triggering monthly monitoring under 6.6.2.1.e above, to return to quarterly monitoring, the groundwater, non-community system, serving under 1,000 in population, on a year-round basis shall:

- a.) complete a sanitary survey or voluntary Level 2 Site Assessment by the State or a party approved by the State;
- b.) be free of sanitary defects;
- c.) have a protected source; and
- d.) have a clean compliance history for the previous 12 consecutive months.

6.6.3 Seasonal water systems shall:

- (a.) conduct coliform sampling in the months in which the systems serves water to a public population.
- (b.) complete the seasonal startup form and certification regardless of whether the system remains pressurized in the off season.
- ~~(c.)~~ submit completed start up certification form within 10 days of the end of the month in which the system opens to the public.
- ~~(d.)~~ collect a routine monthly coliform sample within the first month in which they open.

6.6.4 All **Ppublic** water systems shall have a coliform sample siting plan that identifies sampling locations and schedules representative of the water in the distribution system. These plans shall be on a form provided by the Secretary and shall be subject to review and approval by the Secretary. Sample siting plans shall be reviewed during each sanitary survey, following water system upgrades that the Secretary identifies as impacting the sampling locations or adequate water system representation, following changes in water quality or system hydraulics, or otherwise at the discretion of the Secretary. Sample siting plans and adequacy of existing sampling locations shall be reviewed as part of the Level 1 and Level 2 Site Assessments. Sampling for compliance purposes shall be conducted according to the approved sample siting plan.

6.6.4.1 Special Monitoring Evaluation: Sanitary Surveys are performed at Community systems within every 3 years and every 5 years at NTNC and TNC systems. During sanitary surveys, regardless of system size, staff shall review the sample siting plan and sampling locations to ensure the plan accurately reflects the distribution system. Staff shall ask to visit or view at least one of the sampling locations, if not more, based on availability and feasibility, to ensure the sanitary integrity is not suspect and to ensure adequate representation. Rule management staff shall perform a compliance review and consultation to confirm the system is sampling according to the minimum required frequency.

6.6.5 Site assessments and ~~s~~Sanitary ~~d~~Defects:

6.6.5.1: Level 1 ~~s~~Site ~~a~~Assessments require a completed state-generated form and a validly-certified drinking water system operator of the same class as or greater class than the water system shall conduct the assessment.

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6.6.5.2: Level 2 site assessments require the completion of a state-generated form and the State or a State-approved party shall complete the assessment.

6.6.5.3: Sanitary defects are anything that can allow contamination into the water system or that identify an imminent failure of an existing barrier.

6.6.5.4

a.) Consultation with the State for Level 1 ~~s~~Site ~~a~~Assessments:

Systems shall complete the assessment and submit the form within 30 days. These are completed by any certified operator of the same class of the system or greater. The forms have contact phone numbers for Division staff to assist in the process if the system has questions while performing the assessment. Systems must seek an extension in writing; using the Level 1 form if additional time is required for the assessment. Staff will follow-up with the necessary system personnel after manually reviewing the form if there is need for discussion.

b.) ~~Level 2~~: Level 2 site assessments are conducted by trained individuals or Division staff. The forms have contact phone numbers for Division staff to assist in the process if the system has questions while performing the assessment. Systems must seek an extension in writing using the water system portion of the Level 2 form if additional time is required for the assessment.

Staff will ~~follow-up~~follow up with the necessary system personnel after manually reviewing the form if there is need for discussion.

6.6.46 All **Public** water systems that use groundwater, except ~~public~~Public water systems that combine all of their ground water with surface or with ground water under the direct influence of surface water prior to treatment under Subpart H, must comply with the provisions of the Ground Water Rule 40 CFR Subpart S, Sections 141.400-141.405. For the purposes of this subpart, “ground water system” is defined as any ~~public~~Public water system meeting this applicability statement, including consecutive systems receiving finished ground water.

The fecal indicator for all ~~public~~Public water systems in Vermont shall be *E.coli*.

6.7 Turbidity Monitoring Requirements

6.7.1 All **Public** water systems shall meet the turbidity monitoring requirements of 40 CFR, Sections 141.22 and 141.74.

6.7.2 A monthly turbidity monitoring report shall be submitted to the Secretary within ten days after the end of the month (See Subchapter 21-9).

6.8 Inorganic Chemical Monitoring Requirements

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- 6.8.1 All **Public** water systems shall conduct inorganic chemical monitoring in accordance with 40 CFR §141.23, *Inorganic Chemical Sampling and Analytical Requirements*. Compliance with the MCL for arsenic shall be determined by the methods described in 40 CFR 141.23.

6.9 Organic Monitoring Requirements

All **Public** water systems shall conduct organic chemical monitoring in accordance with 40 CFR §141.24, *Organic Chemical, Sampling and Analytical Requirements*.

6.10 Radionuclide Monitoring Requirements

All **Public** water systems shall conduct radionuclide monitoring in accordance with 40 CFR, §141.26, *Monitoring Frequency for Radioactivity in **Community** water systems*.

6.11 Recycle Provisions

All **Public** water systems using surface water sources and groundwater sources under the direct influence of surface water (see definition in 40 CFR, §141.2) must comply with the provisions of 40 CFR, Part 141, Subpart H, Recycle Provisions.

6.12 Regulation of Per and Polyfluoroalkyl Substances (PFAS)

Public Community and Non-Transient Non-Community water systems shall comply with the provisions of this section. The Secretary may require **Public Transient Non-Community** water systems to conduct sampling for PFAS in accordance with this section when contamination is known or suspected of being present to ensure protection of public health and welfare. When being directed to do so by the Secretary, **Transient Non-Community** water systems shall comply with this section.

- 6.12.1 Analytical Requirements. As of the date of this regulation and for all future PFAS sampling, to demonstrate compliance with this section, water systems shall only use the following analytical methods:

a. EPA Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry, 815-B-19-020, November 2019. or

b. EPA Method 537.1, Version 2.0: Determination of Selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS). EPA/600/R-20/006, March 2020.

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6.12.1.1 Analyses under this section for regulated PFAS must only be conducted by laboratories that have been certified by the EPA or the Vermont Department of Health.

6.12.1.2 For all samples analyzed for PFAS as defined in this Rule, laboratory analyses shall include data with concentrations as low as the following respective trigger level(s):

Table 6-1

<u>Contaminant</u>	<u>Trigger Level</u>
<u>Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, PFNA)</u>	<u>0.5 (unitless)</u>
<u>HFPO-DA</u>	<u>5 nanograms per liter (ng/l)</u>
<u>PFHxS</u>	<u>5 ng/l</u>
<u>PFNA</u>	<u>5 ng/l</u>
<u>PFOA</u>	<u>2.0 ng/l</u>
<u>PFOS</u>	<u>2.0 ng/l</u>

6.12.2 PFAS monitoring requirements:

6.12.2.1 Sampling locations for PFAS monitoring:

- a. Public Community and Non-Transient Non-Community water systems, shall take a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment during normal operating conditions per sampling event. For the purpose of Section 6.12 of this rule, the entry point to the distribution will hereinafter be referred to as “sampling point.”
- b. If a system draws water from more than one source and the sources are combined before distribution, for that sampling site the system shall sample at a sampling point where water is representative of all sources supplying the entry point during normal operating conditions.
- c. Composite sampling among multiple sampling points shall not be used.

6.12.2.2 Monitoring frequency for monitoring of PFAS at **Public Community and Non-Transient Non-Community** water systems.

- a. Initial monitoring requirements
 - i. Water systems that have conducted compliance sampling under this rule or Act 21 of 2019 for PFAS since July 1, 2019 in which analysis was performed for PFOA, PFOS, PFHxS, PFNA, HFPO-DA and PFBS and have had a reported concentration of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS equal to or above a trigger level identified in Table 6-1 from at least one sampling point based on sample analysis performed either under EPA method 537.1 or 533 shall sample once per calendar

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quarter at the respective sampling point(s) that had historic detections beginning January 1, 2026 (or the effective date of this rule, whichever is later).

- ii. Water systems that have conducted at least two rounds of compliance sampling for PFAS since July 1, 2019 under this rule or Act 21 of 2019 with sampling point monitoring in which analysis was performed for PFOA, PFOS, PFHxS, PFNA, HFPO-DA and PFBS and that did not have a reported concentration of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS equal to or above a trigger level identified in Table 6-1 (commonly referred to as “non-detect” sample results) based on sample analysis performed either under EPA method 537.1 or 533 shall sample according to the schedule below at the respective sampling point(s):
 1. Systems serving a population of 10,000 and fewer individuals that are classified as a groundwater system shall collect two consecutive samples, taken five to seven months apart, per entry point to the distribution system, within a 12-month period. Systems that have fewer than the number of samples required in a continuous 12-month period based on sampling since July 1, 2019 shall collect one sample in a month that is five to seven months apart from the month in which the most recent previous sample was taken. This sampling shall be completed no later than April 1, 2027. The most recent data from any specific monitoring period shall be applied to assess if the initial monitoring requirements have been satisfied.
 2. Systems serving a population of 10,001 or more individuals that are classified as groundwater or any population surface water or groundwater under the direct influence of surface water system shall collect four samples in consecutive quarters, two to four months apart, per entry point to the distribution system within a 12-month period. Systems that have fewer than the number of samples required in a continuous 12-month period based on sampling since July 1, 2019 shall collect samples two to four months apart until all four calendar quarters are represented. This shall be done by collecting one sample in each quarter that was not previously represented. This sampling shall be completed no later than April 1, 2027. The most recent data from any specific monitoring period shall be applied to assess if the initial monitoring requirements have been satisfied.
 3. All systems that use both surface water and groundwater must apply the requirements in sections 6.12.2.2(a)(ii)(1) and (ii)(2) above depending on the source(s) of water provided at a given entry point to the distribution system. If the entry point to the

distribution system provides surface water, the requirements for surface water systems apply. If the entry point to the distribution system provides groundwater, the requirements for groundwater systems apply, based on system size. If an entry point to the distribution system provides a blend of surface water and groundwater, the requirements for a surface water system apply. For systems that change the source water type at an entry point to the distribution system during the initial monitoring period (i.e., one part of the year it is surface water and the remaining part of the year it is groundwater), the sampling requirements for a surface water system apply.

4. New water systems, newly regulated water systems, or other water systems that have not completed initial PFAS monitoring prior to April 1, 2027 shall collect samples according to 6.12.2.2(a)(ii)(1) or (ii)(2) based on their population and source water type, to be completed no later than 12 months following activation of the water system.
5. Data received from water systems that sampled under the US EPA's Fifth Unregulated Contaminant Monitoring Rule (UCMR5), which includes analysis of 29 PFAS chemicals, shall be applied toward meeting the sampling requirements identified in section 6.12.2.2(a)(ii)(1) and (ii)(2) above. Additional sampling may be required to fully satisfy initial sampling requirements of this section as detailed above.

b. Compliance monitoring for PFAS

- i. For those **Public** water systems that historically had non-detect samples identified in 6.12.2(a)(ii) above, upon completion of initial monitoring or after April 1, 2027, whichever is sooner, compliance monitoring shall commence according to the framework established in 6.12.2(b)(iv) below based on the results of each respective sampling point.
- ii. For those **Public** water systems with sampling results from at least one sampling point that had detection(s) for the listed PFAS chemicals following sampling after July 1, 2019, upon completing four (4) consecutive calendar quarters of sampling, compliance monitoring shall commence according to Section 6.12.2.2(b)(iv) below based on the results of each respective sampling point.
- iii. A **Public** water system that installs treatment to address PFAS shall be required to sample at least as frequently as quarterly or otherwise directed by the Secretary. There shall be no framework for reduction in monitoring

in this instance.

iv. Compliance monitoring schedule

1. Based on initial monitoring results, at the start of the monitoring period that begins on April 1, 2027 or upon completion of initial monitoring, whichever is sooner, systems may reduce monitoring at each sampling point at which all reported sample concentrations were below trigger levels defined in Table 6-1, unless otherwise directed by the Secretary. At eligible sampling points, each water system must analyze one sample for all regulated PFAS during each three-year monitoring period, during the assigned monitoring period, in the quarter in which the highest analytical result was detected during the most recent round of quarterly or semi-annual monitoring. If there has never been a detection of PFAS over the trigger level established in Table 6-1, the Secretary will assign a quarter within the three-year monitoring period in which the water system is required to sample based on workload, laboratory capacity and other relevant considerations. If a sampling point is not eligible for triennial monitoring, then the water system must monitor quarterly at the start of the compliance monitoring period.
2. If, during the compliance monitoring period, a system is monitoring triennially and a PFAS listed in Table 6-5 is detected at a level equal to or exceeding the trigger levels stated in Table 6-1 in any sample, then the system must monitor quarterly for all regulated PFAS beginning in the next quarter at the sampling point. The triggering sample must be used as the first quarter of monitoring for the running annual average calculation.
3. For all source water types, the Secretary may determine that all regulated PFAS at a sampling point are reliably and consistently below the MCL after considering, at a minimum, four consecutive quarterly samples collected during the compliance monitoring period. A sampling point that the Secretary has determined to be reliably and consistently below the MCL is required to collect annual samples for at least the first three years after that determination is made. Annual samples must be collected in the quarter in which detected concentrations were highest during the most recent year of quarterly monitoring. If, after three consecutive years, annual samples all contain results that are below the trigger levels defined Table 6-1, the Secretary may allow a system to begin triennial monitoring at the sampling point. The water system must collect triennial samples in the quarter with the highest concentrations during the most recent

round of quarterly sampling. If an annual sample meets or exceeds an MCL or the Secretary determines that the result is not reliably and consistently below the MCL for all regulated PFAS, then the system must monitor quarterly for all regulated PFAS beginning in the next quarter at the sampling point.

- a. Where the results of PFAS indicate an exceedance of a MCL, the Secretary may require that one additional sample be collected as soon as possible after the initial sample was taken (but not to exceed two weeks) at the same sampling point.
 - b. If a Secretary-required confirmation sample is taken for any contaminant, then the results of the initial and confirmation sample shall be averaged. The resulting average shall be used to determine the system's compliance in accordance with the respective PFAS MCL(s). The Secretary has the discretion to delete results of obvious sampling errors.
4. The Secretary may increase the required monitoring frequency, where necessary, to detect variations within the system (e.g., fluctuations in concentration due to seasonal use, changes in water source).
5. Upon sampling, should a water system's results indicate PFAS at or above a trigger level as identified in Table 6-1, the system shall conduct sampling for analysis and reporting of all chemicals captured under the respective analytical method.

6.12.2.3 Determination of compliance with the PFAS MCL(s)

- a. Compliance with the PFAS MCLs shall be calculated using a running annual average of each respective regulated compound or mixture of compounds at each respective sampling point as established in Table 6-5. Sampling data from samples collected prior to the effective date of this rule that are on file with the Secretary that meet the analytical standards of this section will not be used to calculate the running annual average to assess compliance with the MCLs. This sampling data will only be used to assess the schedule for sampling as identified in 6.12.2.2(a)(i) and (ii) above.
- b. If a system fails to collect the required number of samples specified in this section, this is a monitoring violation, and compliance calculations shall be based on the total number of samples collected.

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c. If a sample result exceeds an MCL, the system will not be considered in violation of the MCL until it has completed one year of quarterly sampling at the sampling point with the triggering sample used as the first quarter of monitoring for the running annual average calculation. However, whenever a sample result in any quarter (or quarterly average, if more than one compliance sample is available in a quarter because a confirmation sample was required by the Secretary) causes the running annual average to exceed the MCL at a sampling point regardless of the subsequent quarterly monitoring results required to complete a full year of monitoring (e.g., the results from a single sample are more than 4 times the MCL), the system is out of compliance with the MCL immediately.

d. Calculation of compliance with an individual MCL

- i. Systems conducting quarterly PFAS monitoring shall divide the sum of the measured quarterly concentrations for each analyte by the number of quarters samples were collected for that analyte during the consecutive quarters included in the calculation. If more than one compliance sample for that analyte is available in a quarter because a confirmation sample was required by the Secretary, systems shall average all the results in a quarter then average the quarterly averages. Rounding does not occur until the end of the calculation. If the running annual average exceeds the MCL, the system is not in compliance with the MCL requirements.
- ii. For systems monitoring annually, if the concentration measured is equal to or exceeds an MCL for any regulated PFAS, the system is required to initiate quarterly monitoring for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring for the running annual average calculation.
- iii. For systems monitoring triennially, if the concentration measured is equal to or exceeds the trigger level, the system is required to initiate quarterly monitoring for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring for the running annual average calculation.
- iv. For the purpose of calculating MCL compliance, if a sample result is less than the practical quantitation level (PQL) for a regulated PFAS, in accordance with Table 6-2, zero is used for that analyte solely to calculate the running annual average.

Table 6-2

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<u>Contaminant</u>	<u>PQL (in ng/L)</u>
<u>HFPO-DA</u>	<u>5.0</u>
<u>PFBS</u>	<u>3.0</u>
<u>PFHxS</u>	<u>3.0</u>
<u>PFNA</u>	<u>4.0</u>
<u>PFOA</u>	<u>4.0</u>
<u>PFOS</u>	<u>4.0</u>

e. For each PFAS regulated under the Hazard Index MCL:

- i. Systems monitoring quarterly shall divide the observed sample analytical result for each analyte included in the Hazard Index by the corresponding Health Based Water Concentration (HBWC) listed in Table 6-3 below to obtain a hazard quotient for each analyte for each sampling event at each sampling point. The resulting hazard quotients shall be added together to determine the Hazard Index for the quarter. If the Secretary requires a confirmation sample for an analyte in the quarter, systems must average these results for each analyte in that quarter and then determine the hazard quotient(s) from those average values, then sum the hazard quotients. Once the Hazard Indices for the individual quarters are calculated, they are averaged to determine a running annual average. If the running annual average Hazard Index exceeds the MCL and two or more Hazard Index analytes had an observed sample analytical result at or above the PQL in any of the quarterly samples collected to determine the running annual average, the system is in violation of the Hazard Index MCL. No rounding shall occur until after the running annual average Hazard Index is calculated.

Table 6-3

<u>Contaminant</u>	<u>Health Based Water Concentration (HBWC)</u>
<u>HFPO-DA</u>	<u>10 ng/L</u>
<u>PFBS</u>	<u>2,000 ng/L</u>
<u>PFHxS</u>	<u>10 ng/L</u>
<u>PFNA</u>	<u>10 ng/L</u>

- ii. If the Hazard Index calculated using the results of an annual sample equals or exceeds the Hazard Index MCL, the system shall initiate quarterly sampling for all regulated PFAS beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring.
- iii. If the Hazard Index calculated using the results of a triennial sample equals or exceeds the Hazard Index trigger level, the system shall initiate quarterly sampling for all regulated PFAS

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beginning in the next quarter at the sampling point, with the triggering sample result used as the first quarter of monitoring.

- iv. If a sample result is less than the practical quantitation level for a regulated PFAS, in accordance with Table 6-2, zero shall be used for that analyte solely to calculate the running annual average.
- f. Sample results for all PFAS monitoring shall be submitted by the water system to the Secretary no later than 10 days following the close of the respective monitoring period. Laboratories may submit data on behalf of water systems, but it is the water system's obligation to ensure submission of data.
- g. Upon exceeding the MCL(s) water system shall reduce PFAS in water served to users. Best Available Technologies for PFAS regulated in this section include:
 - i. Anion exchange
 - ii. Granular Activated Carbon (GAC)
 - iii. Reverse osmosis
 - iv. Nanofiltration

6.12.2.4 Capital Improvement Extension-

- a. When a public water system exceeds PFAS MCL(s), the Secretary shall, upon collaboration with the water system and its applicable consultants, establish a timeline under which the system will address PFAS. A public water system may request in writing an extension to comply with the respective PFAS MCL(s) timeline through clear documentation showing that installation of treatment, development of a new source, or other means to address PFAS contamination could not be completed within the required timeframe, despite a good faith effort to comply. Such requests will be evaluated on a case-by-case basis. If a system demonstrates to the Secretary's satisfaction that the water system has obtained all necessary permits and has exhausted its options to minimize any delay, the Secretary shall grant an extension from enforcement, in writing, to allow for the completion of the project. The extension shall be for a reasonable amount of time based on the system's circumstances, not to extend past April 1, 2031. When the above requirements are satisfied, reasons for granting an extension may include:
 - i. Project delays are due to no fault of the water system and are outside of the control of the water system.
 - ii. Cost over-runs result in the need to complete re-bonding efforts or otherwise procure additional funding that leads to delays.
 - iii. Inability to obtain specific technical equipment in a timely manner and there is no other option for similar equipment.

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- iv. Wide-spread shortages on equipment and/or media led to project delays.
- v. The project relies on specialized professionals who are unable to meet the project completion timeline and the water system has documented a good-faith effort to exhaust options to engage with other such professionals.
- vi. Natural disaster(s) or other unforeseen circumstances deemed responsible for directly contributing to the project delay.
- vii. Any other factor not specified above that the Secretary believes to be significant in adding to project delays.

b. An extension granted according to 6.12.2.4(a) shall only apply to the timeline by which the water system addresses PFAS and does not relieve the system of any other duty or responsibility under the Rule. If the Secretary denies a request for an extension, the water system will be provided a written explanation of the denial.

6.12.2.5 Raw water monitoring requirements for PFAS.

- a. If a sampling point is supplied by more than one source, and the concentration for any regulated PFAS compound established in Table 6-5 for a sample taken at the sampling point is above one or more of the MCLs in Table 6-5, the Secretary may direct the water system to collect individual raw water source samples.
- b. The raw water monitoring data obtained pursuant to 6.12.5(a) shall not be used to determine compliance with the MCL(s). The raw water monitoring data shall principally be used in the identification of remedy selection when non-compliance with the MCL(s) has been identified.

6.12.2.6 Blending of sources. Blending of multiple sources as a permanent means of achieving compliance with the PFAS MCL(s) due to contamination of one or more source(s) shall not be permissible.

6.12.2.7 Health Language

Public notice following exceedances of the respective MCL(s) and as instructed in section 6.12.2.8 below shall include the following applicable major sources in drinking water and health effects language based on the contaminant(s) for which the MCL(s) are exceeded:

Table 6-4

<u>Contaminant</u>	<u>Major Sources</u>	<u>Health Effects Language</u>
<u>PFOA</u>	<u>Discharge from manufacturing and industrial chemical facilities, use of certain consumer products,</u>	<u>Some people who drink water containing PFOA in excess of the MCL over many years may have increased health risks such as cardiovascular, immune, and</u>

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<u>Contaminant</u>	<u>Major Sources</u>	<u>Health Effects Language</u>
	<u>occupational exposures, and certain firefighting activities.</u>	<u>liver effects, as well as increased incidence of certain types of cancers including kidney and testicular cancer. In addition, there may be increased risks of developmental and immune effects for people who drink water containing PFOA in excess of the MCL following repeated exposure during pregnancy and/or childhood</u>
<u>PFOS</u>	<u>Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.</u>	<u>Some people who drink water containing PFOS in excess of the MCL over many years may have increased health risks such as cardiovascular, immune, and liver effects, as well as increased incidence of certain types of cancers including liver cancer. In addition, there may be increased risks of developmental and immune effects for people who drink water containing PFOS in excess of the MCL following repeated exposure during pregnancy and/or childhood.</u>
<u>PFHxS</u>	<u>Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.</u>	<u>Some people who drink water containing PFHxS in excess of the MCL over many years may have increased health risks such as immune, thyroid, and liver effects. In addition, there may be increased risks of developmental effects for people who drink water containing PFHxS in excess of the MCL following repeated exposure during pregnancy and/or childhood.</u>
<u>PFNA</u>	<u>Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.</u>	<u>Some people who drink water containing PFNA in excess of the MCL over many years may have increased health risks such as elevated cholesterol levels, immune effects, and liver effects. In addition, there may be increased risks of developmental effects for people who drink water containing PFNA in excess of the MCL following repeated exposure during pregnancy and/or childhood.</u>
<u>HFPO-DA</u>	<u>Discharge from manufacturing and industrial chemical facilities, use of certain consumer products,</u>	<u>Some people who drink water containing HFPO–DA in excess of the MCL over many years may have increased health risks such as immune, liver, and kidney</u>

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<u>Contaminant</u>	<u>Major Sources</u>	<u>Health Effects Language</u>
	<u>occupational exposures, and certain firefighting activities.</u>	<u>effects. There is also a potential concern for cancer associated with HFPO– DA exposure. In addition, there may be increased risks of developmental effects for people who drink water containing HFPO–DA in excess of the MCL following repeated exposure during pregnancy and/or childhood.</u>
<u>Hazard Index</u>	<u>Discharge from manufacturing and industrial chemical facilities, use of certain consumer products, occupational exposures, and certain firefighting activities.</u>	<u>Per- and polyfluoroalkyl substances (PFAS) can persist in the human body and exposure may lead to increased risk of adverse health effects. Low levels of multiple PFAS that individually would not likely result in increased risk of adverse health effects may result in adverse health effects when combined in a mixture. Some people who consume drinking water containing mixtures of PFAS in excess of the Hazard Index (HI) MCL may have increased health risks such as liver, immune, and thyroid effects following exposure over many years and developmental and thyroid effects following repeated exposure during pregnancy and/or childhood.</u>

6.12.2.8 Violations

- a. PFAS MCL violation, both for the individual PFOA, PFOS, HFPO-DA, PFHxS and PFNA MCLs, as well as the Hazard Index MCL, as listed in Table 6-5, are based on a running annual average as outlined under 6.12.2.3.
- b. Compliance with Table 6-5 must be determined based on the analytical results obtained at each sampling point. If one sampling point is in violation of an MCL, the water system is in violation of the MCL requirements or standards. First time violations of any PFAS MCL will require public notice to be distributed to users within 24 hours. Water systems shall provide public notice of subsequent PFAS MCL violations within 30 days of notification from the Secretary.
- c. Each failure to monitor in accordance with the requirements under 6.12.2.2 is considered a monitoring violation. Public notice for monitoring violations shall be on a form provided by the Secretary and provided to system users within 365

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days of notification from the Secretary.

- d. Failure to notify the Secretary following an MCL violation and failure to submit monitoring data in accordance with the requirements of this section are reporting violations. Public notice for reporting violations shall be on a form provided by the Secretary and provided to system users within 365 days of notification from the Secretary.
- e. Results for PFAS with individual MCLs as listed in Table 6-5 are compared to their respective MCLs, and results for mixtures of two or more of the Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, and PFNA) are compared to the Hazard Index MCL as listed in Table 6-5. For determining compliance with the Hazard Index MCL, if only PFBS is reported at any concentration and no other regulated PFAS are in the mixture, it is not violation of the Hazard Index MCL. If only one of the other PFAS within the Hazard Index (HFPO-DA, PFHxS, and PFNA) is detected and the level of this PFAS exceeds its MCL as determined by 6.12.2.3, only an individual MCL violation is assessed for the individual PFAS detected and it is not a violation of the Hazard Index MCL. Exceedances of the Hazard Index caused by two or more of the Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, and PFNA) and exceedances of one or more individual MCLs can result in multiple MCL exceedances. However, in this instance, for purposes of public notification language as established in Table 6-4 above, a public water system shall only report the Hazard Index MCL exceedance and associated health effects language.

6.13 Maximum Contaminant Levels

The Maximum Contaminant Levels and Maximum Residual Disinfectant Levels of 40 CFR Part 141 are adopted herein. The Secretary, with the concurrence of the Vermont Commissioner of Health, has established a more stringent MCL for uranium (listed in Table 6-4~~5~~) than published in 40 CFR, Part 141. The Secretary has also adopted the Vermont Department of Health's Health Advisory for Nickel as an MCL, ~~and the Vermont Department of Health's Health Advisory for five per- and polyfluoroalkyl substances (PFHxS, PFHpA, PFNA, PFOS, and PFOA) as a cumulative (sum of all 5 analyte results) MCL.~~

Table 6-4~~5~~ summarizes the contaminants and the maximum contaminant level (MCL) and maximum residual disinfectant level (MRDL) standards which apply to **Public** water systems. If any discrepancy exists between the values in Table 6-4~~5~~, with the exception of nickel, uranium, ~~and PFAS, PFHxS, PFHpA, PFNA, PFOS, and PFOA,~~ and the referenced sections in 40 CFR, Part 141 for MCLs and maximum contaminant level goals (MCLGs), the MCLs in 40 CFR, Part 141 shall apply.

Table 6-4~~5~~ also summarizes the ~~maximum contaminant level goals (MCLG)~~ and the maximum residual disinfection level goals (MRDLG) which apply to **Public** water systems. If any

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discrepancy exists between the values in Table 6-45, with the exception of nickel, ~~and uranium,~~ and PFAS, and the referenced sections in 40 CFR, Part 141, the MCLGs and MRDLGs in 40 CFR, Part 141 shall apply.

~~The provisions of 40 CFR, §142.63, prohibiting variances and exemptions from the MCL for total coliform, is adopted herein.~~

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Table 6-1-5- CONTAMINANT STANDARDS

CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
1. Microbiological	MCL	MCLG	
A. Total coliform bacteria	None	Zero (including fecal coliforms and <i>Escherichia coli</i>)	Yes
B. Fecal Coliform or <i>Escherichia coli</i> (<i>E. coli</i>) repeat samples	When the system has an <i>E. coli</i> -positive repeat sample following a total-coliform routine sample; a total coliform-positive repeat sample following an <i>E. coli</i> -positive routine sample; the system fails to take all required repeat samples following an <i>E. coli</i> -positive routine sample; or the system fails to test for <i>E. coli</i> when any repeat sample tests positive for coliform	Zero	Yes
<i>Giardia lamblia</i>	----	zero	Only if MPA testing required
Viruses	---	zero	No
Legionella	---	zero	No
<i>Cryptosporidium</i>	---	zero	Only if MPA testing required
2. Turbidity			Yes
A. Unfiltered systems required to install filtration	See 40 CFR, §141.13	---	---

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
B. Unfiltered systems that have been granted approval for avoiding filtration	See 40 CFR, §141.71	---	---
C. Conventional, Direct, Slow Sand, Diatomaceous earth filtration and other filtration technologies	See 40 CFR, §141.73	---	---
3. Primary Inorganic Chemicals	MCL	MCLG	
Arsenic	0.010 mg/l	zero	Yes
Asbestos	7 million fibers/liter (longer than 10 um)	7 million fibers/liter (longer than 10 um)	No
Barium	2 mg/l	2 mg/l	Yes
Cadmium	0.005 mg/l	0.005 mg/l	Yes
Chromium	0.1 mg/l	0.1 mg/l	Yes
Copper	1.3 mg/l (Action Level)	1.3 mg/l	Yes
Fluoride	4.0 mg/l	4.0 mg/l	Yes
Lead	0.015 mg/l (Action Level)	zero	Yes
Mercury	0.002 mg/l	0.002 mg/l	Yes
Nitrate	10.0 (as Nitrogen)	10 mg/l (as Nitrogen)	Yes
Nitrite	1.0 (as Nitrogen)	1 mg/l (as Nitrogen)	Yes
Total nitrate & nitrite	10.0 (as Nitrogen)	10 mg/l (as Nitrogen)	Yes
Selenium	0.05 mg/l	0.05 mg/l	Yes
Antimony	0.006 mg/l	0.006 mg/l	Yes
Beryllium	0.004 mg/l	0.004 mg/l	Yes
Cyanide (as free cyanide)	0.2 mg/l	0.2 mg/l	Yes
Nickel	0.1 mg/l	0.1 mg/l	Yes

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
Thallium	0.002 mg/l	0.0005 mg/l	Yes
4. Disinfection By-products	MCL	MCLG	
Bromodichloromethane Dibromochloromethane Tribromomethane (Bromoform) Trichloromethane (Chloroform)	0.080 mg/l as the sum of all concentrations (Total Trihalomethanes): 0.080 mg/l	zero 0.06 mg/l Zero 0.07 mg/l	No
Monochloroacetic acid Dichloroacetic acid Trichloroacetic acid Monobromoacetic acid Dibromoacetic acid	0.060 mg/l as the sum of all concentrations (Haloacetic acids (five) HAA5)	0.07 mg/l zero 0.02 mg/l No MCLG No MCLG	No
Bromate (systems treating with ozone)	0.010 mg/l	zero	No
Chlorite (systems treating with chlorine dioxide)	1.0 mg/l	0.8 mg/l	No
5. Disinfectant residuals	MRDL	MRDLG	
Chlorine	4.0 mg/l (as Cl ₂)	4 mg/l (as Cl ₂)	No
Chloramines	4.0 mg/l (as Cl ₂)	4 mg/l (as Cl ₂)	No
Chlorine Dioxide	0.8 mg/l (as Cl ₂)	0.8 mg/l (as Cl ₂)	No
6. Volatile Organic Chemicals	MCL	MCLG	
Vinyl Chloride	0.002 mg/l	zero	Yes
Benzene	0.005 mg/l	zero	Yes
Carbon Tetrachloride	0.005 mg/l	zero	Yes
1,2-Dichloroethane	0.005 mg/l	zero	Yes
Trichloroethylene	0.005 mg/l	zero	Yes
para-Dichlorobenzene	0.075 mg/l	0.075 mg/l	Yes
1,1-Dichloroethylene	0.007 mg/l	0.007 mg/l	Yes
1,1,1-Trichloroethane	0.2 mg/l	0.2 mg/l	Yes
cis-1,2-Dichloroethylene	0.07 mg/l	0.07 mg/l	Yes

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
1,2-Dichloropropane	0.005 mg/l	zero	Yes
Ethylbenzene	0.7 mg/l	0.7 mg/l	Yes
Monochlorobenzene	0.1 mg/l	0.1 mg/l	Yes
o-Dichlorobenzene	0.6 mg/l	0.6 mg/l	Yes
Styrene	0.1 mg/l	0.1 mg/l	Yes
Tetrachloroethylene	0.005 mg/l	zero	Yes
Toluene	1 mg/l	1 mg/l	Yes
trans-1,2-Dichloroethylene	0.1 mg/l	0.1 mg/l	Yes
Xylenes (total)	10 mg/l	10 mg/l	Yes
Dichloromethane	0.005 mg/l	zero	Yes
1,2,4-Trichlorobenzene	0.07 mg/l	0.07 mg/l	Yes
1,1,2-Trichloroethane	0.005 mg/l	0.003 mg/l	Yes
7. Synthetic Organic Chemicals	MCL	MCLG	
Alachlor	0.002 mg/l	zero	Yes
Atrazine	0.003 mg/l	0.003 mg/l	Yes
Carbofuran	0.04 mg/l	0.04 mg/l	Yes
Chlordane	0.002 mg/l	zero	Yes
Dibromochloropropane	0.0002 mg/l	zero	No
2,4-D	0.07 mg/l	0.07 mg/l	Yes
Ethylene Dibromide	0.00005 mg/l	zero	Yes only for groundwater sources
Heptachlor	0.0004 mg/l	zero	Yes
Heptachlor Epoxide	0.0002 mg/l	zero	Yes
Lindane	0.0002 mg/l	0.0002 mg/l	Yes
Methoxychlor	0.04 mg/l	0.04 mg/l	Yes
Polychlorinated biphenols	0.0005 mg/l	zero	Yes
Pentachlorophenol	0.001 mg/l	zero	Yes

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
Toxaphene	0.003 mg/l	zero	Yes
2,4,5-TP Silvex	0.05 mg/l	0.05 mg/l	Yes
Benzo[a]pyrene	0.0002 mg/l	zero	Yes
Dalapon	0.2 mg/l	0.2 mg/l	No
Di(2-ethylhexyl) adipate	0.4 mg/l	0.4 mg/l	Yes
Di(2-ethylhexyl) phthalate	0.006 mg/l	zero	Yes
Dinoseb	0.007 mg/l	0.007 mg/l	Yes
Diquat	0.02 mg/l	0.02 mg/l	No
Endothall	0.1 mg/l	0.1 mg/l	No
Endrin	0.002 mg/l	0.002 mg/l	Yes
Glyphosate	0.7 mg/l	0.05 mg/l	No
Hexachlorobenzene	0.001 mg/l	zero	Yes
Hexachlorocyclopentadiene	0.05 mg/l	0.05 mg/l	Yes
Oxamyl (Vydate)	0.2 mg/l	0.2 mg/l	Yes
Picloram	0.5 mg/l	0.5 mg/l	Yes
Simazine	0.004 mg/l	0.004 mg/l	Yes
2,3,7,8-TCDD (Dioxin)	3 x 10 ⁻⁸ mg/l	zero	No
8. Radionuclides	MCL	MCLG	
Gross Alpha Particle Activity (including radium-226 but excluding radon and uranium)	15 pCi/l	zero	Yes
Combined Radium-226 and Radium-228	5 pCi/l ²	zero	Yes
Uranium	20 µg/l	zero	Yes
Beta particle and photon radioactivity from man-made Radionuclides ¹	An annual dose equivalent to the total body or any internal organ greater than 4 millirem/year (mrem/year) ³	zero	No
Gross Beta Activity ¹	50 pCi/l	---	No

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CONTAMINANT	STANDARD MCL or MRDL as noted (mg/l unless otherwise noted)*	MCLG or MRDLG (as noted)	Initial Source Testing Required
Tritium ¹	20,000 pCi/l	---	No
Strontium-90 ¹	8 pCi/l ⁵	---	No
89. Treatment Technique		MCLG	
Acrylamide	----	zero	No
Epichlorohydrin	----	zero	No
910. Per- and polyfluoroalkyl substances (PFAS)	Cumulative MCL	MCLG	
Perfluorohexane sulfonic acid (PFHxS)	0.000020 mg/l ⁶	zero	Yes
Perfluoroheptanoic acid (PFHpA)	0.000020 mg/l ⁶	zero	Yes
Perfluorononanoic acid (PFNA)	0.000020 mg/l ⁶	zero	Yes
Perfluorooctanesulfonic acid (PFOS)	0.000020 mg/l ⁶	zero	Yes
Perfluorooctanoic acid (PFOA)	0.000020 mg/l ⁶	zero	Yes
<u>Perfluorooctanoic acid (PFOA)</u>	<u>4.0 ng/l</u>	<u>zero</u>	<u>Yes</u>
<u>Perfluorooctanesulfonic acid (PFOS)</u>	<u>4.0 ng/l</u>	<u>zero</u>	<u>Yes</u>
<u>Perfluorohexane sulfonic acid (PFHxS)</u>	<u>10 ng/l</u>	<u>10 ng/l</u>	<u>Yes</u>
<u>Perfluorononanoic acid (PFNA)</u>	<u>10 ng/l</u>	<u>10 ng/l</u>	<u>Yes</u>
<u>Hexafluoropropylene Oxide Dimer Acid (HFPO-DA)</u>	<u>10 ng/l</u>	<u>10 ng/l</u>	<u>Yes</u>
<u>Mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and Perfluorobutanesulfonic acid (PFBS)⁶</u>	<u>1 (unitless) Hazard Index</u>	<u>1 (unitless) Hazard Index</u>	<u>Yes</u>

* The conversion from mg/l to $\mu\text{g/l}$ is 1 mg/l=1000 $\mu\text{g/l}$. As an example, 5 mg/l is equal to 5000 $\mu\text{g/l}$. The conversion from mg/l to ng/l (ppt) is 1 mg/l =1,000,000 ng/l (ppt). As an example, 0.000020 mg/l is 20 ng/l. 20 ng/l is equivalent to 20 ppt.

[^] Asbestos monitoring is only required by water systems deemed vulnerable to asbestos due to the presence of piping materials containing asbestos. These samples shall be collected within the distribution system at locations identified by the Secretary.

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- 1 Public Community Water Systems designated by the Secretary as vulnerable must sample for this contaminant.
- 2 The combined radium-226 and radium-228 value is determined by the addition of the results of the analysis for radium-226 and radium 228.
- 3 See 40 CFR §141.66(d) for calculation of the MCL.
- 4 Average annual concentration assumed to produce a total body or organ doses of 4 mrem/yr. For tritium the critical organ is total body. See 40 CFR §141.66.
- 5 Average annual concentration assumed to produce a total body or organ doses of 4 mrem/yr. For strontium-90 the critical organ is bone marrow. See 40 CFR §141.66.
- 6 ~~The MCL is 0.000020 mg/L for any combination of these PFAS: PFOA, PFOS, PFHxS, PFHpA, and PFNA.~~

~~The PFAS Mixture Hazard Index (HI) is the sum of component hazard quotients, which are calculated by dividing the measured component PFAS concentration (for HFPO-DA, PFBS, PFNA and PFHxS) in water by the corresponding contaminant's health-based water concentration (HBWC) when expressed in the same units (shown in ng/l). To exceed the HI MCL, there must be a mixture of two or more chemicals to be compared with the HI MCL. If only PFBS is reported at any concentration and neither HFPO-DA, PFNA, nor PFHxS are in the mixture, it is not a violation of HI MCL. The HBWC for PFHxS is 10 ng/l; the HBWC for HFPO-DA is 10 ng/l; the HBWC for PFNA is 10 ng/l; and the HBWC for PFBS is 2000 ng/l. A PFAS Mixture Hazard Index greater than 1 (unitless) indicates an exceedance of the health protective level and indicates potential human health risk from the PFAS mixture in drinking water.~~

Table 6-2-6 – DOMESTIC BOTTLED WATER MONITORING REQUIREMENTS

Category of Contaminant ⁽¹⁾	Sampling Frequency	Number of Samples	
		Per Source	Product
Microbiological Total Coliform Heterotrophic Plate Count (HPC)	Monthly ⁽²⁾	1	4
	Monthly ⁽²⁾	1	4
Primary Inorganic Chemicals (including lead and copper)	3 Years	1	1
Volatile Organic Chemicals	3 Years	1	1
Synthetic Organic Chemicals	3 Years	1	1
Per- and polyfluoroalkyl substances (PFAS)	~~See § 6-18~~ 3 years ⁽³⁾	1	1
Radionuclides: Gross Alpha, Combined Radium 226 & 228, and Uranium	3 Years	1	1
Disinfectant By-products and Disinfectant Residual	According to 40 CFR, Part 141, Subpart L		

¹ ~~(+)~~ — See Table 6-4-5 for a detailed list of contaminants and associated MCLs and MRDLs for each group of contaminants.

² ~~(+)~~ — If bottling does not occur monthly, a letter must be submitted in place of the monthly sample to avoid receiving a monitoring violation.

~~(3)~~

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3 Permitted systems shall submit PFAS results no later than January 1, 2027 and every three years thereafter, assuming results are below the MCL(s). The three-year monitoring frequency assumes continued PFAS sampling below the MCL(s) for each product type. See Section 11.1.3 for regulation of PFAS at Domestic Bottled Water systems.

~~6.13~~14 Secondary Standards

- (a.) All new **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems shall initially monitor for the contaminants contained in Table 6-3-7 except for Aluminum, Copper, Fluoride, Foaming Agents, Silver, Sulfate, and Zinc. Proposed water systems with contaminants exceeding these values may be required to treat or abandon the source, at the discretion of the Secretary.
- (b.) Existing **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems may be required to monitor and comply with the Secondary Standards contained in 40 CFR, Part 143 when the Secretary determines that monitoring and compliance is necessary to protect public welfare. When monitoring is required, the monitoring shall be conducted at every entry point to the water system's distribution system. Table 6-3-7 summarizes these secondary contaminants and the standards which apply to **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems. If any discrepancy exists between the values in Table 6-3-7 with the exception of sodium and aluminum and the referenced sections in 40 CFR, Part 143, then the standards in 40 CFR, Part 143 shall apply.

Table 6-3-7 SECONDARY CONTAMINANT STANDARDS		
CONTAMINANT	STANDARD	INITIAL SOURCE TESTING REQUIRED?
Aluminum	0.2 mg/l	No
Chloride	250 mg/l	Yes
Color	15 color units	Yes
Copper	1.0 mg/L	Yes as Primary Contaminant
Corrosivity	Non-corrosive (between +0.5 and -0.5 Langelier Saturation Index)	Yes
Fluoride	2.0 mg/L	Yes as Primary Contaminant
Foaming Agents	0.5 mg/l	No
Iron	0.3 mg/l	Yes
Manganese *	0.05 mg/l	Yes
Odor	3 threshold odor number	Yes
pH	6.5 – 8.5	Yes

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Table 6-3-7 SECONDARY CONTAMINANT STANDARDS		
CONTAMINANT	STANDARD	INITIAL SOURCE TESTING REQUIRED?
Silver	0.1 mg/l	No
Sodium	250 mg/l	Yes
Sulfate	250 mg/l	No
Total dissolved solids (TDS)	500 mg/l	Yes
Zinc	5 mg/l	No

* There is a Vermont Health Advisory for Manganese, which, as of the date of this regulation is 0.300 mg/L.

- (c.) Existing **Public Community** and **Non-Transient Non-Community** water systems shall monitor for Iron and Manganese a minimum of once every three years at every entry point to the distribution system. More frequent monitoring may be required when the Secretary determines it is necessary to protect public welfare or to ensure the efficacy of contaminant treatment techniques.
- (d.) Additional monitoring requirement for **Public Transient Non-Community** water systems are contained in Appendix A Part 11.

6.1415 Maximum Contaminant Level Goals (MCLGs)

The Maximum Contaminant Level Goals (MCLGs) contained in 40 CFR Part 141 are herein adopted (see Table 6-4-5 and Section 6.4213). The MCLGs in the referenced sections of 40 CFR Part 141 shall apply throughout the entire **Public** water system.

A maximum contaminant level goal shall serve as the basis for design for any proposed treatment units using best available technology on existing water systems and sources. Maximum contaminant level goals shall serve as the basis for design for new **Public** water systems. -Where feasible, new sources shall meet ~~maximum contaminant level goals~~ MCLGs without treatment.

6.1516 Health Advisories

For contaminants which may be detected in a **Public** water system for which MCLs or MCLGs have not been adopted, and the Vermont Commissioner of Health has established a Vermont Health Advisory Level for it, the Secretary may adopt the Advisory Level as an MCL or MCLG.

6.4617 Treatment Techniques

6.4617.1—All **Public** water systems shall comply with the acrylamide and epichlorohydrin provisions of 40 CFR, Part 141, Subpart K, Treatment Techniques.

6.17 ~~Per- and Polyfluoroalkyl Substances Analytical Requirements~~

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~~6.17.1 The Secretary approves the following analytical requirements for PFHxS, PFHpA, PFNA, PFOS, and PFOA samples.~~

~~6.17.2 Sample collection shall be conducted pursuant to EPA Method 537.1 or shall be conducted pursuant to a subsequently developed EPA approved method for monitoring PFAS compounds in drinking water that the Secretary authorizes in writing for use by water systems.~~

~~6.17.3 Data shall be reported to the nearest 0.000001 mg/L.~~

~~6.18 Per- and Polyfluoroalkyl Substances Monitoring Requirements~~

~~6.18.1 Except as provided in Section 6.18.3, **Public Community, Non-Transient Non-Community, and Domestic Bottled** water systems shall conduct sampling for PFHxS, PFHpA, PFNA, PFOS, and PFOA in accordance with this section to determine compliance with the maximum contaminant levels.~~

~~6.18.2 The Secretary may require **Public Transient Non-Community** water systems to conduct sampling for PFHxS, PFHpA, PFNA, PFOS, and PFOA in accordance with this section when contamination is known or suspected of being present to ensure protection of public health and welfare.~~

~~6.18.3 **Public** water systems, except **Domestic or Imported Bottled** water systems and **Public** water systems that cross state or international boundaries, that do not have their own source are not required to monitor for PFHxS, PFHpA, PFNA, PFOS, and PFOA.~~

~~6.18.4 Sampling sites for entry point monitoring for per- and polyfluoroalkyl substances~~

~~(1) **Public** water systems, except **Domestic Bottled** water systems, shall take a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment.~~

~~a. If a system draws water from more than one source and the sources are combined before distribution, for that sampling site the system shall sample at an entry point to the distribution system where water is representative of all sources supplying the entry point.~~

~~(2) **Domestic Bottled** water systems shall take a minimum of one sample at locations representative of each source prior to treatment and one sample from each finished bottled water product type and package size.~~

~~(3) Composite sampling among multiple entry points to the distribution system shall not be used.~~

~~6.18.5 Frequency and timing of entry point monitoring for per- and polyfluoroalkyl substances~~

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- ~~(1) Systems shall take one sample annually at each sampling site identified in Section 6.18.4.~~
- ~~(2) If annual monitoring results indicate no concentration above the reporting level of any combination of PFHxS, PFHpA, PFNA, PFOS, and PFOA at a sampling site identified in Section 6.18.4, then sampling shall be decreased to every three years (i.e., triennial sampling) at that sampling site.~~
- ~~(3) If two consecutive triennial monitoring results indicate no concentration above the reporting level of any combination of PFHxS, PFHpA, PFNA, PFOS, and PFOA at a sampling site identified in Section 6.18.4, then sampling shall be decreased to every six years at that sampling site.~~
- ~~(4) If any sampling results indicate a concentration above 15 ng/l of any combination of PFHxS, PFHpA, PFNA, PFOS, and PFOA at a sampling site identified in Section 6.18.4, then sampling shall be increased to quarterly at that sampling site, beginning in the next quarter.~~
- ~~(5) If four consecutive quarterly monitoring results demonstrate that concentrations are at or below 15 ng/l of any combination of PFHxS, PFHpA, PFNA, PFOS, and PFOA at a sampling site identified in Section 6.18.4, then monitoring shall be decreased to annual at that sampling site.~~
- ~~(6) If an analyte found in a sample is present in the field reagent blank at a concentration greater than the reporting level, then all samples collected with the field blank are invalid and shall be recollected.~~
- ~~(7) If any sampling results indicate a concentration above 20 ng/l of any combination of PFHxS, PFHpA, PFNA, PFOS, and PFOA at any sampling site, an additional confirmation sample shall be collected from that sampling site as soon as possible after the initial sample but no later than 10 business days after receipt of the lab report by the system.
 - ~~a. Each confirmation sample shall be accompanied by a field reagent blank and a trip blank supplied by the laboratory at which the confirmation sample will be analyzed.~~
 - ~~b. The confirmation sample shall be analyzed by the same analytical lab as was used for the original sample.~~
 - ~~c. If re-collection of the initial sample is required pursuant to Section 6.18.5(6), a confirmation sample based on that invalid initial sample is not required.~~
 - ~~d. Compliance with the MCL shall be determined pursuant to Section 6.18.6.~~
 - ~~e. The Secretary may waive the requirement to take a confirmation sample during quarterly (or more frequent) sampling subsequent to a sampling event when the system is out of compliance with the MCL for PFHxS, PFHpA, PFNA, PFOS, and PFOA.~~~~
- ~~(8) Composite sampling shall not be used for confirmation samples.~~

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~~6.18.6 Determination of compliance with the MCL for per- and polyfluoroalkyl substances~~

- ~~(1) A system is out of compliance with the MCL for PFHxS, PFHpA, PFNA, PFOS, and PFOA if the average of the initial sample and confirmation sample is greater than the MCL at a sampling site identified in Section 6.18.4. If a system fails to collect the required number of samples, compliance (average concentration) shall be based on the total number of samples collected.~~
- ~~(2) Following a sampling event when a system is out of compliance with the MCL for PFHxS, PFHpA, PFNA, PFOS, and PFOA, and while the system is conducting monitoring on a quarterly (or more frequent) basis, the Secretary may determine that the system is in compliance with the MCL based on monitoring results received by the Secretary or a system may petition the Secretary to determine that they are in compliance with the MCL based on its monitoring results. The Secretary shall only determine that a system is in compliance with the MCL when the water system completes steps necessary to address and reduce the PFHxS, PFHpA, PFNA, PFOS, and PFOA concentrations to the satisfaction of the Secretary and subsequent water quality results confirm a reduction in PFHxS, PFHpA, PFNA, PFOS, and PFOA concentrations.~~

~~6.18.7 Additional raw water monitoring requirements~~

- ~~(1) If an entry point to the distribution system is supplied by more than one source, and the concentration for any combination of PFHxS, PFHpA, PFNA, PFOS, and PFOA for a sample taken at the entry point is above 15 ng/l, a sample from the raw water sample tap shall be taken for each source supplying the entry point, or as directed by the Secretary. The raw water sample shall be taken within 30 days of receipt of the lab report by the system of the results of the entry point sample.~~
- ~~(2) The raw water monitoring data obtained pursuant to subsection (1) shall not be used to determine compliance with the MCL. The raw water monitoring data shall principally be used in the identification of remedy selection when non-compliance with the MCL has been identified pursuant to 6.18.6.~~

~~6.18.8 Emergency response plan for per- and polyfluoroalkyl substances~~

- ~~(1) Following a sampling event when a system is out of compliance with the MCL for PFHxS, PFHpA, PFNA, PFOS, and PFOA, the system shall develop, and submit to the Secretary for approval, an emergency response plan that requires interim and long-term measures to address the exceedance of the MCL. The response measures can include, but are not limited to:~~
 - ~~a. operational changes, such as discontinuing use of a contaminated source; using an alternative source (e.g., if there are at least two existing permitted source options), or water conservation;~~
 - ~~b. drilling the existing well deeper;~~
 - ~~c. if a second permitted source exists, blending;~~

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- d. ~~construction or use of an emergency source or connection to another public water system if available;~~
- e. ~~point of use treatment or point of entry treatment managed and operated by the water system owner; and~~
- f. ~~centralized treatment.~~

Subchapter 21-7 FACILITY AND OPERATION REQUIREMENTS

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community (NTNC)** water systems;
- (c) **Public Transient Non-Community (TNC)** water systems; and
- (d) **Domestic Bottled** water systems.

The design, construction, installation, extension, modification, location, maintenance and operation of all **Public** water systems and bottled water and bulk water plants or parts thereof shall comply with the requirements of this rule, Appendices A through D, and the relevant sections of 40 CFR, Part 141 as provided below.

7.1 Operation & Maintenance

- 7.1.1 All **Public** water systems except **Transient Non-Community** water systems shall have an Operation and Maintenance Manual approved by the Secretary and shall be operated in a manner consistent with the approved Operation & Maintenance Manual (See Appendix D). **Transient Non-Community** water systems with treatment are recommended to have an Operation and Maintenance Manual and to operate in accordance with it.
- 7.1.2 All water storage tanks shall be comprehensively inspected, inside and out, every 5 years, except for newly constructed, newly painted (inside), or newly reconditioned tanks (inside and outside), which shall be inspected within 10 years of service and every 5 years thereafter. The inspection of the outside of a buried or partially buried tank may be limited to exposed portions. The inspection, findings, and servicing documentation shall be retained in the water system's files for review upon request.

7.2 Disinfection

- 7.2.1 Disinfection facilities are required of all **Public Community** and **Non-Transient Non-Community** water systems. **Public Community** and **Non-Transient Non-Community** water systems shall have the capability of continuous disinfection. **Public** water systems shall conform to the disinfection provisions of 40 CFR, §141.72. Disinfection shall be administered as described in Subpart 4.3 of Appendix A.
- 7.2.2 Continuously operating disinfection is required by the Secretary for all surface water sources and for groundwater sources under the direct influence of surface water. The Secretary may require intermittent or continuously operating disinfection for any other **Public** water system, when he or she determines it necessary for the protection of public health, including but not limited to sources determined to be vulnerable to pathogenic contamination (see Section 6.2).

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- 7.2.3 **Public** water systems which provide filtration must provide disinfection treatment as required by 40 CFR, §141.72(b)(1)(2)(3). Residual disinfectant concentration of the finished water shall be monitored as required by 40 CFR, §141.74(c)(2)(3).
- 7.2.4 As also stated in Appendix A 5.2.2, all products or chemicals which may come in contact with water intended for use in a **Public** water system shall meet American National Standards Institute/NSF International Standards, specifically ANSI/NSF Standards 60 and 61.
- 7.2.5 Disinfection facilities are recommended for all **Transient Non-Community** water systems.

7.3 Fluoridation

- 7.3.1 **Public** water systems which add fluoride to drinking water for dental health purposes, in addition to complying with the maximum contaminant levels established in Subchapter 21-6, shall control the level of fluoride in accordance with current Centers for Disease Control and Prevention guidelines.
- 7.3.2 Water systems that add fluoride shall test to determine the amount of fluoride in the finished water at least once per day, or more often if required by the Secretary.
- (a) Residual testing equipment shall enable measurement of fluoride to the nearest 0.2 mg/l in the range from 0.0 mg/l to 4.0 mg/l.
 - (b) Analyses for fluoride residual shall be conducted in accordance with the analytical recommendations set forth in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, American Public Health Association, unless otherwise approved by the Secretary.
 - (c) Results of daily fluoride tests shall be reported to the Secretary in accordance with Subchapter 21-9.

7.3.3 Secondary Controls

Secondary control systems for fluoride chemical feed devices shall be required by the Secretary as a means of reducing the possibility for overfeed or for pacing fluoride delivery to water flow. These may include flow or pressure switches or other devices.

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7.4 Corrosion Control

- 7.4.1 **Public Community** and **Public Non-Transient Non-Community** water systems shall implement corrosion control programs in compliance with 40 CFR, Part 141, Subpart I, *Control of Lead and Copper*.

7.5 Sanitary Surveys

- 7.5.1 All **Public** water systems must comply with the Sanitary Survey provisions of 40 CFR, §141.21(d), 40 CFR §141.401, 40 CFR §141.536, 40 CFR §141.711, 40 CFR §141.716, and 40 CFR §141.723.

7.6 Source Protection

- 7.6.1 All **Public Community, Domestic Bottled, and Public Non-Transient Non-Community** water systems shall have a Source Protection Plan approved by the Secretary and shall maintain the plan as required in Subchapter 21-16. **Public Transient Non-Community** water systems are encouraged to develop and maintain a Source Protection Plan.

- 7.6.2 Standards and Criteria for Source Protection.

Standards and Criteria for Source Protection Plans covered under this subchapter shall follow the criteria and standards for source protection as set forth in Subchapter 21-16 and in the statutory requirements of 10 V.S.A., Chapter 56.

7.7 Adequate Water Supply Required

- 7.7.1 A **Public** water system shall provide an adequate supply of potable water during average and peak user demand periods on a sustained basis to all users.
- 7.7.2 If a **Public** water system is unable to reliably and consistently produce an adequate supply of potable water from permitted non-emergency sources to meet normal and peak demands, the owner shall immediately begin planning for and implementing the development and connection of new permitted sources to meet average and peak user demands.
- 7.7.3 When user demand exceeds supply, the owner shall, on an emergency short-term basis, take appropriate action to reduce nonessential demand. Reduction of demand shall be considered as an emergency response achievable by directive from the water system to its users, which may include the implementation of water conservation practices and the prohibition of water use for nonessential purposes (e.g., lawns, gardens, vehicle washing).
- 7.7.4 When a water system does not have an adequate supply for its users, the Secretary may require the **Public** water system to supply potable water through other means, including

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but not limited to, bottled water, bulk water, and development of a new source, or to impose mandatory water conservation measures.

7.8 OSHA and VOSHA Compliance

All **Public** water system facilities and operations shall comply with OSHA and VOSHA regulations, as applicable, including but not limited to confined space posting and entry requirements, chemical storage and handling, electrical safety, personal protective equipment, fall protection, lockout and tagout procedures, excavation safety, stairway and ladder safety, record keeping, reporting, and training. This section does not impose more stringent requirements than is independently imposed on water systems by OSHA/VOSHA regulations.

7.9 Composite Correction Program Compliance

The Secretary may require a **Public** water system to conduct a Composite Correction Program (CCP) ~~and to require that the **Public** water system~~ which may include implementation of any follow-up recommendations that result as part of the CCP. The CCP consists of two elements—a Comprehensive Performance Evaluation (CPE) and Comprehensive Technical Assistance (CTA). A CPE is a thorough review and analysis of a plant’s performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant’s capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. A CTA is the performance improvement phase that is implemented if the CPE results indicate improved performance potential. During the CTA phase, the system must identify and systematically address plant-specific factors. The CTA is a combination of utilizing CPE results as a basis for follow-up, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

7.10 Operation of PFAS Treatment System

Online and stand-by treatment is required for PFAS treatment for **Public Community and Non-Transient Non-Community** water systems, unless the water system takes a quarterly mid-point sample, reports the sample result to the Secretary, and initiates changeout procedure when mid-point sample result exceeds any respective PFAS contaminant MCL(s). The water system shall operate one train on standby at all times until breakthrough of any of the PFAS compounds listed in Section 6.12 is detected at the entry point to the distribution system. Once breakthrough occurs at the entry point to the distribution system, the water system shall valve-off the expired train(s) and valve-on their stand-by train. Approved start-up procedures shall be followed as necessary, including a filter-to-waste step. Water systems with PFAS treatment shall record and report to the Secretary a master meter reading when it collects PFAS samples.

Subchapter 21-8 CROSS CONNECTION CONTROL

Introduction

This subchapter applies to the following water systems:

- (a.) **Public Community** water systems;
- (b.) **Public Non-Transient Non-Community (NTNC)** water systems;
- (c.) **Public Transient Non-Community (TNC)** water systems; and
- (d.) **Domestic and Imported Bottled** water systems.

8.1 Cross Connections

- 8.1.1 No physical connection, unless approved by the Secretary, shall be permitted between the distribution system of a **Public** or **Non-Public** water system and any pipes, pumps, hydrants, tanks or other water systems whereby contaminated or polluted water or other contaminating substances may be discharged or drawn into the **Public** and **Non-Public** water system. Any physical connection with a non-potable source of water shall include an adequate backflow prevention device which meets the requirements of American Water Works Association Standards. Air gaps installed for the purpose of backflow prevention shall be a minimum of 6 inches or twice the discharge pipe diameter, whichever is greater.
- 8.1.2 Where an investigation or inspection by a **Public** water system discloses that a cross connection exists, the water supplier shall take immediate action to completely eliminate the cross connection.

Subchapter 21-9 REPORTING REQUIREMENTS AND RECORD KEEPING

Introduction

This subchapter applies to the following water systems:

- (a.) **Public Community** water systems;
- (b.) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c.) **Public Transient Non-Community** (TNC) water systems; and
- (d.) **Domestic Bottled** water systems.

9.1 Reporting

9.1.1 Except where a shorter period is specified in 40 CFR, Part 141 Subpart D, the water supplier shall report to the Secretary the results of any test measurement or analysis required by 40 CFR Part 141 or Section 6.48-12 within the first ten days following the month in which the result is received or the first ten days following the end of the required monitoring period as stipulated by the Secretary, whichever is shortest. Reporting shall be conducted in accordance with the applicable sections of 40 CFR, Part 141, Subpart D, Reporting and Record Keeping requirements. Additional reporting is required by Subsection 9.1.2 of this subchapter, below.

9.1.2 All **Public** Water Systems providing treatment and all **Public Community** water systems shall submit a signed report to the Secretary at least once a month (or as otherwise directed by the Secretary) no later than ten (10) days following the end of the month, with the following information, as applicable.

- (a.) A summary of the water system operation, including the amount of water produced or purchased;
- (b.) Results of water temperature measurements;
- (c.) Results of all turbidity analyses;
- (d.) Results of chlorine residual analyses;
- (e.) Results of fluoride residual analyses;
- (f.) Results of pH analyses;
- (g.) Calculated CT values for highest peak hourly flow during the month; and
- (h.) Any other information specified by the Secretary as a condition of a permit or temporary permit to operate.

Sample collection for the analyses identified in (b) through (g) above, as applicable, shall be from water at the Entry Point to the Distribution System. The summary shall be submitted either on a form or in digital format prescribed by or approved by the Secretary. All laboratory test results submitted shall include copies of the original test reports on the letterhead of the laboratory which performed the analyses unless other arrangements have been approved by the Secretary.

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9.1.4 The water supplier shall notify local law enforcement officials and the Secretary immediately upon discovering a threat to water quality or quantity due to vandalism, tampering, verbal or written threat, or sabotage.

~~9.1.5 **Public Transient Non-Community** water systems shall report water system administrative and operation information annually to the Secretary on a form provided by the Secretary.~~

9.2 Record Keeping

9.2.1 Record maintenance shall be conducted in accordance with 40 CFR, §141.33, Record Maintenance.

9.2.2 Results of PFAS monitoring required pursuant to Section 6.48-12 shall be retained for 10 years.

Subchapter 21-10 PUBLIC NOTIFICATION

Introduction

This subchapter applies to the following water systems:

- (a.) **Public Community** water systems;
- (b.) ~~Public Non-Transient Non-Community~~ (NTNC) water systems;
- (c.) **Public Transient Non-Community** (TNC) water systems; and
- (d.) **Domestic and Imported Bottled** water systems.

10.1 General Notification Requirements

10.1.1 All **Public** water system suppliers shall give public notification in accordance with 40 CFR, Part 141, Subpart Q, Public Notification of Drinking Water Violations, including the standard health effects language for public notification in Appendix B to Subpart Q of Part 141; and 40 CFR, Part 141, Subpart S, Ground Water Rule §141.403(a)(7) Special notice to the public of significant deficiencies or source water fecal contamination. Notice shall be on a form provided by the Secretary with any additional information or language determined to be essential based on the severity of the violation and the specific health language required.

10.1.2 For monitoring and reporting violations and ~~maximum contaminant level~~ MCL violations involving PFHxS, PFHpA, PFNA, PFOS, and PFOA/PFAS, **Public** water systems shall give public notification following the language in Table 6-4 above. ~~same requirements as identified in 40 CFR, Part 141, Subpart Q for violations of national primary drinking water regulations, using this health effects language:~~

~~PFAS is a group of chemicals that may affect different systems in the body. Although more research is needed, some studies in people have shown that these chemicals may affect growth, learning, and behavior in babies and children; lower a person's chance of getting pregnant; interfere with the body's natural hormones; increase cholesterol levels; affect the immune system; and increase the risk of cancer.~~

10.1.3 All **Public** water systems with an Operating Permit containing a schedule which requires compliance with specific provisions of this rule by specified dates shall provide public notice at least annually of the schedule and the reasons for the schedule. These notices shall follow the requirements of this subchapter. **Public Community** water systems may satisfy this requirement via notice in their annual consumer confidence report.

10.2 Other Notification Requirements

10.2.1 For any required public notification not covered by 40 CFR, Part 141, Subpart Q, or by the Water Supply Rule (e.g., variances from technical standards, conditions of permits, notices of alleged violations), or when the Secretary determines, in their judgment, public notification is necessary for the protection of public health, a **Public** water system shall

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provide the public notification prescribed by the Secretary. The water supplier shall be notified by the Secretary of the particular notification requirements. The Secretary shall use the information on record from the respective water system to provide the water system with the notification.

10.2.2 The Secretary may prescribe the content of the notice, the method of distribution, and the time to issue the notice.

10.2.3 The Secretary may modify the requirements of this subchapter, or require additional public notification measures (e.g., Boil Water notices, Do Not Drink notices, or other language) when necessary, in ~~his or her~~ their judgment, to inform consumers of the water for protection of public health. Such additional measures may include other forms of notification and specific language in the notice.

10.2.4 The water supplier shall accomplish notification as prescribed by the Secretary depending on the type of system and population served. The water supplier shall give a copy of any current public notice to all new billing units or new hookups no later than the time service begins.

The Secretary may require any combination of the following forms of notification that he or she deems are necessary to adequately inform the consumers:

- (a.) Through publication in a daily newspaper of general circulation in the area served by the system. If the area served is not covered by a daily newspaper of general circulation, notice shall be given by publication in a weekly newspaper of general circulation in the area served;
- (b.) Through announcement on local radio stations or television stations;
- (c.) Through posting of the notice in conspicuous locations in the service area;
- (d.) Through written notice to each user by mail, included with the water bill, or by hand delivery; or
- (e.) Through any other means determined by the Secretary to provide effective notice.

10.2.5 When the condition(s) requiring public notification continue in effect, the water supplier shall make repeat notification as prescribed by the Secretary.

10.2.6 When a water supplier is required to issue a public water notice, the system shall notify consumers within the time prescribed by the Secretary. All notices required by the Secretary shall use the language and format provided by the Secretary. All notice language shall be presented in a plainly visible manner. Any deviations from the prescribed notice language or format must be approved by the Secretary.

10.2.7 When a water system has a first-time exceedance of an MCL of a contaminant identified in Table 6-5, with the exception of *E. coli*, public notice is required to be distributed to system users within 24 hours of being notified of the exceedance. Public notice for *E. coli* MCL exceedances shall comply with the public notification requirements of 40 CFR 141 Subpart Y and include a Boil Water Notice to system users.

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10.3 Certification of Notice

Within ten days of issuance of a required public notice, the water system owner shall submit to the Secretary a certification that it has fully complied with the public notification requirements, on a form supplied by the Secretary. The water system owner shall include with the certification a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system and to the media.

10.4 Notice by Secretary

In addition to these requirements, the Secretary may issue any notice(s) he or she determines is necessary to inform consumers and the general public of possible public health risks or hazards.

10.5 Consumer Confidence Reports

All **Public Community** water suppliers shall prepare and directly deliver an annual consumer confidence report on the quality of the water by July 1 of each year to the customers of the water system. The report shall be based on the immediately preceding calendar year. All **Public Community** water systems shall comply with the provisions of 40 CFR, Part 141, Subpart O *Consumer Confidence Reports* including Appendix A to Subpart O of Part 141 –Regulated Contaminants and the following requirements.

10.5.1 A copy of the report and a certification statement, stating that the report was directly delivered to all customers, shall be sent to the Drinking Water and Groundwater Protection Division no later than July 1 of each year.

10.5.2 The report shall include, but not be limited to:

- ~~(a.)~~ Information about the source, or sources;
- ~~(b.)~~ ~~Definitions;~~
- ~~(c.)~~ Information on detected contaminants displayed in a table;
- ~~(d.)~~ Information on Cryptosporidium, radon, and other contaminants;
- ~~(e.)~~ Information on all monitoring results for ~~PFHxS, PFHpA, PFNA, PFOS, and PFOA-PFAS~~ from the preceding five calendar years;
- ~~(f.)~~ Compliance status with state and federal regulations;
- ~~(g.)~~ Variances and exemptions;
- ~~(h.)~~ A brief explanation regarding contaminants found in drinking water;
- ~~(i.)~~ Telephone number of the owner, operator, or water system designee;
- ~~(j.)~~ Information about opportunities for public participation;
- ~~k.)~~ Required additional health information; and
- ~~(l.)~~ Any other reporting requirements established by the Secretary in addition to those identified here.

Subchapter 21-11 BOTTLED & BULK WATER

Introduction

This subchapter applies to the following water systems:

~~(a.)~~ _____ **Domestic and Imported Bottled** water systems; and-

b. _____
~~Additionally, this subchapter applies to~~ Systems that distribute or transport bulk water intended for human consumption or other consumer uses (i.e., a bulk water hauler).

Bottled or bulk water intended for human consumption and other consumer uses meets the definition of drinking water at 10 V.S.A., §1671, and therefore is regulated by this rule. The public distribution and sale of bottled water shall be permitted by the Secretary before such water is sold or delivered in Vermont. Facilities which produce bottled water, **Domestic and Imported Bottled** water systems, are considered **Public** water systems and shall meet all the applicable requirements of this rule, including the Appendices.

11.1 Bottled Water

11.1.1 General ~~r~~Requirements for **Domestic and Imported Bottled** water systems

~~(a.)~~ No person shall provide bottled water for public distribution or sale in Vermont without a Permit to Operate issued pursuant to Subchapter 21-3 (for a **Domestic Bottled** water system) or an Approval to Sell Bottled Water in Vermont (for an **Imported Bottled** water system).

~~(b.)~~ For any proposed or new **Domestic or Imported Bottled** water system the application for the Permit to operate or Approval to Sell Bottled Water in Vermont shall include:

- ~~(1.)~~ methods employed in the bottling operation;
- ~~(2.)~~ recall plan;
- ~~(3.)~~ water treatments used;
- ~~(4.)~~ a flow diagram from the source through the bottling operation; and
- ~~(5.)~~ a label for each container size of the bottled water product that is to be distributed or sold in Vermont which contains the information in Subsection 11.1.1(d).

~~(c.)~~ All changes to labels must be approved through an amendment to a water system's Permit to Operate or an Approval to Sell Bottled Water in Vermont prior to the distribution or sale of products with the label in Vermont.

~~(d.)~~ All bottled water labels shall contain the following information:

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- ~~(1.)~~ The name of the manufacturer, packer, or distributor~~person or company bottling the water;~~
- ~~(2.)~~ The place of business of the manufacturer, packer, or distributor (which may be a corporate location in lieu of bottling location);~~Town and state in which the water is bottled;~~
- ~~(3.)~~ For water sourced from private springs and/or wells:

- ~~(a.)~~ The type of source (i.e. private spring, private well); and
- ~~(b.)~~ The location of the source~~Town and state where the source is situated;~~

and

- ~~(4.)~~ For water from a **Public** water system that does not meet the definition of “purified water” or “sterile water” under 21 CFR §165.110(a)(2)(iv) and (a)(2)(vii):

- ~~(a.)~~ A statement reading “from a community water system” or alternatively “from a municipal source”, as appropriate; and
- ~~(b.)~~ The name and location of the water system.~~Source, i.e. private spring, private well or the name of the **Public** water system supplying the water.~~

- ~~(5.)~~ For water from a **Public** water system that meets the definition of “purified water” or “sterile water” per 21 CFR §165.110(a)(2)(iv) and (a)(2)(vii) and is labeled as such, no source information shall be required.

- ~~(c.)~~ All bottled water shall be filtered, processed, and packaged in accordance with the Federal Food and Drug Administration Good Manufacturing Practice Regulations (GMPRs) as found in 21 CFR, Parts 110 and 129, in addition to the requirements of this rule. The **Domestic and Imported Bottled** water system shall certify in their application to the Secretary that they are in compliance with the Federal Food and Drug Administration GMPRs.

11.1.2 Requirements ~~s~~Specific to **Imported Bottled** water systems

- ~~(a.)~~ In the application for the Approval to Sell Bottled Water in Vermont:

- ~~(1.)~~ The **Imported Bottled** water system shall include a statement from the appropriate regulatory agency with jurisdiction over the ~~b~~Bottled water system indicating that the facility has been approved to bottle or package water for human consumption shall be submitted. This approval may be in the form of a copy of a certificate, license, permit, or a letter of approval from the agency.
- ~~(2.)~~ The Secretary may require the Bottled water system to submit of a copy of the laws and regulations on bottled water processing from the regulatory agency having jurisdiction.

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- (3.) In accordance with 10 VSA §1673(f)(1), the **Imported Bottled** water system shall certify that the water and the source and system of the imported water is regulated by drinking water standards or requirements substantially equivalent to or more stringent than standards or requirements established by the Secretary pursuant to 10 VSA §1672(b).
- (4.) The **Imported Bottled** water system shall submit monitoring results for all contaminants identified in Tables 6-4-5 and 6-2-6 of Subchapter 21-6 that is measured at locations representative of each source prior to treatment and from each finished bottled water product type and package size to be distributed or sold in Vermont. These results must be collected no earlier than twelve (12) months before the date of the application, with the exception of the microbiological analyses which shall be collected no earlier than thirty (30) days before the date of the application.

- b.(4) **Imported Bottled** water systems shall submit monitoring results for the contaminants identified in Table 6-4-5 of Subchapter 21-6, at the sampling frequency and for the number of samples identified in Table 11-1, measured at locations representative of each source prior to treatment and from each finished bottled water product type and package size distributed or sold in Vermont.

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Table 11-1 – IMPORTED BOTTLED WATER MONITORING REQUIREMENTS

Category of Contaminant ⁽¹⁾	Sampling Frequency	Number of Samples	
		<u>Per Source</u>	<u>Per Product Type</u>
Microbiological			
Total Coliform	Monthly ⁽²⁾	1	4
Heterotrophic Plate Count (HPC)	Monthly ⁽²⁾	1	4
Primary Inorganic Chemicals (including lead and copper)	3 Years	1	1
Volatile Organic Chemicals	3 Years	1	1
Synthetic Organic Chemicals	3 years	1	1
Per- and polyfluoroalkyl substances (PFAS)	3 Years	1	1
Radionuclides: Gross Alpha, Combined Radium 226 & 228, and Uranium	3 Years	1	1
Disinfectant By-products and Disinfectant Residual	According to 40 CFR, Part 141, Subpart L		

(1) See Table 6-1-5 for a detailed list of contaminants and associated MCLs and MRDLs for each group of contaminants.

(2) If bottling does not occur monthly, a letter must be submitted in place of the monthly sample to avoid receiving a monitoring violation.

~~(c.)~~ The Secretary may require additional water quality monitoring for protection of public health and welfare.

~~(d.)~~ **Imported Bottled** water systems shall comply with the MCLs identified in Table 6-1-5 in accordance with the requirements below:

~~(1.)~~ An **Imported Bottled** water system that is in receipt of water quality monitoring data showing an exceedance of an MCL, or who becomes aware of water quality monitoring data showing an exceedance of an MCL, in their source or one or more of their products, shall immediately notify the Secretary and provide the results, when available to the water system, to the Secretary.

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~~(2.)~~ If water quality monitoring data shows an exceedance of an MCL in an **Imported Bottled** water system source or one or more of their products, and when the Secretary determines it is necessary to protect public health, the Secretary may direct the **Imported Bottled** water system to cease distribution and sale of the affected products and make all efforts to remove the affected products from distribution and sale in Vermont.—The Secretary may require ~~the Imported Bottled water system to take other~~ measures necessary to protect public health, including the suspension or revocation of the system's authorization.

~~(3.)~~ Regulation of PFAS at **Imported Bottled** Water Systems: —**Imported Bottled** water Systems shall submit PFAS sample results for each bottled water product type upon initial ~~approval~~ application and no less frequently than once every three years. Sample results shall be submitted no later than January 1, 2027. If a sample documents a reported level above the MCL for PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS as defined in Table 6-5 above, the bottled water system shall re-sample that product type within 10 days and submit the results to the Secretary. If the average of the compliance sample and confirmation sample is above any PFAS MCL, the **Imported Bottled** water system is in violation of the PFAS MCL and shall comply with Section 11.1.2(d)(2) above.

4. **Imported Bottled** water systems with sampling result(s) that identify the presence of any PFAS chemical identified in Table 6-5 at or above any of the trigger levels identified in Table 6-1 but below the MCL(s) shall complete PFAS compliance monitoring established in Section 6.12.2.2(b) as if it were a Public Community or Non-Transient Non-Community water system. Should a sample result exceed one of the MCL(s) identified in Table 6-5, the system shall comply with 11.1.3(b) below. If the results are determined to be reliably and consistently below the MCL(s), the Secretary may allow a reduction in sampling as established in Section 6.12.2.2(b).

~~(e.)~~ If the Heterotrophic Plate Count is greater than or equal to 500 colony forming units per 1 ml, the water system shall investigate the source of contamination and bottling operation, and report the findings to the Secretary.

11.1.3 Requirements specific to regulation of PFAS at **Domestic Bottled** water systems.

(a) **Domestic Bottled** water Systems shall submit PFAS sample results for each source and bottled water product type upon initial ~~approval~~ application and no less frequently than once every three years according to table 6-6. Sample results shall be submitted no later than January 1, 2027 for all permitted **Domestic Bottled** water systems. If a sample documents a reported level above the MCL for PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS as defined in Table 6-5 above, the **Domestic Bottled** water system shall re-sample that product type within 10 days and submit the results to the Secretary. If the

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average of the compliance sample and confirmation sample is above any PFAS MCL, the **Domestic Bottled** water system is in violation of the PFAS MCL and shall comply with section 11.1.3(b).

(b) If water quality monitoring data shows an exceedance of the PFAS MCL in a **Domestic Bottled** water system source or one or more of their products, and when the Secretary determines it is necessary to protect public health, the Secretary may direct the **Domestic Bottled** water system to cease distribution and sale of the affected products and make all efforts to remove the affected products from distribution and sale in Vermont. The Secretary may require other measures necessary to protect public health, including the suspension or revocation of the system's authorization.

(c) **Domestic Bottled** water systems with sampling result(s) that identify the presence of any PFAS chemical identified in Table 6-5 at or above any of the trigger levels identified in Table 6-1 but below the MCL(s) shall complete PFAS compliance monitoring established in Section 6.12.2.2(b) as if it were a Public Community or Non-Transient Non-Community water system. Should a sample result exceed one of the MCL(s) identified in Table 6-5, the system shall comply with 11.1.3(b) above. If the results are determined to be reliably and consistently below the MCL(s), the Secretary may allow a reduction in sampling as established in Section 6.12.2.2(b).

11.2 Bulk Water

11.2.1 General Requirements

Bulk water is potable water for human consumption delivered to the consumer or a **Public** water system by means other than a pipeline or bottled water. It is typically delivered by tanker truck or trailer. Bulk water delivery is usually limited to emergency or temporary situations except for those bulk water operations permitted by the Secretary to be used as a source for **Bottled** water systems.

11.2.2 Source Requirements and Water Quality Standards

No person shall distribute, transport, or provide bulk water for human consumption or other consumer uses unless:

- (a.) the water is supplied from either a permitted **Public Community** water system or a **Domestic Bottled** water system permitted by the Secretary;
- (b.) a loading station that complies with the requirements of Appendix A, Subpart 8.11, Water Loading Stations is used to fill the bulk water tankers;
- (c.) the bulk water contains a free chlorine residual between 1.0 ppm and 4.0 ppm, or the bulk water supplier meets the requirements as specified under Subsection 11.2.3; and
- (d.) other requirements that may be imposed by the Secretary to protect public health and welfare are met.

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11.2.3 Tanker ~~r~~Requirements for ~~h~~Hauling ~~w~~Water

- (a.) No person shall provide bulk water for human consumption unless the water tanker, water hoses, valves, and other surfaces coming into contact with the water are constructed of smooth, nonabsorbent, corrosion-resistant, and non-toxic material safe for contact with potable water.
- (b.) A bulk water hauler shall develop and implement a Standard Operating Procedure (SOP) to ensure and document the sanitary conditions of the bulk water hauling operation for each delivery. This SOP shall outline the frequency and method of the vehicle tank cleaning, Total Coliform Bacteria testing, and Heterotrophic Plate Count (HPC) testing. If the HPC count is greater than or equal to 500 colony-forming units per 1 ml, the bulk water hauler shall investigate and correct the source of contamination. The SOP shall be available to the Secretary upon request.
- (c.) All bulk water transportation vehicles shall be dedicated to the sole purpose of transporting drinking water as defined by 10 VSA, Section 1671 and shall meet all the applicable requirements of this rule, including the Appendices (e.g., Filing Station requirements in Appendix A Subpart 8.11 and Finished Water Storage in Appendix A Subpart 7).

Subchapter 21-12 WATER SYSTEM CLASSIFICATION AND OPERATOR CERTIFICATION

Introduction

This subchapter applies to the following **Public** water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems;
- (c) **Public Transient Non-Community** (TNC) water systems; and
- (d) **Domestic Bottled** water systems.

12.1 General

All **Public** water systems shall be operated by a certified operator of the appropriate class as defined in this subchapter. A certified operator is one who has met the requirements of this subchapter and has a current, valid certification from the Secretary.

All **Public** water systems must have a Designated Certified Operator in responsible charge available at all times. “Available” means a Designated Certified Operator must be on site or able to be contacted as needed to initiate the appropriate action in within one (1) hour if not already on-site when an issue requiring Operator attention occurs.

The Secretary may revoke an operator’s certification and/or direct an owner to cease participation with a contract operator if one of the following occurs:

1. The water system or water system Operator violates portions of this Rule or any applicable State or Federal law, regulation, or rule within the scope of the Operator’s control and related to the Operator’s required duties.
2. There is a threat to public health as a result of an activity or inactivity due to the actions of the certified Operator.

For purposes of certifying **Public** water system operators, each **Public** water system shall be classified according to the type of source water, degree of treatment, and in the case of Class 4, according to size of population served. The class of operator certification required is dependent upon the classification of such facility.

12.2 Responsibilities and Duties

12.2.1 Owner’s Responsibilities

- 12.2.1.1 The owner shall be responsible for the water system’s compliance with this Rule, the Federal Safe Drinking Water Act, Vermont statutes, and the regulations developed pursuant to all.

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12.2.1.2 The owner shall be a certified operator or shall identify a Designated Certified Operator to be responsible for quality, quantity, and process control, and system integrity decisions involving public health, treatment, storage, distribution, and standards compliance. Such designation shall be in writing using a form provided by the Secretary, signed by the owner or the owner's duly-authorized representative, and be submitted for review by the Secretary.

12.2.1.3 The owner of any **Public** water system shall place the direct supervision of the water system under the responsible charge of the designated certified operator(s) (see Subsection 12.2.1.2). Each public water system shall identify one Designated Certified Operator and may identify additional certified operators. The owner shall place the certified operator(s) in responsible charge of all quality, quantity, process control, and system integrity decisions involving public health, treatment, storage, distribution, and standards compliance. The certified operator shall hold a valid certification equal to or greater than the classification of the treatment facility and distribution system. The Water System's O&M Manual shall include a short-term staffing plan in the event that a Designated Certified Operator is on vacation or temporarily unavailable or cannot access the water system within 1 hour.

12.2.2 Certified Operator's Responsibilities

The certified operator shall comply with the following requirements as a condition of their certification:

- (a) The certified operator(s) in responsible charge must hold a valid certification equal to or greater than the classification of their water system, including each treatment facility and distribution system, as determined by the Secretary.
- (b) The Designated Certified Operator shall perform the following duties or delegate to another certified operator associated with the water system, if applicable:
 - 1. Conduct visual inspections of the system's source, source water protection area, storage facilities, and chemical addition systems at an appropriate frequency giving consideration to the system's design, location, vulnerability, Operations and Maintenance Manual (see Appendix D), and other relevant factors.
 - 2. Be familiar with all aspects of the treatment and distribution system operation of the water system.
 - 3. Review and adhere to the system's monitoring schedule.
 - 4. Ensure that all samples are delivered to a certified laboratory in a timely manner.
 - 5. Inspect system within 24 hours of water system failures that threaten public health.
 - 6. Notify owner of any violation(s) of this Rule.
 - 7. Ensure the accuracy of water meters and other flow measuring devices.
 - 8. Keep abreast of changes in the drinking water regulations and safety regulations.
 - 9. Fulfill certification and certification renewal requirements.

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10. Operate and maintain system in accord with the Operation & Maintenance Manual and Permit to Operate.
11. Attend all sanitary survey inspections and site assessments as directed by state personnel.
12. Oversee source water protection, watershed protection, and other activities associated with chemical waivers or otherwise required by this Rule.
13. Keep complete and accurate water system records.
14. Carry out all required reporting requirements including submitting a complete monthly report to the Secretary by the 10th day of the following month when required.
15. Develop and maintain an accurate site plan showing the water source and distribution system.
16. Respond to consumer complaints promptly.
17. Comply with all applicable state and federal statutes, rules and orders governing water system regulation.
18. Conduct all duties with reasonable care and judgment for the protection of public health, public safety, and the environment.
19. Manage the system's flushing program.
20. Manage the system's valve exercise and operation.
21. Set and adjust chemical dosage.
22. Set, adjust, and replenish chemical mixes and batches.
23. Supervise, authorize, and accept responsibility for repairs, maintenance, and inspection of water system infrastructure.

(c) The Certified operator may, at their discretion, delegate to on-site or contracted personnel the following tasks, to be completed under the authority of the certification of the water system's validly-certified operator:

1. Routine chemical residual monitoring;
2. Meter reading;
3. Collection of water quality samples;
4. Transportation of water quality samples;
5. Maintenance of water system grounds;
6. Compilation of information for monthly reporting;
7. Monitoring and/or recording of system pressure;
8. Routine visual inspections of water system infrastructure;
9. Checking and adding salt to ion exchange reservoirs as needed;
10. Collection of routine total coliform samples;
11. Water storage tank inspection/cleaning;
12. UV treatment system maintenance; and
13. Other treatment equipment maintenance under contract.

(d) In instances where a water system is required to have both a treatment class operator and a class D operator, the designated certified operator shall possess the appropriate treatment class certification.

12.3 Operator Certification

- 12.3.1 To be eligible for initial operator certification, each applicant must:
- (a) Submit an application on a form provided by the Secretary;
 - (b) Meet the educational and experience requirements set forth in Section 12.9;
 - (c) Classes 2, 3, 4 and D shall obtain a passing grade on the certification examination approved by the Secretary (Class 1 operators need registration only) within the last 5 years;
 - (d) Pay any required fee; and
 - (e) Classes 2, 3, 4, and D must satisfy the requirements of Operator in Training established in 12.6 below; and
 - (f) Satisfy all other state mandated requirements for professional licensing and certification.
- 12.3.2 When replacing a Designated Certified Operator, the water system owner shall notify the Secretary in writing no later than 24 hours following the departure of the Designated Certified Operator of a plant or system. The water system shall designate a new Designated Certified Operator within 15 days following the date the Certified Operator ceases operation of a plant or system.
- 12.3.3 Whenever a new **Public** water system is constructed, the water supplier shall employ or contract with an operator certified in the corresponding class for the new facilities.
- 12.3.4 When significant modifications are made to an existing **Public** water system which change the system's classification, the owner shall designate an operator of the appropriate class or higher who is available to operate the water system within 30 days. If the historic operator does not possess the required class certification as the system following the change in treatment, they are no longer eligible to be the Designated Certified Operator of the system and they historic operator must satisfy the requirements of 12.3.6 below to obtain an upgraded class certification. This includes working under the supervision of a validly certified operator of the appropriate class.
- 12.3.5 An operator holding a treatment certification in any class is permitted to operate all facilities in that treatment class and any lower treatment class. Class 4C is the highest Vermont water operator treatment class. Class D operators must also possess a treatment certification to operate any class treatment system otherwise they may only operate class D systems as defined by 12.8.5 below.
- 12.3.6 A certified operator may move from class or sub-class 2, 3, or 4A, 4B, or 4C to the next higher class if they satisfy all of the following:
- (a) the operator has obtained a passing grade on the examination of the higher class; and
 - (b) they have worked as an operator-in-training for six months in the next higher class and satisfied the requirements of 12.6 below.

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- 12.3.7 A certified operator seeking a Class D certificate shall satisfy the requirements for initial certification. There is not an avenue through which operators may move into D from a treatment-related class certificate or from D into a treatment-related class without satisfying the requirements of 12.3.1 above.
- 12.3.8 Applicants who did not obtain a passing grade on a written certification may not re-take the examination for 30 days. Following the 30-day period, applicants may be retested at any scheduled examination for the particular class or via computer-based examination.
- 12.3.9 The operator's current certification shall be displayed in the office or plant of the system, and provided for inspection upon reasonable request.

12.4 Revocation or Suspension of Operator Certification

- (a) The Secretary may suspend or revoke an operator's certificate granted under this section, if the Secretary finds good cause to do so. Good cause to suspend or revoke, an operator's certificate shall include any of the following:
1. Failing to adhere to or use care, judgment, and knowledge in the completion of the operator's duties identified in 12.2.2 resulting in an actual or potential threat to public health;
 2. Actual or potential threats to public health that arise when uncertified on-site personnel acting under the delegated authority of the designated certified operator fail to adhere to or uphold care, judgement, and knowledge in the completion of operational functions;
 3. Obtaining a certificate through fraud, deceit, or falsification;
 4. Submitting false or misleading information regarding any application for initial certification or certification renewal;
 5. Submitting false or misleading documentation relating to the operational, maintenance, monitoring, or reporting requirements of a ~~public~~ **Public** water system;
 6. Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession. If an individual is convicted of either of these types of crimes, the Secretary shall consider the following in determining whether to deny or discipline a license or certification to the individual:
 - (a) the nature and seriousness of the conviction;
 - (b) the amount of time since the commission of the crime;
 - (c) the relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the profession; and
 - (d) evidence of rehabilitation or treatment
 7. Having a professional or occupational certification or license from another certifying or licensing authority suspended, revoked, or refused renewal or reinstatement for any of the reasons identified in this section.
- (b) the Secretary shall provide written notice of suspension or revocation including the reason(s) for such actions, to the operator involved. The effective date of the revocation or suspension will be the date specified in the notice sent to the operator. Any operator who receives such notification shall have thirty days from the receipt of the notice to submit a written request for a hearing to the Secretary. If requested, the Secretary shall provide an opportunity for a hearing. The submission of a request for a hearing does not stay the effective date of the Secretary's decision.

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- (c) The Secretary shall set forth what steps, if any, may be taken by the certificate holder to reapply for certification if a previous certificate has been revoked.
- (d) In situations where the operator does not control the budget for water system maintenance and/or compliance, to avoid revocation of the certification, it is the designated certified operator's responsibility to either remove themselves from the system or inform the Secretary of the owner's intentions not to comply with this Rule.
- (e) The Secretary may refuse to renew an Operator's certification for any reason enumerated in section (a) of this provision.

12.5 Recertification of Expired Certificates

Any operator who fails to renew their certificate within sixty days following the expiration date of the certificate may not receive a new certificate until they retake the applicable examination, successfully passes the qualifying examination, and meets the requirements set forth in Section 12.3.1.

12.6 Operator-in-Training (OIT)

- 12.6.1 An Operator-in-Training (OIT) certification is required to operate a **Public** water system under the direct supervision of a certified operator and may be granted by the Secretary. Application must be made on a form supplied by the Secretary.
- 12.6.2 Upon written notification by the certified operator overseeing the OIT's operational experience, that the OIT has completed the minimum required operational experience for full certification in the appropriate class, and an accompanying statement that the OIT is capable of operating a public drinking water system to the satisfaction of the operator to warrant issuance of a certificate, the Secretary may issue the appropriate operator certificate provided the OIT has satisfied all operator certification requirements of this part. If the OIT is not able to submit such notification by the certified operator overseeing the OIT's operational experience, the Secretary may accept such notification and statement from non-certified operators only under extenuating circumstances.

12.7 Provisional Certification

- 12.7.1 A Provisional Certificate may be issued by the Secretary to an applicant for the operation of a specific water system when the applicant has not met the full certification requirements for experience in that water system class. A Provisional Certificate may be issued provided the specific water system has exhausted all reasonable efforts in recruiting a fully certified operator, and the applicant has obtained a passing grade on the operator examination for the particular water system class.
- 12.7.2 The Provisional Certificate Application shall be co-signed by the applicant and the owner of ~~for~~ the water system which will be served by the provisionally certified operator. The owner of the water system shall certify that the applicant has had operator training by industry professionals, or other certified operator(s) and is capable of operating the specified water system. The Provisional Certificate has the following restrictions:

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- (a) It shall be issued for operation of a single, specific water system;
- (b) It shall be valid only for a time period equal to the minimum operating experience requirements identified in Table 12-1 of Section 12.9; and
- (c) It shall be non-transferable.
- (d) Shall be contingent of review/approval of the system's O&M Manual and a compliance determination.

12.7.3 To convert from a Provisional to a Full Certificate, applicants must:

- (a) present evidence of having been employed in a particular water system for a specific amount of time, to include all time in training with equipment manufacturers, consultants, or other certified trainers/operators (see Table 12-1, of Subsection 12.9; and
- (b) present evidence of having obtained a passing grade on an examination for the particular classification being sought and evidence that all other certification requirements have been met (see Subsection 12.2.1).

12.8 Classification of Public Water Systems and Drinking Water Facilities

Each **Public** water system is to be classified by the Secretary as set forth in this rule. There will be five classes, 1 through 4 and D.

12.8.1 Treatment Class 1A

This class of **Public** water system includes **Transient Non-Community** water systems with distribution and using any of the following technologies

- (a) No treatment;
- (b) Ion exchange for the sole purpose of water softening;
- (c) Cartridge filtration for aesthetic purposes; or
- (d) Limestone contactors.

12.8.1.1 Treatment Class 1B

This class of **Public** water system includes **Transient Non-Community** water systems with distribution and using any of the following technologies:

- (a) Disinfection with chlorine or UV, including standby capability.
- (b) Treatment of secondary contaminants with an active service contract. The contract for such treatment must be kept up-to-date and made available to the Secretary upon request.

A higher class of operator is not required for point of use treatment at commercial establishments undertaken for aesthetic purposes. Aesthetic purposes as used here includes soda machines, beverage machines, coffee production, and similar activities, and such classification will be made at the discretion of the Secretary.

12.8.2 Treatment Class 2

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This class of **Public** water system includes **Public Community, Bottled, and Public Non-Transient Non-Community** water systems with distribution and any of the following technologies to treat groundwater:

- (a) No treatment;
- (b) Disinfection with chlorine or UV; including systems with standby chlorination;
- (c) Ion exchange for the sole purpose of water softening;
- (d) Treatment of secondary contaminants;
- (e) Limestone contactors if installed for aesthetic purposes only, not as a result of Lead and Copper sampling results, or;
- (f) Consecutive water systems, regardless of source type, that do not meet the definition of 12.8.5 below and provide treatment according to Class 2 specifications above.

12.8.3 Treatment Class 3

This class of **Public** water system applies to all **Public** water systems with distribution and any of the following technologies to treat groundwater:

- (a) Disinfection by other than chlorine or UV;
- (b) Sequestering of iron or manganese;
- (c) Fluoridation;
- (d) Corrosion control including limestone contractors if installed in response to a lead or copper action level exceedance;
- (e) pH control;
- (f) Air stripping;
- (g) Granular activated adsorption to address primary contaminants;
- (h) Ion exchange to achieve compliance with an MCL or the manganese health advisory;
- (i) Aeration;
- (j) Reverse Osmosis Micro filtration, nanofiltration, ultrafiltration;
- (k) Authorized blending to achieve compliance with a primary contaminant; or
- (l) Consecutive water systems regardless of source type that do not meet the definition of 12.8.5 and provide treatment according to class 3 specifications.

This class also includes all **Public** water systems using groundwater determined to be under the direct influence of surface water and which *have* a filtration waiver.

12.8.4 Treatment Class 4

This class of **Public** water system includes water systems which treat ~~use~~ surface water, or which have groundwater determined to be under the direct influence of surface water with respect to which a filtration waiver has not been issued. Class 4 is further differentiated by population served by the system in the following sub-classes:

- 4A, for served populations between 25 and 500;
- 4B, for served populations between 501 and 3,300; and
- 4C, for served populations greater than 3,300

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For a system categorized in 4A or 4B above that is growing and whose class changes between sanitary surveys or other routine regulation, the Secretary shall consider administratively upgrading the class of the respective operators to accommodate the growth of the system.

12.8.5 Class D

1. This class of **Public** water system includes the following:

- (a) **Consecutive Public** water systems serving 500 people or more and that have only a distribution system. This type of Class D system purchases its water and does not have any source or treatment associated with it; this class of systems may have storage or pumping facilities.
- (b) **Public Community** water systems serving 500 or more people with any of the following are required to have an operator with both a treatment certification as identified above and either a “Legacy Distribution” or a Distribution certification as identified below or separate certified treatment and distribution system operators or certifications when there are:
 - 1) multiple pressure zones within the distribution system owned or operated by the ~~public~~ **Public** water system; or
 - 2) fire protection through designated fire hydrants connected to the transmission or distribution system.
- (c) **Public Non-Transient Non-Community** water systems serving 500 or more people with fire hydrants connected to the distribution system for the purpose of firefighting are required to have an operator with both a treatment certification as identified above and a “Legacy Distribution” or a Distribution certification as identified below or separate certified treatment and distribution system operator(s) or certification(s).

2. **Public** water systems meeting the definition of 12.8.5(a), (b), or (c) above are required to obtain a certified Class D operator or the existing operator required to obtain a “Legacy Distribution” certification no later than *July 1, 2029*.

- (a) **Legacy Distribution Certification:** Operators who have passed a treatment exam prior to July 1, 2029 and can document 1.5 years of experience at a water system(s) meeting the definition of 12.8.5(a), (b), or (c) above, may attend and complete a State-provided distribution training class in lieu of taking the distribution class examination. Upon satisfactory completion of the state-provided training, these operators will be issued what will be referred to as a “Legacy Distribution” certification. This certification will apply only to the systems for which the operator has 1.5 years of experience or greater as of the time of submitting their application, no later than July 1, 2029. Should a “Legacy Distribution” operator wish to work at a system for which they previously do not have the required 1.5 years of experience, they would need to pass the Distribution exam to be granted a Distribution certificate according to this section.
 - (i) Legacy Distribution Certification renewal shall be linked with the respective treatment certificate and follow the 3-year renewal period assigned to the treatment classification.
- (b) **Distribution Certification:**
 - (i) Operators who have not previously passed the appropriate treatment exam or had the required 1.5 years of experience at a specific water system meeting the definition of

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12.8.5(a), (b), or (c) above will not be eligible to obtain a Legacy Distribution certification and instead shall meet the certification requirements for a Distribution certification as identified in this chapter including passing the certification examination and having the minimum required applicable experience.

(ii) Operators who earned a passing grade on the class D exam after January 1, 2018 who have not adhered to the certification renewal requirements of this section to maintain their D certification but have maintained a valid class 2, 3, or 4 treatment certification as of the date of application apply to reinstate their class full D certification prior to July 1, 2029 and be considered dual-certified moving forward so long as the continued requirements for certification renewal established in this section are met.

12.9 Experience and Education

12.9.1 In determining whether an applicant has the operating experience required for certification in a particular water system class, the Secretary shall consider the following:

- 1) the period of satisfactory experience as a system operator or OIT in the respective certification class sought; and
- 2) operating experience in the respective certification class sought accrued in another jurisdiction.

All satisfactory experience as noted above shall be considered toward the total experience required for certification in the particular class for which application is made. Operating experience is defined as time spent at a facility, plant, or system in satisfactory performance of operational duties.

12.9.2 All applicants shall have a high school diploma or a general equivalency diploma (GED). The Secretary may allow experience and relevant training to be substituted for a high school diploma or GED.

12.9.3 Table 12-1, below, contains the minimum experience requirements for certification.

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Table 12-1 - OPERATOR CLASSIFICATION REQUIREMENTS

Public Water System Class(s)	Class of Operator	Operating Experience Required (Yrs)
2, 3, 4, and D	Operator-in-Training (OIT)	NONE
2, 3, 4, and D	Provisional	NONE
1A	Operator Class 1A	NONE
1B	Operator Class 1B	NONE
2	Operator Class 2	1.5
3	Operator Class 3	1.5
~~4A1~~	~~Operator Class 4A1~~	~~2~~
4A	Operator Class 4A	2
4B	Operator Class 4B	2.5
4C	Operator Class 4C	3
D	Operator Class D	1.5

12.9.4 Substitutions for Experience Requirements

- (a) Substitutions with related schooling or courses may be made for up to 50% of the required on-site experience for Classes 2, 3, 4A, 4B, 4C, and D.
- (b) Formal Education
 - (1) High School education cannot be substituted for any experience requirement.
 - (2) Approved relevant formal academic education at the post high school or college level may be substituted for experience requirement on a year for year basis, subject to the 50 percent limitation described in Subsection 12.9.4(a) above. Thirty (30) semester hours or equivalent educational hours of credit are considered to represent 1 year of formal education.
- (c) Operator Training
 - (1) Specialized operator training courses, seminars, workshops or approved technical conferences may be substituted for experience requirements subject to the 50 percent limitation previously described. Continuing Education Units (CEUs) totaling 30 are considered equal to 1 year. 1 CEU equals 10 Training Contact Hours (TCH).
- (d) Partial credit toward operating experience may be given for experience in plant or system maintenance, in a laboratory, in a different certification category than that which is being applied for, and in related (allied) trades, as determined or approved by the Secretary.

12.10 Certification Renewal

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12.10.1 A certified water system operator shall submit to the Secretary, at least 30 days before the expiration date of the certificate, a completed application on the form approved by the Secretary, including any fee due and signed statement by the operator attesting that all required credit hours have been completed for the respective renewal period and the operator meets the minimum requirements for their certification to be renewed. If the application is complete, and the Secretary finds no cause under this section to deny the application, a renewed certificate shall be issued.

The burden of certification renewal is assumed by the applicant and failure of the Secretary to provide notice shall not constitute a basis for contesting the expiration of an operator certificate. The applicant bears the burden to renew their certification. The applicant may not use the Secretary's failure to provide notice of a required renewal to contest an expired operator certificate.

12.10.2 Should an operator with enough TCH to apply to a renewal of their certification earn TCH in the calendar year of a renewal cycle, but not elect to apply those hours toward the current renewal, they may apply those hours to the next renewal period. This must be clearly stated on the renewal form.

12.10.3 Certification renewal shall occur on a schedule as shown below and shall be based on various methods of recertification depending on water system class.

Table 12 – 2 Duration of drinking water operator certificates

Class of Certificate	Duration of Certificate, Years	Method of Certification
1A	3	Registration
1B, 2, 3, 4A, 4B, 4C, and D	3	Satisfaction of TCH requirements

12.10.3 Upon receiving prior approval from the Secretary an operator may retake the certification exam for their respective class and, upon passing the exam, be allowed to renew their license without completing the required TCH for that renewal period. This option is allowed once per class, per operator.

12.10.4 Certifications issued under the Rule may be for a different duration than shown above, in order to stagger the renewal dates for more efficient administration of the program at the discretion of the Secretary.

12.11 Continuing Education

12.11.1 Continuing education requirements for certification renewal are as follows, according to the training categories established in 12.11.2 and 12.11.5 below.

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- (a) Water System Class 1A operators are encouraged to complete at least 3 TCH of state approved seminar or other approved instruction each 3 year renewal period.
- (b) Water System Class 1B operators shall complete at least 3 TCH of a state sponsored seminar or other approved instruction each 3 year renewal period.
- (c) Water System Class 2 operators shall complete at least 10 TCH of a state sponsored seminar or other approved instruction each 3 year renewal period.
- (d) Water System Class 3, 4, and D operators shall complete at least 20 TCH of state sponsored seminars or other approved instruction each 3 year renewal period unless the operator is “dual” certified for both Treatment and Distribution, in which case the operator must complete training hours in accordance with 12.11.6 below.

12.11.2 For each renewal cycle, class 2, 3, and 4 operators shall obtain no less than 30% of their required TCH from topics included in Category 1 below; no less than 30% of required TCH from topics included in Category 2 below; and the remaining 40% from any training category as follows:

Table 12 -3 Training Categories for Treatment Certification

	Category 1	Category 2	Category 3
Topics	Regulatory	Treatment	All other approved training topics
	Public Health	Distribution	
	Management and/or Finance	Source Protection	
		Operation and Maintenance	
Minimum Hours Class 2	3 hours per renewal	3 hours per renewal	No minimum
Minimum Hours Classes 3, 4	6 hours per renewal	6 hours per renewal	No minimum,

12.11.3 Assignment of Class Categories

- (a) Class offerings will be assigned a category or in some instances will cover multiple categories above. It is the obligation of the operator to identify from the possible assigned categories how they are seeking to apply each TCH to their respective certification when multiple categories apply.
- (b) Single classes providing less than 3 hours of TCH will not be permitted to be sub-divided among multiple categories.
- (c) Single classes providing 3 or more hours of TCH will be permitted to be sub-divided among multiple categories in half-hour increments.

12.11.4 Documentation of continuing education shall be submitted to the Secretary to account for each TCH received and being applied to the operator’s certificate for renewal-

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Documentation will be provided by the applicant. Acceptable documentation shall consist of individual course completion certificates (pre-approval of course required) or formal course sign-in sheets for pre-approved courses containing the signature of the applicant confirming attendance. The operator shall identify the respective categories for each TCH earned on a form provided by the Secretary. The Secretary will review and audit a select portion of renewal applications every renewal cycle to ensure consistency and adherence to the requirements above.

12.11.5 For each renewal cycle, class D operators shall obtain no less than 50% of their required TCH from topics included in Category 1 below; no less than 30% of required TCH from topics included in Category 2 below; and the remaining 20% from any training category as follows:

Table 12-4 Training Categories for Distribution Certification

	Category 1	Category 2	Category 3
Topics	Regulatory	Treatment	All other approved training topics
	Public Health	Management and/or Finance	
	Distribution	Operation and Maintenance	
	Work site safety	Hydraulics (pumps, pressure, etc)	
Minimum Hours Class D	10 hours per renewal	6 hours per renewal	No minimum,

12.11.6

Certain Certified Operators who possess both a treatment classification and a distribution certification may apply a specified amount of distribution-related TCH to both the treatment classification and the distribution certification per renewal cycle, meaning a set number of hours can be treated as “dual” credits. These “dual” distribution credits amounts may be applied as follows:

- (a) Treatment classification 2 operators who possess a distribution certification may treat up to 5 TCH as “dual” credits per renewal cycle. The Operators must complete at least 15 total TCH. This shall consist of 10 hours under “treatment” as identified in table 12-3 and 5 hours from Category 1 or 2 in table 12-4 to apply toward “Distribution”.
2. Treatment classification 3 and 4 operators who possess a distribution certification may treat up to 10 TCH as “dual” credits per renewal cycle. The Operators must complete at least 30 total TCH. This shall consist of 20 hours under “treatment” as identified in table 12-3 and 10 hours from Category 1 or 2 in table 12-4 to apply toward “Distribution”.

When an operator possesses multiple certifications/is dual-certified, training topics listed in Category 3 in Table 12-3 only count toward the treatment certification.

Subchapter 21-13 LABORATORY CERTIFICATION

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** (NTNC) water systems; and
- (c) **Public Transient Non-Community** (TNC) water systems.

13.1 Certification

All laboratories doing analyses which are to be submitted by **Public** water systems under this rule, must be certified by the Vermont Department of Health and all shall be subject to the laboratory certification provisions of 40 CFR, Part 141, Subpart C, and §142.10(b)(3) and (b)(4).

Subchapter 21-14 (RESERVED)

Subchapter 21-15 CAPACITY

Introduction

This subchapter applies to:

- (a) **Public Community** water systems and
- (b) **Public Non-Transient Non-Community** (NTNC) water systems.

15.1 General Requirements

- 15.1.1 All proposed new **Public Community** and **Public Non-Transient Non-Community** water systems, for which applications were submitted on or after October 1, 1999, shall demonstrate technical, managerial, and financial capacity prior to obtaining a Construction Permit or an Operating Permit. A Construction Permit or an Operating Permit shall not be issued until a determination has been made by the Secretary that the water system has demonstrated that it has, and will continue to have over the long term, technical, financial, and managerial capacity. Subchapters 21-4 (Construction Permits) and 21-5 (Operating Permits) identify the necessary information required for submittal as part of permit applications. Appendix A of this rule identifies many of the technical capacity requirements, and Appendix B identifies the managerial and financial capacity requirements.

15.2 Technical Capacity

- 15.2.1 Technical Capacity shall generally be demonstrated by:
- (a) Compliance with Appendix A source water and infrastructure requirements;
 - (b) An approved Operation and Maintenance Manual;
 - (c) The retention of a certified operator; and
 - (d) Approved “as-built” drawings.

15.3 Managerial Capacity

- 15.3.1 Managerial Capacity shall generally be demonstrated by:
- (a) An organizational chart that shows clear lines of authority and responsibility, and identifies a person(s) with decision-making authority;
 - (b) Proof of appropriate experience and expertise of managerial personnel; and
 - (c) By-laws, policies, and procedures for municipalities, cooperatives, homeowners associations and other similar organizations that define system and customer responsibilities and demonstrate acceptable management and decision-making processes.

15.4 Financial Capacity

- 15.4.1 Financial Capacity shall generally be demonstrated by:
- (a) Reliable cost and revenue projections that demonstrate revenue sufficiency, and

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- (b) Proof of implementation of sound fiscal management and control policies and procedures.

Subchapter 21-16 SOURCE WATER PROTECTION

Introduction

This subchapter applies to the following water systems:

- (a) **Public Community** water systems;
- (b) **Domestic Bottled**; and
- (c) **Public Non-Transient Non-Community (NTNC)** water systems.

16.1 General

All **Public Community**, **Domestic Bottled** water systems, and **Non-Transient Non-Community** Water Systems shall have an approved Source Protection Plan. The owner shall prepare and submit a Source Protection Plan to the Secretary for approval. **Public Transient Non-Community** water systems are encouraged, but not required, to complete Source Protection Plans.

16.2 Components of a Source Protection Plan

A Source Protection Plan shall consist of a map of the delineated Source Protection Area; an inventory of the potential and actual sources of contamination in the Source Protection Area located on the map; a management plan for the risks from the potential and actual sources of contamination; and a contingency plan. Some parts of the Source Protection Plan may also be required in the Operation and Maintenance Manual (see Appendix D of this rule).

16.2.1 Source Protection Area Maps

The Source Protection Plan shall include a topographic map showing:

- (a) the source(s) identified by name and the Drinking Water and Groundwater Protection Division's Source Number;
- (b) the Source Protection Area, including any delineated zones;
- (c) the lots and associated landowners, unless this information is included on a tax or orthophoto map showing the Source Protection Area; and
- (d) the location of any potential and actual sources of contamination.

16.2.2 Source Protection Area Delineation

For Public Community Water Systems, the Source Protection Area shall be:

- (a) the area approved by the Secretary;
- (b) the 3,000 foot fixed radius circle assigned by the Secretary prior to September 24, 1992; or
- (c) the area approved by the Vermont Department of Health prior to July 1, 1991. These approvals do not include restrictions imposed by the Board of Health in Health Orders.

Where multiple Source Protection Areas have been delineated for a particular source, only the most current, approved, Source Protection Area shall be in effect.

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Non-Transient, Non-Community water systems with groundwater sources shall delineate a Source Protection Area in accordance with Vermont's Wellhead Protection Program Guidance Document. **Non-Transient, Non-Community** water systems with a surface water source or Groundwater Under the Direct Influence of Surface Water source shall use the delineation methodology in Appendix A Part 3 of this Rule.

Surface water systems with a 3000 foot radius circle Source Protection Area shall redelineate their Source Protection Area(s) in accordance with Appendix A of this Rule, except for surface water systems using Lake Champlain as a source.

Surface water systems using Lake Champlain as a source shall redelineate their Source Protection Areas in accordance with Appendix A of this Rule or in accordance with the EPA approved Assessment Protocol for Great Lakes Sources, dated August 8, 1999. The ~~public~~ **Public** water system shall choose which method to use.

16.2.3 Inventory of Potential Sources of Contamination

The Source Protection Plan shall include an inventory of all potential and actual sources of contamination within the Source Protection Area. The inventory shall include the type of facility or business and the contact name and address. As required in 16.2.1, a map shall be included showing the location of the potential sources of contamination in relation to the Source Protection Area and the sources.

With prior approval of the Secretary, certain potential sources of contamination may be grouped together instead of listed individually.

16.2.4 Assessment of Potential Sources of Contamination

The Source Protection Plan shall include an assessment of high, medium, or low risk for the potential source of contamination to affect the public water source(s). The Source Protection Plan shall include justification for the ranking.

The actual risk to the source and the health of persons from each contaminant at each activity will be made upon considering the following factors:

- (a) distance from potential or actual source of contamination to drinking water source;
- (b) toxicity of contaminants (if chemical);
- (c) the relative elevation of the bottom of source compared to discharge point or potential discharge point at the PSOC;
- (d) level of control exerted over PSOC;
- (e) volume of contaminant which is, or might be, released at the PSOC;
- (f) a past, present and ongoing, or a potential discharge;
- (g) the nature of the soils between the PSOC and the source;
- (h) the aquifer characteristics, if known;
- (i) type and severity of illness associated with the PSOC if contaminants are disease causing;
- (j) source construction integrity;

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- (k) detection of chemical or microbiological contaminants; and
- (l) other factors which might help evaluate the level of risk as high, medium, or low.

For Zone 1 of a groundwater source, the risk ranking shall be “high” for any activity identified as a “prohibited land use” in Appendix A Subpart 3.3.1.2(e).

For any actual sources of contamination, the risk ranking shall be “high.”

16.2.5 Management Plan of Risk

The Source Protection Plan shall contain a plan for managing the potential and actual sources of contamination. This plan shall be directed towards controlling existing potential sources of contamination and, where possible, reducing risks of potential contamination.

At a minimum, the water system shall notify all landowners within the Source Protection Area of the Source Protection Plan. Other techniques may include educational efforts on protecting groundwater and surface water, zoning ordinances, purchase of land or conservation easements to protect the drinking water quality, maintaining buffer zones for surface water sources, educating the residents about proper septic systems and storage tank maintenance, developing educational programs for schools, etc.

Water systems using Lake Champlain as a source shall include information about watershed protection in their management plan. The Secretary will prepare this information.

16.2.6 Contingency Plan

All Source Protection Plans shall include a Contingency Plan. The Contingency Plan shall include, but not be limited to:

- (a) Identification of alternative drinking water sources, both long and short term;
- (b) A list of key personnel to be notified in case of a water emergency; and
- (c) A shut-down/start-up procedure, if one is not already contained in an approved Operations & Maintenance (O&M) Manual.

16.3 Updates of Source Protection Plans

Source Protection Plans shall be updated by the **Public** Water System every three years. The updates shall be submitted to the Secretary for review and approval. The update shall include, but is not be limited to:

- (a) Inspection reports of potential sources of contamination;
- (b) Inventory and assessment of new potential and actual sources of contamination in source protection area;
- (c) Map location of new potential and actual sources of contamination;
- (d) Management plans for new potential sources of contamination;
- (e) A summary of any remedial or corrective actions taken on potential sources of contamination; and

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- (f) Changes in landowners; key town, county, or state officials; management techniques; source protection area; or other pertinent information.
- (g) Pertinent new requirements of state and federal rules which may have been adopted since the last update.

16.4 Financial Assistance

- 16.4.1 The Secretary may establish a financial assistance program to assist **Public Community** and **Non-Transient Non-Community** water systems in preparing and updating Source Protection Plans and Source Water Assessments.
- 16.4.2 Any financial assistance program which is established through the Drinking Water State Revolving Fund will be detailed in the Drinking Water State Revolving Fund's Intended Use Plan submitted to the United States Environmental Protection Agency.

16.5 Construction of Sewer Lines in Source Protection Areas

An owner who also owns sewer lines in its water system's Source Protection Area shall provide for adequate protection of the source water quality as part of the design and construction of any new sewer lines in the Source Protection Area. The Secretary may develop procedures on sewer line construction standards in Source Protection Areas.

APPENDIX A - VERMONT STANDARDS FOR WATER SYSTEM DESIGN, CONSTRUCTION, AND PROTECTION

Part 1 SUBMISSION OF PLANS

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** water systems; and
- (c) Domestic **Bottled** water systems.

1.0 General

An application for a Permit to Construct or for a Source Permit must be submitted on an application form supplied by the Secretary. An application must be submitted a minimum of 30 days prior to the date of which action by the Secretary is desired. For larger projects contact the Drinking Water and Groundwater Protection Division for typical review times. Preliminary plans and the engineer's report for municipal projects should be submitted for review prior to the preparation of final plans. Approval for construction will not be issued until complete, detailed plans and specifications have been submitted to the Secretary and found to be satisfactory.

Documents submitted for consideration of formal approval shall include but not be limited to:

- (a) general layout, including location plan;
- (b) detailed plans and specifications;
- (c) basis of design, including a summary; AND
- (d) operation requirements, where applicable.

1.1 Permit Application

The requirements for filing an application with the Secretary shall include but are not limited to:

- (a) The owner shall complete and sign the application form; and
- (b) A brief description shall be provided as part of this form including:
 - (1) purpose of the project;
 - (2) source of water supply;
 - (3) service classification (commercial, residential, offices, recreational, etc.);
 - (4) estimated average and maximum daily water demand;
 - (5) general description of the proposed water system including length and diameter of water mains, number of service connections, all other fixtures; and
 - (6) fire protection where provided (i.e. number of hydrants, design fire flow, building(s) to be sprinkled).

1.2 Engineer's Report

The Engineer's Report for water system improvement shall, where pertinent, present the following information:

1.2.1 General Information shall include the following:

- (a) name and mailing address of the owner;

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- (b) identification of the area to be served on a Vermont orthophoto base tax map;
- (c) general description of any existing water system or drinking water facilities, including age, general condition, and adequacy;
- (d) a letter of allocation from the **Public** water system serving the project, or Source Permit; and
- (e) information on fire protection to be provided, if any.

1.2.2 Extent of Water System, including:

- (a) description of the nature and extent of the area to be served;
- (b) provisions for extending the water system to include areas beyond limits of intended construction; and
- (c) appraisal of the future requirements for service, including existing and potential industrial, commercial, institutional, and other water supply needs.

1.2.3 Alternate Plans

Where two or more feasible solutions exist for providing **Public** water system facilities, including connection to an existing **Public** water system, the applicant shall discuss the alternative plans. Reasons shall be given for selecting the one recommended, including financial considerations, implementability and a comparison of the minimum classification of the water system operator required for operation of each alternative facility.

1.2.4 Design Criteria

A summary of complete design criteria shall be submitted for the proposed project containing, but not limited to, the following:

- (a) safe yield of the source of supply (which may be waived for existing systems with no history of outages and which will not allow further connections);
- (b) reservoir surface area, volume and a volume-versus-depth curve, if applicable;
- (c) area and map of source protection area, including an accurate GPS location of the source(s);
- (d) estimated average and maximum day water demands for the design period;
- (e) number of existing and proposed services;
- (f) fire fighting requirements; includes volume (gpm), pressure and duration of flow (minimum of 2 hours required);
- (g) flash mix, flocculation and settling basin capacities;
- (h) retention times;
- (i) unit loading;
- (j) filter area and the proposed filtration rate;
- (k) backwash rate; and
- (l) feeder capacities and ranges.

1.2.5 Soil and Groundwater Conditions, including a description of:

- (a) the character of the soil through which water mains are to be laid;
- (b) soil conditions prevailing at sites of proposed structures; and
- (c) the elevation of highest groundwater in relation to subsurface structures.

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1.2.6 Water Use Data to include:

- (a) a description of the population trends as indicated by available records, and the estimated population which will be served by the proposed water system or expanded system;
- (b) present water consumption and the projected average and maximum daily demand, including fire flow demand (see Appendix A Subpart 1.2.8); and
- (c) unusual occurrences, including anticipated future industrial or commercial uses.

1.2.7 Hydraulic Analysis

A hydraulic analysis shall be performed on all proposed water systems, and may be required on major improvements to existing systems, demonstrating the ability of the system to meet pressure and flow requirements.

1.2.8 Fire Flow Requirements to include:

- (a) recommendations of the Insurance Services Office, current edition or the local fire department as to fire flows required in the service area involved; systems used for both fire protection and domestic use must maintain a minimum of 20 psi under fire flow conditions at all points in the distribution system and provide adequate distribution storage to meet both domestic and fire flow requirements (See Appendix A Subpart 7.0.1).
- (b) fire flows which will be made available by the proposed or enlarged system; and
- (c) information of type and connection to the water system required for building sprinkler systems, including back flow prevention devices meeting the applicable ASSE Standards and AWWA Standard M - 14.

1.2.9 Sewerage System Availability

Describe the existing sewerage system and indicate location of existing and known future sewage treatment works, with special reference to their proximity to existing or proposed water system structures which may affect the operation of the water system, or which may affect the quality of the supply.

1.2.10 Source of Water Supply

Describe the proposed source or sources of water supply to be developed, the reasons for their selection and provide information as needed to gain a Source Permit as required in Subchapter 21-4. (Provide details of operation when two or more sources are used.)

1.2.11 Proposed Treatment Processes

Summarize and establish the adequacy of proposed processes and unit parameters for the treatment of the specific water under consideration. Alternative methods of water treatment and chemical use should be considered as a means of reducing water handling and disposal problems. Pilot studies are required when the proposed treatment deviates from the conventional complete

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treatment involving coagulation, flocculation, sedimentation and filtration with standard rates. Pilot studies may range from review of pilot studies on similar systems with similar raw water quality to full scale pilot system construction and evaluation.

1.2.12 Waste Disposal

Discuss the various wastes from the water treatment plant, their volume, proposed treatment and points of discharge. Disposal of water treatment plant sludge shall occur in a manner that is in accordance with the Agency of Natural Resources requirements.

1.2.13 Automation

Provide data supporting the selection of automatic equipment, for treatment plants, including the servicing and operator training to be provided. Manual override must be provided for any automatic controls.

1.2.14 Project Sites:

Include a discussion of:

- (a) the various sites considered and advantages of the recommended one(s);
- (b) the proximity of residences, industries, and other important establishments and land uses; and
- (c) any potential sources of contamination that may influence the quality of the supply or interfere with effective operation of the water system, such as sewage absorption systems, septic tanks, privies, cesspools, sink holes, sanitary landfills, refuse, garbage, underground storage tanks, hazardous sites, industrial facilities, direct discharge sites, agricultural land use, industrial dumps, etc.

1.2.15 Financing to include:

- (a) estimated cost of integral parts of the system;
- (b) projected estimated annual cost of operation; and
- (c) proposed methods to finance both capital and operating costs.

1.2.16 Future Extensions

Summarize planning for future needs and services.

1.3 Plans for Construction

Plans for water system improvements shall, where pertinent, provide the following:

1.3.1 General Layout:

Include:

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- (a) One (1) copy of plans which are relevant to water system approval such as location of source, storage, if any, storm and waste water sewers, boundaries of area to be served, etc.
- (b) The first plan sheets shall contain:
 - 1. Project Title;
 - 2. Complete index of all sheets for the project;
 - 3. Location map including North identification;
 - 4. Legend differentiating between existing and proposed facilities and will be different for sanitary and storm sewers;
 - 5. Inclusion of professional engineer's seal and signature; and
 - 6. A scale bar will be provided when drawings are to scale.
- (c) Plans shall be on nominal 2' X 3' sheets.
- (d) All sheets shall be legible; each sheet shall have the title of the sheet, project name, name of the **Public** water system.
- (e) All revisions shall be so identified and include the registered professional engineer's seal and signature.
- (f) Location and size of existing water mains.
- (g) Location and nature of existing water system structures and appurtenances affecting the proposed improvements, noted on one sheet, and location plan showing project location(s) within the municipality.

1.3.2 Plan Sheets shall include:

- (a) stream crossings, providing profiles with elevations of the stream bed and the normal and high and low water levels;
- (b) profiles having a horizontal scale of not more than 100 feet to the inch and a vertical scale of not more than 20 feet to the inch, with both scales clearly indicated, and plan views having a scale of not more than 50 feet to the inch;
- (c) location and size of the property to be used for the source development with respect to known references such as roads, streams, section lines, or streets;
- (d) topography and arrangement of present or planned sources, roads, or structures, with contour intervals not greater than two feet, where necessary to detail construction grading and filling;
- (e) elevations of the highest known flood level, floor of the structure, upper terminal of protective casings and outside surrounding grade, using a single datum which may be a National Geodetic Vertical Datum or United States Coast and Geodetic Survey, United States Geological Survey or equivalent elevations where applicable as reference;
- (f) plat and profile drawings of source construction, showing diameter and depth of drill holes, casing and linear diameters and depths, grouting depths, elevations and designation of geological formations, water levels and other details to describe the proposed well completely;
- (g) location of all existing and potential sources of pollution as outlined in Subchapter 21-16 of this Rule;
- (h) size, length and identity of sewers, drains and water mains and their locations relative to plant structures, also preferred type of pipe shall be indicated on the plan;
- (i) schematic flow diagrams and hydraulic profiles showing the flow through various plant units;

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- (j) piping in sufficient detail to show flow through the plant, including waste lines;
- (k) locations of all chemical storage areas, feeding equipment and points of chemical application;
- (l) all appurtenances, specific structures, equipment, water treatment plant waste disposal units and points of discharge having any relationship to the plans for water mains and/or water system structures;
- (m) locations of sanitary or other potentially contaminating facilities, such as lavatories, showers, toilets, and lockers, when applicable or required by the Secretary;
- (n) locations, dimensions, and elevations of all proposed plant facilities;
- (o) locations of all sampling taps; and
- (p) adequate description of any features not otherwise covered by the specifications
- (q) Service connection detail must be provided. Curb stops must be shown on plan drawings, and they must be incapable of conveying surface loads onto the service line.
- (r) Any connection between potable water and building sprinkler/fire protection systems must be shown and a state accepted method of preventing backflow provided.

1.4 Design Specifications

Where pertinent complete, detailed technical specifications shall be supplied for the proposed project, including:

- (a) a program for keeping existing water system facilities in operation during construction of additional facilities so as to minimize interruption of service
- (b) construction details including materials, quality control, and testing;
- (c) laboratory facilities and equipment;
- (d) the number and design of chemical feeding equipment (see Appendix A Subpart 5.1); and
- (e) materials or proprietary equipment for sanitary or other facilities including any necessary back flow or back-siphonage protection and coating and linings in contact with raw, partially treated or finished water.

1.5 Revisions to Approved Plans

Any deviations from approved plans or specifications affecting capacity, hydraulic conditions, operating units, the functioning of water treatment processes, or the quality of water to be delivered, must be approved by the Secretary before such changes are made. Revised plans or specifications shall be submitted in time to allow the review and approval of such plans or specifications before any construction work, which will be affected by such changes, is begun.

1.6 Additional Information Required

The Secretary may require additional information which is not part of the construction drawings, such as head loss calculations, proprietary technical data, copies of deeds, copies of contracts, etc.

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1.7 Record Drawings

Record drawings, as built, are required at the completion of each project. These drawings shall be submitted within 60 days of final project completion. Construction details must be certified by the engineer of record.

Part 2 GENERAL DESIGN CONSIDERATIONS

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

2.0 General

The design of a water system or treatment process encompasses a broad area. Application of this part is dependent upon the type of system or process involved.

2.1 Design Basis

The water treatment plant, water system sources, and pump stations shall be designed for maximum day demand at the design year, recommended 20 years hence. Water system treatment plants, for water systems planning on future growth, shall be designed for maximum day demands expected at least 10 years hence. Water mains and transmission lines shall be designed for 50 years projected growth. **Public** water systems serving fewer than 100 connections, such as condominiums or subdivisions, need only plan for known projected demand. Specific per capita per day demands as outlined in Subpart 2.2, Table A2-1, shall be used to establish initial average day demand.

When a water system, expecting future growth, reaches 90% of the capacity of treatment or pumping systems capacity, it shall commence planning for the required additional capacity. When pumping or treatment capacities reach 100%, the water system shall initiate construction of these facilities.

2.2 Water Demand

Source yields will be compared against the maximum demands of the water systems to determine the adequacy of the source(s) to meet the expected demand.

2.2.1 Average Day Demands

The source's ability to meet the average day demand is based on pumping 12 hours per day. When a water system's average day demand is being met by pumping in excess of 12 hours per day at the permitted rate the water system shall immediately apply for additional source capacity.

2.2.1.1 For design of new systems or modification to systems without metered data records, the average day demands shall be based on the average day flow quantities in Table A2-1.

2.2.1.2 Reduction in average day demands determined using Table A2-1 may be made based on the results of metered data. Reductions below 60 gal/person/day will not be permitted in residential dwellings. A 10% leakage/aging factor will be added to empirically derived

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average day demands. Four types of proposals may be presented to determine reductions in the average day demands.

- (a) Meter readings on the existing water system:
 - (1) Must be tabulated on a daily basis for at least one year and readings must represent current usage;
 - (2) Must include daily population figures or occupancy data when appropriate; and
 - (3) On seasonally occupied dwellings, average day demands must be taken for period of maximum occupancy.
- (b) Meter readings on existing similar water systems:
 - (1) must be similar in population type and usage and must be approved for study by the Secretary, and
 - (2) two similar water systems should be monitored for at least one year prior to analysis.
- (c) Installation of low flow plumbing fixtures, 3.5 gallon or less flush toilets, 3.0 gallon per minute or fewer showerheads, and faucet aerators will allow for a 10% reduction in design flows as calculated from Table A2-1.
- (d) Other proposals, acceptable to the Secretary, on a case by case basis.

2.2.2 Maximum Day Demand

When the peaking factor is two (2), meeting the maximum day demand is based on finished water production when pumping 24 hours per day at the same rate (GPM) as needed to meet the average day demand.

Maximum day demands are determined as follows:

Average day demands x peaking factor = maximum day demands. In the absence of site specific data the peaking factor shall be two (2).

Please note that the basis of design, including the definitions for average day demand and maximum day demand differ in Part 11, Small Scale Systems.

2.2.3 Peaking factor

2.2.3.1 The peaking factor on new projects and non-metered existing projects is two (2).

2.2.3.2 The peaking factor, if based on metered data, must be based on the same information and conditions outlined in Appendix A Subpart 2.2.1.2, and is the ratio of the metered maximum day demand to the metered average day demand. The maximum day demand is the greatest amount of water produced by the water system on a single day during a 12 month period, or other appropriate time period.

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Table A2-1 - UNITIZED AVERAGE DAY FLOWS
Engineering Design Criteria
Unitized Average Day Flow Quantities

ESTABLISHMENT	DESIGN VALUE	Gallons Per Person Per Day(Unless otherwise noted below)
Assembly Areas, Conference Rooms	5	
Airports	5	
Bathhouses	5	
Bowling Alley (no food service)	75	Per Lane
Camps:		
Campground with central comfort stations (4 people per site	100	Per Site
With flush toilets, no showers (4 people per site)	75	Per Site
Construction Camps (semi-permanent)	50	
Day camps (no meals served)	15	
Day Care Centers	15	Per Child or Employee, Per Shift
Resort camps (night & day) with limited plumbing	50	
Cafeterias	50	Per Seat
Churches Sanctuary seating x 25%	5	
Church Suppers	8	
Cottages	50	
Country Clubs	100	Per Resident Member
Country Clubs	25	Per Non-Resident Member Present
Dairy Farms	20	per tie-up
Dentists' Office	35	Per Staff Member
Plus	200	Per Chair
Doctors' Office	35	Per Staff Member
Plus	10	Per Patient
Dwellings		
Apartments	75	Per Person with Minimum of 2 People Per Bedroom

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ESTABLISHMENT	DESIGN VALUE	Gallons Per Person Per Day(Unless otherwise noted below)
Boarding Houses	50	
Plus Addition for non-resident boarders	10	
Multiple dwelling (condominiums, town houses, clustered housing)	75	Per Person with Minimum of 2 People/Bedroom
Den with Couch	55	
Rooming House	40	Per Occupant Bed Space
Single Family Dwellings	150	Per Bedroom
Factories	15	Gallons Per Person, Per Shift, exclusive of Industrial Wastes
Gyms	10	Per Participant
	3	Per Spectator
Hairdressers	10	Per Operator
Plus	150	Per Chair
Hotels** with Private Baths	50	Per Sleeping Space
Hospitals	250	Per Bed
Institutions other than hospitals	125	Per Bed
Laundries, self-service	500	Per Machine
Mobile Home Parks		
Systems Serving 4 or fewer trailers	450	Per Space
Systems Serving 5 or more trailers	250	Per Space
Motels** with private baths	50	Per Sleeping Space
Nursing Homes	125	
Picnic Parks (toilet waste only/picnickers)	5	
Restaurants (toilet and kitchen wastes, including restaurant and bar seats)	30	Per Seat
Additional for restaurant serving 3 meals per day	15	Per Seat
Restaurants (fast food-see Cafeteria)		
Schools		
Boarding	100	

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ESTABLISHMENT	DESIGN VALUE	Gallons Per Person Per Day(Unless otherwise noted below)
Day, without gyms, cafeterias & showers	15	
Day, with gyms, cafeterias & showers	25	
Day, with cafeteria, but without gyms and showers	20	
Service Stations	500	First set of gas pumps
Plus	300	Each set thereafter
Shopping Centers/Stores;		
Large Dry Goods	5	Per 100 Square Feet
Large supermarkets with meat department, without garbage grinder	7.5	Per 100 Square Feet
Large supermarkets with meat department, with garbage grinder	11	Per 100 Square Feet
Small Dry Goods (in shopping centers)	100	Per Store
Subdivision	450	Per Lot or 150 Gallons Per Day Per Bedroom, whichever is larger
Theaters		
Movie	5	Per Auditorium Seat
Drive-in	5	Per Car Space
Travel trailer parks without individual water & sewer hookups		
Comfort Station	90	Per Trailer Space
Dumping Station	35	Per Trailer Space
Travel trailer parks with individual water & sewer hookups	125	Per Trailer Space
Veterinary clinic (3 or fewer doctors)		
Without animal boarding	750	Per Clinic
With animal boarding	1500	Per Clinic
Workers		
Construction (at semi-permanent camp)	50	
Day at schools and offices	15	Per Person Per Shift

*Elderly housing may be calculated at 1.5 people per bedroom.

**Does not include laundry or restaurant demand.

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2.3 Plant Layout

Design shall consider:

- a) functional aspects of the plant layout
- b) provisions for future plant expansion
- c) provisions for expansion of the plant waste treatment and disposal facilities
- d) access roads
- e) site grading
- f) site drainage
- g) walks, driveways and ramps
- h) chemical delivery

2.4 Building Layout

Design shall provide for:

- a) adequate ventilation
- b) adequate lighting and heating
- c) adequate drainage
- d) dehumidification equipment, if necessary
- e) accessibility of equipment for operation, servicing and removal
- f) flexibility of operation
- g) operator safety
- h) convenience of operation
- i) chemical storage and feed equipment in a separate room to reduce hazards and dust problems

2.5 (Reserved)

2.6 Electrical Controls

Main switch gear electrical controls shall be located above grade, in areas not subject to flooding. All electrical panels, including control panels, shall be listed and labeled by a nationally recognized testing agency.

2.7 Standby Power

Standby power may be required so that water may be treated and/or pumped to the distribution system during power outages. If not proposed as part of the project, the engineer shall provide reasons for not including standby power.

2.8 Shop Space and Storage

Adequate facilities should be included for shop space and storage consistent with the needs of the designed facilities.

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2.9 Laboratory Equipment

Each **Public** water system shall have minimum equipment and facilities for laboratory testing as approved by the Secretary and as necessary to assure proper operation. Laboratory equipment shall be based on the characteristics of the raw water source and the complexity of the treatment process involved.

2.9.1 Testing Equipment

As a minimum, or as approved by the Secretary, the following laboratory equipment shall be provided:

- a) Surface water systems shall have a nephelometric turbidimeter meeting the requirements of *Standard Methods for the Examination of Water and Wastewater*, latest edition.
- b) Each surface water treatment plant shall have a pH meter.
- c) Each iron and/or manganese removal plant shall have test equipment capable of accurately measuring iron to a minimum of 0.1 mg/l and/or test equipment capable of accurately measuring manganese to a minimum of 0.03 mg/l.
- d) **Public** water systems which chlorinate shall have test equipment for determining both free and total chlorine residual using the N,N-diethyl-p-phenylenediamine colorimetric method in *Standard Methods for the Examination of Water and Wastewater*, latest edition.
- e) **Public** water systems which fluoridate shall have test equipment for determining fluoride by methods in *Standard Methods for the Examination of Water and Wastewater*, latest edition.
- f) **Public** water systems which feed polyphosphates shall have test equipment capable of accurately measuring phosphates from 0.1 to 20 mg/l.

2.9.2 Physical facilities

Sufficient bench space, ventilation, lighting, safety equipment, storage and a laboratory sink shall be provided.

2.10 Monitoring Equipment

Water treatment plants shall have monitoring equipment to monitor water being discharged to the distribution system as follows:

- a) Plants treating surface water must have the capability of monitoring and recording turbidity to meet the requirements of Section 6.4-6.7. Free chlorine must be monitored daily per Subsection 7.2.3.
- b) Plants treating groundwater shall have the capability to monitor and record free chlorine residual.

2.11 Sample Taps

Sample taps shall be provided so that water samples can be obtained from each water source and from appropriate locations in each unit operation of treatment. Taps shall be consistent with

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sampling needs and shall not be of the petcock type. Taps used for obtaining samples for bacteriological analysis shall be of the smooth nosed type without interior or exterior threads, shall not be of the mixing type, and shall not have a screen, aerator, or other such appurtenance. Provision shall be made for sampling untreated well water using a sampling tap.

2.12 Facility Water Supply

The facility water supply service line and the plant finished water sample tap shall be supplied from a source of finished water at a point where all chemicals have been thoroughly mixed, and the required disinfectant contact time has been achieved (see Appendix A Subpart 4.3.2). There shall be no cross connections between the facility water supply service line and any piping, troughs, tanks, or other treatment units containing wastewater, treatment chemicals, raw or partially treated water.

2.13 Wall Castings

Whenever pipes pass through walls of concrete structures, consideration shall be given to providing extra wall castings built into the structure to facilitate future uses.

2.14 Meters

All water systems shall have an acceptable means of metering the finished water.

2.15 Piping Color Code

To facilitate identification of piping in plants and pumping stations, it is recommended that the following color scheme will be utilized.

Water Lines	
Raw	Olive green
Settled or Clarified	Aqua
Finished or Potable	Dark blue

Chemical Lines	
Alum or Primary Coagulant	Orange
Ammonia	White
Carbon Slurry	Black
Caustic	Yellow/green band
Chlorine (Gas and Solution)	Yellow
Fluoride	Light blue/red band
Lime Slurry	Light green
Ozone	Yellow/orange band
Phosphate Compounds	Light green/red band
Polymers or Coagulant Aids	Orange/green band
Potassium Permanganate	Violet

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Chemical Lines	
Soda Ash	Light green/orange band
Sulfuric Acid	Yellow/red band
Sulfur Dioxide	Light green/yellow band

Waste Lines	
Backwash Waste	Light brown
Sludge	Dark brown
Sewer (Sanitary or Other)	Dark gray

Other	
Compressed Air	Dark green
Gas	Red
Other lines	Light gray

In situations where two colors do not have sufficient contrast to easily differentiate between them, a six-inch band of contrasting color will be on one of the pipes at approximately 30 inch intervals.

The name of the liquid or gas will also be on the pipe. In some cases it may be advantageous to provide arrows indicating the direction of flow.

2.16 Disinfection Prior To Use

All walls, pipe, tanks, and equipment which can convey or store potable water shall be disinfected in accordance with AWWA procedures. See Appendix A Subparts 7.0.19 and 8.5.7 for details. Plans or specifications shall outline the procedure and include the disinfectant dosage, contact time, and method of testing the results of the procedure. The tablet method is not acceptable.

2.17 Manuals and Parts Lists

An operation and maintenance manual (see Appendix D) including equipment maintenance and a parts list shall be supplied to the water system as part of any proprietary unit installed in the facility.

2.18 Operator Instruction

Provision shall be made for operator instruction at the start up of a water system water treatment plant or pumping station.

2.19 Other Considerations

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Consideration must be given to the design requirements of other federal, state, and local regulatory agencies for items such as safety requirements, special designs for persons with disabilities, plumbing and electrical codes and construction in or near the flood plain.

Part 3 PUBLIC WATER SYSTEM SOURCE DEVELOPMENT AND PROTECTION

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-Transient Non-Community** water systems with surface water sources and sources determined to be ground water under the direct influence of surface water;
- (c) **Public Transient** water systems with surface water sources and sources determined to be ground water under the direct influence of surface water; and
- (d) **Domestic Bottled** water systems.

3.0 General

In selecting the source of water to be developed, the applicant for a Source Permit shall show, to the satisfaction of the Secretary, that an adequate quantity of water will be available, and that the water which is to be delivered to the consumers will meet the current requirements of the Secretary with respect to microbiological, physical, chemical and radiological qualities. Each water system should take its raw water from the best available source which is economically reasonable and technically feasible. Proposed sources are evaluated against six criteria; site, construction, water quality, water quantity, interference, and source protection.

Not all subparts of Part 3 of Appendix A may be relevant for a pre-existing source. The applicant is advised to consult with the Secretary for further guidance.

General procedural requirements for a Source Permit are outlined in Subchapter 4. Technical requirements for surface water are in Appendix A Subpart 3.2 and for groundwater in Appendix A Subpart 3.3.

3.1 Reserved

3.2 Surface Water Development

A surface water source includes all tributary streams and basins, natural lakes and artificial or natural impoundments above the point of water supply intake.

3.2.1 Source Permit

3.2.1.1 Source Permit Application (See Subchapters 3 and 4 for details)

- (a) A Source Permit will be based in part on existing threats to the water sources and the ability of the water supplier to effectively manage those threats.
- (b) Land within a 200 feet isolation zone of the intake (or as approved by the Secretary) shall be owned or legally controlled by the water system as in Subpart 3.3.1.2(f).

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- (c) Land uses not permitted within 200' of the intake are listed in Subpart 3.3.1.2(e).
- (d) Fencing of the intake site may be required by the Secretary.

3.2.2 Construction

3.2.2.1 Design of intake structures shall provide for:

- (a) withdrawal of water from more than one level if quality varies with depth;
- (b) separate facilities for release of less desirable water held in storage;
- (c) where frazil ice may be a problem, holding the velocity of flow into the intake structure to a minimum, generally not to exceed 0.5 feet per second;
- (d) inspection manholes every 1000 feet for pipe sizes large enough to permit visual inspection;
- (e) occasional cleaning of the inlet line;
- (f) adequate protection against rupture by dragging anchors, ice, etc.; and
- (g) ports located above the bottom of the stream, lake or impoundment, but at sufficient depth to be kept submerged at low water levels.

3.2.2.2 Natural and Artificial Impoundments

Site preparation shall provide for, where applicable:

- (a) removal of brush and trees to high water elevation;
- (b) protection from floods during construction;
- (c) closure of all wells which will be inundated, in accordance with requirements of the Secretary; and
- (d) obtaining necessary approvals and permits from other local, state, or federal agencies.

3.2.2.3 Filtration Requirement

All surface water sources shall be filtered and disinfected, or receive an avoidance of filtration waiver, in accordance with Section 6.2 of Subchapter 21-6.

3.2.3 Quantity

3.2.3.1 Safe Yield Analysis

The quantity of water at the source shall be shown to supply the design year average day demands given either a 1Q20 low flow condition for intakes without raw water impoundments; or a 20 to 50 year drought condition using a mass diagram for systems with raw water impoundments, and shall consider other withdrawals in the stream, including minimum stream flow requirements of the Secretary.

3.2.3.2 Quantity Testing

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In the absence of suitable long term gaged flows, existing information from surrounding watersheds may be used. Hydrology models used to predict low flow conditions must include gaged flows from the water shed in question. The proposed watershed shall be gaged on a daily basis during at least 30 days of the year's low flow conditions. Low flow conditions may be late summer and mid winter depending on the watershed. The method proposed for determination shall be approved by the Secretary prior to use.

3.2.4 Water Quality

The proposed source shall be tested for the water quality constituents listed in Table 6-4-5 of this rule, except for the disinfection by-products and disinfection residuals, and any additional constituents that the Secretary requires. Section 6.14 contains information about Maximum Contaminant Level Goals.

3.2.5 Source Interference

Interference with existing withdrawals shall be evaluated. The proposed withdrawal rate shall not create a potential health hazard nor interfere with existing uses of the surface water source. These existing uses are to be identified by the applicant. These shall include but not be limited to: deeded or legislated water rights, uses for minimum stream flow, and uses for assimilative capacity.

3.2.6 Source Protection

A source protection area shall be delineated for the surface water source and a source protection plan (see Subchapter 21-16) shall be developed which mitigates risks associated with existing and potential sources of contamination.

3.2.6.1 Delineation

Source protection areas delineation for surface water sources shall include the following zones:

- (a) Zone 1 shall consist of an area 200 feet in radius around the intake or as otherwise determined by the Secretary.
- (b) Zone 2 shall consist of areas within the watershed located within 200 feet of perennial surface water and limited to 17,000 acres.
- (c) Zone 3 shall consist of the remaining watershed area beyond Zones 1 and 2, except as may be reduced by the Secretary on a case-by-case basis giving consideration to the size of the watershed and the likelihood of contamination of the source.

3.2.6.2 Source Protection Plan (SPP)

A Source Protection Plan shall be developed in accordance with Subchapter 21-16.

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3.3 Groundwater Source Development

A groundwater source includes all water obtained from dug, drilled, bored or driven wells, springs, and infiltration lines and galleries. The degree of treatment required for a groundwater source may be similar to that of surface water sources in cases where the groundwater source is under the direct influence of surface waters as determined in Subpart 3.4.

3.3.1 Source Site and Isolation Zone

3.3.1.1 General Information on Sites

Proposed source site locations shall be remote from all sources of contamination, hydraulically upgradient of major sources of contamination, and situated so as to minimize the impact from water quality threats. Proposed source sites will not be approved by the Secretary in areas which may create a public health hazard or unacceptable risk. Fencing or posting of source sites to restrict access may be required by the Secretary on a case-by-case basis. On site sewage disposal systems located within the recharge area shall be located a minimum of a two year travel time in saturated materials from proposed source sites.

3.3.1.2 Source Isolation Zones

Permittees with systems permitted after 1992 are responsible for ensuring prohibited activities under this section do not occur within the source isolation zone. The prohibited acts included in this section apply only to the Permittee, as the Secretary does not have the authority to enforce against actions taken by private landowners beyond the Permittee. The source isolation zone shall be a water system controlled 200-foot radius around the proposed source unless approved otherwise based on site specific considerations as follows:

- (a) The isolation zone may be increased at the discretion of the Secretary to ensure reasonable protection of water system sources.
- (b) Source isolation zone reductions to a minimum of 125'; may be allowed if the following can be shown:
 - (1) An impeding layer of soil is present and located at least 200' around the source, with no significant hydraulic connection to the proposed aquifer. Hydraulic connection, or lack thereof, between aquifers must be determined by standard pumping test methods including:
 - i) stressing the production well or proposed aquifer,
 - ii) monitoring the aquifer's response in multi-level piezometers, and
 - iii) mapping areas of influence of- the source in overlying unconfined aquifers.
 - or:
 - (2) Undevelopable land surrounds the source site such as rock cliffs.
- (c) Spring isolation zones may be reduced in a down slope direction provided that the area down slope of the spring is below the bottom elevation of the spring. This area must be large enough to include space for maintenance of the spring. In no cases shall a spring isolation zone be reduced to less than 50 feet in the down slope direction.

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- (d) All proposed groundwater sources shall be evaluated for direct influence by surface water as per Appendix A Part 3.
- (e) Permitted and prohibited land uses in the source isolation zone are as follows:
- (1) Permitted land uses will be restricted to:
 - (i) source operation and maintenance;
 - (ii) playgrounds, ball fields, tennis courts;
 - (iii) seasonal light duty access roadway or driveway~~roads~~;
 - (iv) conservation zones;
 - (v) controlled use of potassium and phosphorous fertilizers; and
 - (vi) other uses which have the approval of the Secretary.
 - (2) Prohibited land uses include:
 - (i) application of nitrogen or pesticides or herbicides;
 - (ii) buildings other than those required for the water system;
 - (iii) parking of motor vehicles;
 - (iv) chemical or fuel storage except natural gas or propane and other chemicals that are required by the water system;
 - (v) swimming pools;
 - (vi) driveways, roadways, parking lots;
 - (vii) septic tanks, leach fields, sewer lines, wastewater disposal spray area and lagoons and wastewater tanks;
 - (viii) use of preservative treated wood;
 - (ix) transformers containing PCBs;
 - (x) cemeteries;
 - (xi) salvage yards;
 - (xii) ~~Concentrated~~ concentrated grazing or holding of animals and silage and manure storage systems;
 - (xiii) Stormwater conveyance, treatment, or control practices and storm sewers;
 - (xiv) ~~Commercial~~ commercial or agricultural composting sites;
 - (xv) ~~Flood~~ flood ways;
 - (xvi) ~~Non~~ non-sewage wastewater disposal field;
 - (xvii) solid waste transfer facilities;
 - (~~xvii~~)(xviii) solar power systems and battery energy storage systems associated components and appurtenances; and
 - (~~xviii~~)(xix) any other activity which may contaminate the water source.
- (f) Control of land use activities within the source isolation zone can be achieved by ownership of the land or through easements with restrictive covenants. The applicant's attorney must submit a written certification attesting that the applicant has the ability to control the isolation zone per Appendix A Subpart 3.3.1.2(e). The applicant shall provide documentation on request by the Secretary.

Legal control of land uses within the isolation zone by the water system must be tied to the land deeds for all parcels within the source isolation zone and run with the land regardless of future land ownership so long as the source is used for a **Public** water system.

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3.3.2 Source Construction

Construction of **Public** water system drilled wells shall comply with the well construction standards in Part 12 of Appendix A.

All drilled or driven wells shall have a physical means of protecting the above grade well casing from collisions by installation of a permanent barrier, such as surrounding posts, a containing structure, or fencing.

3.3.2.1 Spring and Shallow Well Construction

Construction of springs and shallow wells shall only be permitted when drilled wells are not feasible or upon waiver by the Secretary. Specific reasons shall be submitted to the Secretary and may include results of test wells on the project site, results of existing well yields in the project area, or detailed hydrogeologic analysis.

3.3.2.1.1 Construction Materials

Acceptable materials include:

- (a) concrete tiles (grouted together),
- (b) poured in place concrete,
- (c) well casing, and
- (d) other metallic or plastic casing as approved by the Secretary.

3.3.2.1.2 Site Work

Spring and shallow well site construction shall include the following:

- (a) accessible entrance with lock,
- (b) screened openings,
- (c) runoff diversion berm located 50 feet upslope where feasible,
- (d) back fill material of high clay content sloping away from the structure,
- (e) minimum of 4 inches of top soil over the clay, and
- (f) a watertight sanitary cover.

3.3.2.2 Water Level Measurement

- (a) Provisions shall be made for periodic measurements of water levels in the completed well, e.g. install 0.5 to 1" diameter probe tube.
- (b) Where pneumatic water level measuring equipment is used, it shall be made using corrosion resistant materials attached firmly to the drop pipe or pump column and in such a manner as to prevent entrance of foreign materials.

3.3.2.3 Observation Wells shall be:

- (a) Constructed in accordance with requirements for production wells and properly protected and maintained if to remain in service.

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- (b) Protected at the upper terminal to preclude entrance of foreign materials.
- (c) Closed in accordance with requirements for permanent wells, if they are taken out of service.

3.3.3 Water Quantity

3.3.3.1 Safe Yield

- (a) Pumped groundwater sources
 - (1) The source shall be capable of 180 days of pumping at the average day demand rate followed by a peak of 3 or 7 days of pumping at the maximum day demand rate without dewatering the source. The 7 day duration of maximum day demand pumping shall be applied to water systems serving developments constructed for the purpose of accessing recreational and resort areas. The 3 day duration of maximum day demand pumping is applied to all other water systems. Peaking duration is evaluated by the Secretary on a case-by-case basis. The maximum safe yield shall not be greater than the pump rate of the constant discharge test, except on a case-by-case basis where a 10% increase may be granted when supported by appropriate documentation.
 - (2) Sources which may be subjected to interference from existing sources shall have that interference evaluated per Appendix A Subpart 3.3.3.2.2(f).
 - (3) Proposed sources which may be subject to future interference shall be allowed to use only 90% of the total available head in the safe yield analysis. This requirement may be waived by the Secretary for wells belonging to the same **Public** water system.
 - (4) The safe yield determination shall take into consideration seasonal low static water level and hydrogeologic boundaries affecting the aquifer.
- (b) Springs

Spring yields determined from random measurements throughout summer and fall shall be divided by 4 and compared against maximum day demands to determine the adequacy of the source. Springs issuing from a defined bedrock or sand and gravel aquifer, and having a detailed hydrologic low flow analysis will be compared against maximum day demands, in a 1Q20 drought condition.

Detailed hydrologic analysis must include at least the following:

- (1) Monitoring of spring yield for low flow analysis on a weekly basis from July 1 to October 15 and from December 15 to March 15. The lowest flow during either period shall be used in the analysis.
- (2) Monitoring of spring yield for high flow analysis on a weekly basis from March 15 to July 1 and from October 15 to December 15. The highest flow during either period shall be used in the calculation and delineation of the Source Protection Area(s).

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All safe yield analyses shall use methodologies appropriate to the hydrogeologic setting and published methodologies, unless previously approved by the Secretary.

3.3.3.2 Pumping Test Procedures and Requirements

All pump tests shall consist of and be conducted in the following order: a step drawdown test, a constant discharge test, and a recovery test. The constant discharge test shall be conducted after full recovery from the step test. The recovery test shall immediately follow the constant discharge test. Tests shall be evaluated using standard published methodologies or any pre-approved proprietary method proposed by the consultant and approved by the Secretary. All recordings and evaluations (including graphical) appropriate to the testing program shall be provided to the Secretary.

3.3.3.2.1 Step drawdown tests shall:

- (a) Contain at least 5 steps of at least 60 minutes duration.
- (b) Hold discharge constant for the duration of each step. See table below under Constant Discharge Test (in Subpart 3.3.3.2.2) for discharge limits.
- (c) Have drawdown measured to the nearest 10th of a foot.
- (d) Recommended times for drawdown measurements are as follows:

0 - 10 minutes	every 1 minute
10 - 20 minutes	every 2 minutes
20 - 60 minutes	every 5 minutes
60+ minutes	every 10 minutes
- (e) Provide a graph of drawdown / discharge vs. discharge (S_w/Q vs Q) and evaluation of the data collected above using published methodologies.

3.3.3.2.2 Constant Discharge Test

The constant discharge test shall be conducted after full recovery from the step test. The following table shall be used to determine the duration of constant discharge tests:

Pump Test Rate (GPM)	Duration	Constant Discharge Within:
0 – 49	72 hours	± 5%
50 – 99	96 hours	± 3%
100 or greater	120 hours	± 3%

The constant discharge test shall include but not be limited to the following:

- (a) Discharge shall be held constant within the above limits. Ball-type valves shall be placed after meters to prevent turbulence in the meter. Meters shall be checked by another independent method, i.e., bucket and stopwatch.
- (b) Drawdown measurements to the nearest 100th of a foot in observation wells and to the nearest 10th of a foot in production wells.

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- (c) Recommended times for drawdown and discharge measurements in the production well, including early time readings, are as follows:

TIME INTO TEST, MINS	READING FREQUENCY
0-10	every 1 minute
10-30	every 2 minutes
30-90	every 5 minutes
90-180	every 10 minutes
180-420	every 30 minutes
420-1440	every 60 minutes
1440-end of test	every 2 to 4 hours

- (d) All observation wells, including water system sources, within the specified radius (see Appendix A Subpart 3.3.5.2 for the radius) shall be monitored and water level measurements shall be taken as follows:
- (1) Water level measurements shall be taken every four (4) hours for two (2) days prior to and one (1) day following the constant discharge test.
 - (2) Water level measurements during the constant discharge test shall be taken at least every four (4) hours and more frequently based on the hydrogeologic setting and distance from the pumped source.
 - (3) Monitoring of water system sources in use shall include measurements taken at a time following their longest recovery period, usually between 3 and 5 A.M and monitoring increments of two hours apart during the day (6 P.M. to 6 A.M.) and four hours apart for the remaining hours shall be used.
- (e) A graph of drawdown vs time on log-log or semi-log paper and distance vs drawdown, if two (2) or more observation wells are available, and an evaluation of this data using published methodologies.
- (f) An evaluation of groundwater level trends for the production and monitored sources prior to pumping to evaluate seasonal or storm related fluctuations in groundwater conditions, effects of neighboring sources, and domestic usage patterns.
- (g) Precipitation and discharge plotted on each graph of time drawdown for all sources monitored.
- (h) The installation and monitoring of observation wells, piezometers or other monitoring devices as needed.
- (i) Type and location of all observation wells shall be shown on engineering plan.

3.3.3.2.3 Constant Discharge Test Interruptions

The first 24 hours of the constant discharge test shall be free of interruptions. If an interruption occurs the test shall be terminated, the source allowed to fully recover and the test restarted. After the first twenty four (24) hours, if the constant discharge test is interrupted a total of two (2) hours or longer, the test shall be terminated, the source allowed to fully recover and the test re-started.

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3.3.3.2.4 Recovery tests shall be conducted immediately following the constant discharge test and shall include the following:

- (a) Drawdown measurements to the nearest 10th of a foot in the pumped source.
- (b) Monitoring for two days or complete recovery, whichever occurs first.
- (c) Monitoring of drawdown at timed intervals which will result in evenly spaced plots on logarithmic paper when plotted as s' vs t/t' . Recommended times of recovery measurement beginning when the pump is turned off are as follows:

RECOVERY TIME, MINS.	FREQUENCY
0-10	every 1 minute
10-20	every 2 minutes
20-60	every 5 minutes
60-120	every 15 minutes
120-360	every 60 minutes
360-600	every 120 minutes
600-2880	every 360 minutes

- (d) Calculation of aquifer parameters from recovery data.

3.3.3.3 Approved Yield

Combined approved yield for all sources shall not exceed the system's maximum day demand except in the case of water systems serving municipalities where the approved yield may include the maximum day demand as projected over a 20 year time period. When a system's metered maximum day demand equals 90% of the previously projected maximum day demand, the water supplier should project a new maximum day demand and develop additional sources of water supply at that time.

3.3.4 Water Quality

3.3.4.1 The proposed source shall be tested for the water quality constituents listed in Table 6-45 of this rule, except for the disinfection by-products and disinfection residuals, and any additional constituents that the Secretary requires. Section 6.14 contains information about Maximum Contaminant Level Goals.

3.3.4.2 Samples shall be collected at the conclusion of the test pumping procedure.

3.3.4.3 Field determination of physical constituents or special sampling may be required by the Secretary.

3.3.4.4 A turbidity in excess of 5 NTU is not acceptable. Treatment may be required.

3.3.5 Source Interference

Source interference monitoring shall be conducted on all sources, when permitted by the source owner, within the monitoring radius defined in this subpart unless a waiver is granted by the Secretary. Source interference analyses determine whether a proposed pumping source will

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result in a source interference problem at a neighboring water system. See Appendix A Subpart 3.3.5.4 for the definition of unacceptable source interference.

3.3.5.1 Development of a Source Interference Testing Program.

- (a) The proposed source interference testing program shall be detailed on the Source Testing Application Form.
- (b) All source owners within the radial distances defined in Appendix A Subpart 3.3.5.2(c) shall be identified and notified in writing of the forthcoming test. The notification shall:
 - (1) Include an informational form letter supplied by the Secretary.
 - (2) Request monitoring permission and a written response;
 - (3) Define responsibility to prepare source for monitoring;
 - (4) State the monitoring radius requirement.
 - (5) Offer to disinfect and re-seal the source when the monitoring ends.
 - (6) Inform the source user and owner that the applicant will supply potable water or cease the pump test should their water supply needs not be met.
 - (7) Identify name and phone number of contact person in the event of a water outage during testing.
- (c) If unable to monitor a neighbor's source, estimate source interference based on calculations.
- (d) All sources identified per 3.3.5.2(c) shall be monitored, if possible.
- (e) All sources monitored shall be disinfected at the end of the testing program when permitted by the source owner. Monitoring tubes and water level probes shall be disinfected prior to installation.

3.3.5.2 Data Collection for Source Interference Testing.

- (a) All data specified in Subpart 3.3.3.2.2(d) shall be collected.
- (b) Existing sources not in service should be measured to the nearest 0.01 foot. Sources in service should be measured to the nearest 0.10 foot.
- (c) The following rates and distances shall be used for determining the study area for source interference monitoring. The monitor radius and duration may be increased at the discretion of the Secretary.

PUMP TEST RATE, GPM	MONITOR RADIUS	DURATION
0-19	1000 feet	72 hours
20-49	2000 feet	72 hours
50-99	2500 feet	96 hours
100+	3000 feet	120 hours

- (d) Water usage and listing of sources in service.

3.3.5.3 Data Submittal

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Source interference information shall be submitted in the Source Evaluation Report on forms provided by the Secretary.

3.3.5.4 Definition of Unacceptable Source Interference

If, as a result of source interference, existing **Public** and private water systems cannot meet their design demands, then a source interference problem exists. Applicants are advised to contact the Secretary for additional guidance on calculating interference effects on private water systems.

Public and private water systems depleted by the testing of proposed sources (and existing permitted sources seeking an increase in approved yield) shall be able to meet their expected demand while the proposed **Public** water system is pump tested for approval. Unless more specific information is available, the reliable long-term yield for a private source should be assumed to be one-half (1/2) the driller's reported yield. Depending upon system use, this long-term yield must satisfy the minimum values found in Table A2-1 in this rule for **Public** water systems.

Interference problems may also include water quality problems resulting from public source testing. Interference will be determined based on measurement or calculation of interference effects from the production source pumping at the approvable rate at the end of 180 days at average day demand plus 3 or 7 days at maximum day demand.

3.3.5.5 Resolution of Unacceptable Source Interference

- (a) All unacceptable source interference shall be resolved to the satisfaction of the Secretary prior to the issuance of a Source Permit. The applicant is responsible for identification of all sources in use within the monitoring radius defined in Appendix A Subpart 3.3.5.2. The Secretary may either reduce the permitted yield or require additional testing or analysis to determine the impact upon the unmonitored source.
- (b) Solutions may include:
 - (1) drill affected source deeper and test for water quantity.
 - (2) test affected source or re-evaluate existing data.
 - (3) Connect affected water system onto acceptable **Public** water system.
 - (4) develop an alternative water source for the affected source.
 - (5) Present water usage data from the affected water system which documents a reduction in water demand.
 - (6) For some private water systems, additional storage may be developed to offset the source interference.
 - (7) Hydrofracture the well or redevelop by other methods.

3.3.6 Source Protection

A Source Protection Area shall be delineated for the water system source and a Source Protection Plan shall be developed which minimizes, to the extent practicable, risks from potential sources of contamination.

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3.3.6.1 Source Protection Areas (SPA) - General

- (a) Delineation of Source Protection Areas is required for a new **Public** water system and for altering the permitted production rate.
- (b) If a new **Public** water system well interferes with an existing **Public** water system and increases the source protection area of the existing source(s), then the applicant shall redelineate the source protection area for the affected existing source and shall follow the public notice requirements in Subchapter 21-4, subsection 4.1.1.3.
- (c) Any increase in the risk of contamination to an existing **Public** water system caused by the expansion of its SPA due to pumping of a proposed well must be addressed by the applicant prior to source permitting for the new **Public** water system.

3.3.6.2 Source Protection Area Delineation

- (a) Source protection areas shall be delineated using existing geologic and hydrogeologic data, and pumping test data. The applicant shall give consideration to the following:
 - (1) Hydrogeologic setting based on published and unpublished reports, well logs, fracture traces, on site observations, and other site specific information available;
 - (2) Pump testing at design production rate;
 - (3) Ambient non-pumping groundwater flow conditions based on topography and observation wells when available;
 - (4) Topography using U.S.G.S. topographic maps;
 - (5) Structure (fracture pattern, jointing, lineaments);
 - (6) Surficial and bedrock geology (rock types, depositional environment, etc.);
 - (7) Soils (type, thickness, hydraulic properties);
 - (8) The source's expected maximum use;
 - (9) Elevation of the source pump intake;
 - (10) Appropriate hydrogeologic models; and
 - (11) Seasonal maximum discharges of springs
- (b) The delineation of a SPA is performed in conjunction with the Source Permit process described in Subchapter 21-4.
 - (1) Source Permit Application:
Identification of sources of contamination, development of a conceptual hydrogeologic model, and preliminary SPA based on existing data collection and assessment;
 - (2) Source Testing Application; Scope of Work:
The applicant shall propose the method of SPA delineation, state what data are to be collected from the pumping test and how it will be used in the SPA delineation. The proposal may include:
 - (i) Monitoring wells to determine distance drawdown relationship.
Production wells in unconsolidated aquifers with intended production rates of 50 gpm or greater require a minimum of three (3) observation wells. A monitoring well plan and rationale shall be submitted for approval.

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- (ii) Water table or potentiometric surface fluctuations, groundwater flow pattern.
 - (iii) Effect of precipitation
- (3) Source Evaluation Report

Each SPA shall be delineated after careful consideration of all existing information. The SPA shall be presented on a original unfolded USGS map of scale 1:24000 or as required by the Secretary. A geo-referenced digital file of the area may also be submitted. This map shall include the following:

 - (i) Name and number of the project and source, and the town name.
 - (ii) Pumping rate of the source in GPM, maximum day demand.

A narrative which describes the following for each SPA shall be included in the Source Evaluation Report.

- (i) Bedrock and surficial geology (rock types, depositional environment, etc.)
- (ii) Structure (fracture pattern, jointing, lineaments)
- (iii) Soils (type, thickness, stratification, hydraulic, properties)
- (iv) Hydrogeologic setting and aquifer type
- (v) Field Reconnaissance observations
- (vi) Data Gaps which may be filled through future testing.

Note: As data is gathered during source development, refinement of the understanding of the groundwater flow system should occur. It is therefore expected that the methodologies employed for SPA delineation be adjusted to the hydrogeologic environment and that all existing data be considered to define a reasonable area to be used to protect the source.

3.3.6.3 SPA Zones

Source protection areas shall be delineated with the following zones, in a manner that reflects the hydrogeologic setting.

Zone 1 Shall consist of the isolation zone as described in Appendix A Subpart 3.3.1.2. This is the area where impacts are likely to be immediate and certain.

Zone 2 Shall consist of the contributions from the monitoring radius established in Appendix A Subpart 3.3.5.2(c), and outside the Zone 1 Isolation Zone. This area is one where there will be probable impacts from potential sources of contamination.

Zone 3 Shall consist of remaining recharge area(s) or area of contribution to the source not delineated as Zone 2 and where there may be possible impacts from potential sources of contamination. Groundwater under the direct influence of surface water shall include upstream areas in the watershed within 200 feet of any surface water potentially influencing the source.

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2YTT Two year travel time (2YTT) zone shall be used to identify a protection area to provide adequate protection from pathogen threats resulting from onsite disposal of sewage.

3.3.6.4 Source Protection Plans

Source protection plans shall be developed for groundwater sources and shall meet the requirements of Subchapter 21-16.

3.3.7 Infiltration Galleries

- (a) Two types of infiltration galleries are recognized by the Secretary.
 - (1) Groundwater induced infiltration galleries located so as to intercept ambient groundwater flow.
 - (2) Surface water induced infiltration galleries located so as to intercept surface water. Infiltration galleries within 200 feet of surface water are considered surface water induced infiltration galleries, unless detailed analysis of groundwater flow conditions and water quality determine waters to be acceptable groundwater.
- (b) Groundwater induced infiltration galleries may be considered only where geological conditions preclude the feasibility of developing an acceptable drilled well.
- (c) Infiltration galleries shall be regarded in the same manner as wells as far as sanitary isolation distance and land uses are concerned.
- (d) Flow in the galleries shall be by gravity to the collecting well.
- (e) Review Process
 - Infiltration galleries should only be considered when development of alternative sources is shown not to be technically viable.
 - (1) Groundwater induced infiltration galleries will be reviewed in a similar manner to wells.
 - (2) Surface water infiltration galleries will be reviewed on a case by case basis and may be considered surface water intakes.

3.4 Groundwater Under the Direct Influence of Surface Water (GWUDI)

3.4.1 Public Community Water Systems and Public Non-Transient Non-Community Water Systems

3.4.1.1 Criteria

All systems not otherwise exempted under Appendix A Subpart 3.4.1.2, and using groundwater sources, shall use the Microscopic Particulate Analysis (MPA) test when the source meets any one or more of the following criteria:

- (a) The source has a history of water-borne disease;
- (b) The source, within the most recent 3 year period, has had one or more violations of E. coli MCL or has failed to meet any total coliform monitoring requirements;
- (c) The source is subject to annual flooding;

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- (d) There are construction defects or deficiencies that could allow surface water to directly enter the source;
- (e) The source is a spring or infiltration gallery;
- (f) The source has a tested capability to yield more than 500 gallons per minute;
- (g) The source is less than 150 feet from a surface water body and:
 - (1) has less than 50 feet of soil over the screen, end of casing, or bedrock surface;
 - (2) has no confining layer; or
 - (3) has a direct hydraulic connection;
- (h) The source is a bedrock well farther than 150 feet from the nearest surface water but has:
 - (1) less than 50 feet of watertight casing; and
 - (2) no confining layer.
- (i) The source exhibits other convincing evidence of being under the direct influence of surface water.

3.4.1.2 Exemptions

- (a) Systems are exempt from further testing when all available sources:
 - (1) are groundwater sources, but not springs or infiltration galleries; and
 - (2) are farther than 150 feet from the nearest surface water body; and for rock wells
 - (3) have more than 50 feet of watertight casing or a confining layer.
- (b) Systems which pass the Microscopic Particulate Analysis tests are exempt from further testing.

3.4.2 Public Transient Non-Community Water Systems

3.4.2.1 Criteria

A water system shall conduct water quality testing if the Secretary determines a source is at risk of GWUDI. Sources are at risk of GWUDI when:

- (a) there are construction defects or deficiencies exist that could allow surface water to directly enter the source;
- (b) there are indications of water-borne disease outbreaks associated with the source;
- (c) there is evidence of direct surface water contamination;
- (d) there are surrounding sources of fecal contamination;
- (e) the source is an infiltration gallery or dug well;
- (f) the source is a gravel well or well point and less than or equal to 50 feet from surface water, and exhibits criteria listed in (a) through (e); or
- (g) there is not enough information to make the determination.

3.4.2.2 Water Quality Testing

- (a) Systems shall make improvements to obvious source construction defects that increase the source's vulnerability to surface water contamination before beginning testing;
- (b) System shall perform six months of total coliform testing, including e-coli testing if fecal coliform-positive;

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- (c) System shall perform one spring MPA test if any confirmed total coliform-positive occurs during step (b) testing;
- (d) System shall perform hydraulic connection analysis if the MPA laboratory is unable to adequately examine the requisite amount of sample.

3.4.2.3 GWUDI Determination

The Secretary will determine if the source is GWUDI based on the available information, site visits, and water quality testing data. The system shall provide the Secretary with the information needed to make this determination.

3.5 Standards for Public Non-Community Water System Sources

- 3.5.1 Water system sources for **Public Non-Community** water systems shall comply with the requirements found in Part 11 of Appendix A.

Part 4 WATER SUPPLY TREATMENT

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-transient** water systems;
- (c) **Public Transient** water systems; and
- (b) **Domestic Bottled** water systems.

4.0 General

The design of treatment processes and devices shall depend on evaluation of the nature and quality of the particular water to be treated and the desired quality of the finished water.

- (a) ~~(a)~~—All filtration facilities must be capable of producing finished water meeting the MCLs in Subchapter 21-6, and the *Giardia* and viral standards at 40 CFR, §141.70.
- ~~(a)~~(b) Public Community and Non-Transient Non-Community treatment facilities required to produce finished water meeting the primary MCLs and/or systems treating to address the Manganese health advisory must be capable of treating peak demand flows with the largest treatment unit offline, except for when specifically approved by the Secretary.
- ~~(b)~~(c) Pilot studies are required on all non-conventional water treatment systems, where data on similar facilities in use on Vermont waters is not available.
- ~~((e))~~(d) Pilot studies must address water qualities expected throughout the year including spring runoff and winter cold water.
- ~~(d)~~(e) Pilot studies may not be required for conventional flocculation, sedimentation, filtration facilities.
- ~~(e)~~(f) Best Available Technologies (BAT) shall be considered when a treatment technology is required under 40 CFR Parts 141 and 142.
- ~~(f)~~(g) Pilot studies may be required by the Secretary for proposed applications of Granular Activated Carbon (GAC) treatment when other compounds in the water may interfere with effective GAC treatment.

4.1 Clarification

Plants designed for processing surface water shall:

- (a) provide a minimum of two units each for rapid mix, flocculation and sedimentation,
- (b) be constructed to allow units to be taken out of service without disrupting operation, and have drains or pumps sized to allow dewatering in a reasonable period of time,
- (c) be started manually following shutdown, and
- (d) minimize hydraulic head losses between units to allow future changes in processes without the need for re-pumping.

4.1.1 Rapid Mix

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Rapid mix shall mean the rapid dispersion of chemicals throughout the water to be treated, usually by violent agitation.

- (a) Equipment - Basins should be equipped with mechanical mixing devices.
- (b) Mixing - The detention period should be no more than thirty seconds.
- (c) Location - The rapid mix and flocculation basin shall be as close together as possible.
- (d) Some systems may be able to use static mixers to accomplish rapid mixing.

4.1.2 Flocculation

Flocculation shall mean the agitation of water at low velocities for long periods of time.

- (a) Basin Design - Inlet and outlet design shall prevent short circuiting and destruction of floc. A drain and/or pumps shall be provided to handle dewatering and sludge removal.
- (b) Detention - The flow through velocity shall be not less than 0.5 nor greater than 1.5 feet per minute with a detention time for floc formation of at least 30 minutes.
- (c) Equipment - Agitators shall be driven by variable speed drives with the peripheral speed of paddles ranging from 0.5 to 3.0 feet per second.
- (d) Piping - Flocculation and sedimentation basins shall be as close together as possible. The velocity of flocculated water through pipes or conduits to settling basins shall be not less than 0.5 feet per second nor greater than 1.5 feet per second. Allowances must be made to minimize turbulence at bends and changes in direction.
- (e) Other designs - Baffling may be used to provide for flocculation in small plants only after consultation with the Secretary. The design should be such that the velocities and flows noted above will be maintained.
- (f) Accessibility - Flocculation basin should be designed for easy access and observation of floc.
- (g) A superstructure over the basin may be required.

4.1.3 Sedimentation

Sedimentation shall follow flocculation. The detention time for effective clarification is dependent upon a number of factors related to basin design and the nature of the raw water. The following criteria apply to conventional sedimentation units.

- (a) Detention time - Shall provide a minimum of four hours of settling time. Reduced sedimentation time may also be approved when equivalent effective settling is demonstrated.
- (b) Inlet devices - Inlets shall be designed to distribute the water equally and at uniform velocities. Open ports, submerged ports, and similar entrance arrangements are required. A baffle should be constructed across the basin close to the inlet end and should project several feet below the water surface to dissipate inlet velocities and provide uniform flows across the basin.
- (c) Outlet devices - Outlet devices shall be designed to maintain velocities suitable for settling in the basin and to minimize short circuiting. The use of submerged orifices is

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recommended in order to provide a volume above the orifices for storage where there are fluctuations in flow.

- (d) Overflow rate - The rate of flow over the outlet weir shall not exceed 20,000 gpd per foot of weir length. Where submerged orifices are used as an alternate for overflow weirs, they should not be lower than three feet below the flow line with flow rates equivalent to weir loadings.
- (e) Velocity - The velocity through settling basins shall not exceed 0.5 feet per minute. The basins must be designed to minimize short circuiting. Fixed or adjustable baffles must be provided as necessary to achieve the maximum potential for clarification.
- (f) Overflow - An overflow weir (or pipe) should be installed which will establish the maximum water level desired on top of the filters. It shall discharge by gravity with a free fall at a location where the discharge will be noted.
- (g) Superstructure - A superstructure over the sedimentation basin is required.
- (h) Sludge collection - Mechanical sludge collection equipment should be provided.
- (i) Drainage - Basins must be provided with a means for dewatering. Basin bottoms should slope toward the drain not less than one foot in twelve feet where mechanical sludge collection equipment is not required.
- (j) Flushing lines - Flushing lines or hydrants shall be provided and must be equipped with back flow prevention devices acceptable to the Secretary.
- (k) Safety - Permanent ladders or handholds should be provided on the inside walls of basins above the water level. Guard rails should be included.
- (l) Sludge removal - Sludge removal design shall provide that:
 - (1) sludge pipes shall be not less than three inches in diameter and so arranged as to facilitate cleaning,
 - (2) entrance to sludge withdrawal piping shall prevent clogging,
 - (3) valves shall be located outside the tank for accessibility, and
 - (4) the operator may observe and sample sludge being withdrawn from the unit.
- (m) Sludge disposal - Sludge disposal facilities shall meet the requirements of the Secretary (See Subpart 4.10.)

4.1.4 Solids Contact Unit

Units are acceptable for clarification where water characteristics are not variable and flow rates are uniform. Clarifiers should be designed for the maximum uniform rate and should be adjustable to changes in flow which are less than the design rate and for changes in water characteristics. A minimum of two units are required for surface water treatment.

4.1.4.1 Chemical Feed

Chemicals shall be applied at such points and by such means as to insure satisfactory mixing of the chemicals with the water.

4.1.4.2 Mixing

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A rapid mix device or chamber ahead of solids contact units may be required by the Secretary to assure proper mixing of the chemicals applied. Mixing devices employed shall be so constructed as to:

- (a) provide good mixing of raw water with previously formed sludge particles, and
- (b) prevent deposition of solids in the mixing zones.

4.1.4.3 Sludge Concentrators

The equipment should provide either internal or external concentrators in order to obtain a concentrated sludge with a minimum of wastewater. ~~waste water~~.

4.1.4.4 Sludge Removal

- (a) Sludge pipes shall be not less than three inches in diameter and so arranged as to facilitate cleaning,
- (b) entrance to sludge withdrawal piping shall prevent clogging,
- (c) valves shall be located outside the tank for accessibility, and
- (d) the operator may observe and sample sludge being withdrawn from the unit.

4.1.4.5 Detention Period

The detention period shall be as approved by the Secretary based on the individual units used, and the raw water characteristics.

4.1.4.6 Water losses

- (a) Units shall be provided with suitable controls for sludge withdrawal.
- (b) Total water losses should not exceed five percent (5%) for clarifiers.

4.1.4.7 Weirs or Orifices

The units should be equipped with either overflow weirs or orifices constructed so that water at the surface of the unit does not travel over 10 feet horizontally to the collection trough.

- (a) Weirs shall be adjustable, and at least equivalent in length to the perimeter of the tank.
- (b) Weir loading shall not exceed 10 gpm per foot of weir length for units used for clarifiers, and
- (c) Where orifices are used the loading per foot of launder rates should be equivalent to weir loadings. Either shall produce uniform rising rates over the entire area of the tank.

4.1.4.8 Upflow Rates

Unless supporting data is submitted to the Secretary to justify rates exceeding the following, the rate of flow shall not exceed 1.0 gpm per square foot of area at the sludge separation line.

4.1.5 Tube or plate settlers

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Proposals for settler unit clarification must include pilot plant and/or full scale demonstration satisfactory to the Secretary prior to the preparation of final plans and specifications for approval.

4.2 Filtration

Acceptable filters shall include, at the discretion of the Secretary, the following types:

- (a) rapid rate gravity filters;
- (b) rapid rate pressure filters;
- (c) slow sand filtration;
- (d) direct filtration;
- (e) diatomaceous earth filtration; or
- (f) other technology as approved by the Secretary.

The application of any one type must be supported by water quality data representing a reasonable period of time to characterize the variation in water quality. Experimental treatment studies may be required to demonstrate the applicability of the method of filtration proposed.

4.2.1 Rapid Rate Gravity Filters

4.2.1.1 Pretreatment

The use of rapid rate gravity filters shall require pretreatment through the addition of constituents to enhance the treatment process.

4.2.1.2 Rate of Filtration

The rate of filtration shall be determined through consideration of such factors as raw water quality, degree of pretreatment provided, filter media, water quality control parameters, competency of operating personnel, and other factors as required by the Secretary. In any case, the filter rate must be proposed and justified by the designing engineer to the satisfaction of the Secretary prior to the preparation of final plans and specifications.

4.2.1.3 Total Filter Capacity Determination

- (a) At least two units shall be provided. Where only two units are provided each shall be capable of meeting the plant design capacity (the projected maximum daily demand) at the approved filtration rate. Where more than two filter units are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter removed from service. Where declining rate filtration is provided, the variable aspect of filtration rates, and the number of filters must be considered when determining the design capacity for the filters.
- (b) The reserve capacity of water treatment plants constructed between 1980 and 1992 shall be determined under the previous practices until 2011. These previous practices required

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the plant capacity to meet average daily demand with one filter off line and maximum daily demand with all filters operating. Any new water treatment plant construction or major modification beginning after January 1, 1993, requires use of the new standards for design as described in Appendix A Subpart 4.2.1.3(a).

4.2.1.4 Structural details and hydraulics

The filter structure shall be so designed as to provide for:

- (a) vertical walls within the filter;
- (b) no protrusion of the filter walls into the filter media;
- (c) head room to permit normal inspection and operation;
- (d) minimum water depth over the surface of the filter media of three (3) feet;
- (e) trapped effluent to prevent back flow of air to the bottom of the filters;
- (f) prevention of floor drainage to the filter with a minimum of 4 inch curb around the filters;
- (g) prevention of flooding by providing overflow;
- (h) maximum velocity of treated water in pipe and conduits to filters of two feet per second;
- (i) cleanouts and straight alignment for influent pipes or conduits where solids loading is heavy;
- (j) washwater drain capacity to carry maximum flow;
- (k) safety handrails or walls around filter areas adjacent to normal walkways; and
- (l) construction to prevent cross connections and common walls between potable and non-potable water.

4.2.1.5 Washwater troughs

Washwater troughs should be constructed to have:

- (a) the bottom elevation above the maximum level of expanded media during washing;
- (b) a two inch freeboard at the maximum rate of wash;
- (c) the top edge level and all at the same elevation;
- (d) spacing so that each trough serves the same number of square feet of filter area; and
- (e) maximum horizontal travel of suspended particles to reach the trough not to exceed three feet.

4.2.1.6 Filter material

The media shall be clean silica sand or other natural or synthetic media approved by the Secretary, having the following characteristics:

- (a) a total depth of not less than 24 inches and generally not more than 30 inches;
- (b) an effective size range of the smallest material no greater than 0.45 to 0.55 mm;
- (c) a uniformity coefficient of the smallest material not greater than 1.65; and
- (d) a minimum of 12 inches of media with an effective size range no greater than 0.45 mm to 0.55, and a specific gravity greater than other filtering materials within the filter.
- (e) Types of filter media:
 - (1) Anthracite - Clean crushed anthracite, or a combination of anthracite and other media may be considered on the basis of experimental data specific to the project, and shall have:

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- (i) effective size of 0.45 mm to 0.55 mm with uniformity coefficient not greater than 1.65 when used alone;
 - (ii) effective size of 0.8 mm to 1.2 mm with a uniformity coefficient not greater than 1.85 when used as a cap;
 - (iii) effective size for anthracite used on potable groundwater for iron and manganese removal only shall be a maximum of 0.8 mm (effective sizes greater than 0.8 mm may be approved based upon onsite pilot plant studies).
- (2) Sand - sand shall have:
- (i) effective size of 0.45 mm to 0.55 mm; and
 - (ii) uniformity coefficient of not greater than 1.65.
- (3) Other media - Other media will be considered based on experimental data and operating experience.
- (4) Gravel - Gravel, when used as the supporting media, shall consist of hard, rounded particles and shall not include flat or elongated particles. The coarsest gravel shall be 2-1/2 inches in size when the gravel rests directly on the strainer system, and must extend above the top of the perforated laterals. Not less than four layers of gravel shall be provided in accordance with the following size and depth distribution when used with perforated laterals:

Size	Depth
2-1/2 to 1-1/2 inches	5 to 8 inches
1-1/2 to 3/4 inches	3 to 5 inches
3/4 to 1/2 inches	3 to 5 inches
1/2 to 3/16 inches	2 to 3 inches
3/16 to 3/32 inches	2 to 3 inches

Reduction of gravel depths may be considered upon justification to the Secretary when proprietary filter bottoms are specified.

4.2.1.7 Filter bottoms and strainer systems

Departures from these standards may be acceptable for high rate filters and for proprietary bottoms. Porous plate bottoms shall not be used where iron or manganese may clog them or with waters softened by lime. Manifold type collection systems shall be designed to:

- (a) minimize loss of head in the manifold materials; and
- (b) assure even distribution of washwater and even rate of filtration over the entire area of the filter.

4.2.1.8 Surface wash or subsurface wash

Surface or subsurface wash facilities are recommended and may be accomplished by a system of fixed nozzles or a revolving type apparatus. All devices shall be designed with:

- (a) provision for water pressure of at least 45 psi;

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- (b) a properly installed vacuum breaker or other approved device to prevent back siphonage if connected to the treated water system;
- (c) rate of flow of 2.0 gallons per minute per square foot of filter area with fixed nozzles or 0.5 gallons per minute per square foot with revolving arms; and
- (d) air wash can be considered based on experimental data and operating experiences.

4.2.1.9 Appurtenances

The following shall be provided for every filter:

- (a) influent and effluent sampling taps;
- (b) means for measuring head loss;
- (c) a flow meter. A modified rate controller which limits the rate of filtration to a maximum rate may be used. However, equipment that simply maintains a constant water level on the filters is not acceptable, unless the rate of flow onto the filter is properly controlled. A pump or a flow meter in each filter effluent line may be used as the limiting device for the rate of filtration only after consultation with the Secretary;
- (d) filter to waste provision; and
- (e) provisions for draining the filter to waste with appropriate measures for back flow prevention (see Appendix A Subpart 4.10).

It is recommended the following be provided for every filter:

- (a) a continuous or rotating cycle turbidity recording device for surface water treatment plants, and
- (b) a 1 to 1-1/2 inch pressure hose and storage rack at the operating floor for washing filter walls.

4.2.1.10 Backwash

Provisions shall be made for washing filters as follows:

- (a) a minimum rate of 15 gallons per minute per square foot, consistent with water temperatures and specific gravity of the filter media. A rate of 20 gallons per minute per square foot or a rate necessary to provide for a 50 percent expansion of the filter bed is recommended. A reduced rate of 10 gallons per minute per square foot may be acceptable for full depth anthracite or granular activated carbon filters;
- (b) filtered water provided at the required rate by washwater tanks, a washwater pump, from the high service main, or a combination of these;
- (c) washwater pumps in duplicate unless an alternate means of obtaining washwater is available;
- (d) not less than 15 minutes wash of filter at the design rate of wash;
- (e) a washwater regulator or valve on the main washwater line to obtain the desired rate of filter wash with the washwater valves on the individual filters open wide;
- (f) a rate of flow indicator, preferably with a totalizer, on the main washwater line, located so that it can be easily read by the operator during the washing process; and
- (g) design to prevent rapid changes in backwash water flow.

4.2.2 Rapid rate pressure filters

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The use of these filters is not recommended and generally not approved since their effectiveness is easily reduced and their operation difficult to monitor, however, they may be the only economic solution in certain circumstances.

4.2.2.1 General

Minimum criteria relative to number, rate of filtration, structural details and hydraulics, filter media, etc., provided for rapid rate gravity filters also apply to pressure filters where appropriate.

4.2.2.2 Rate of filtration

The rate shall not exceed three gallons per minute per square foot of filter area, except where pilot study or in plant testing as approved by the Secretary has demonstrated satisfactory results at higher rates.

4.2.2.3 Details of design

The filters shall be designed to provide for:

- (a) a minimum of two sight ports (except for iron and manganese removal filters);
- (b) a differential head loss gauge;
- (c) an easily readable meter or flow indicator on each battery of filters. A flow indicator is recommended for each filtering unit;
- (d) filtration and backwashing of each filter individually with an arrangement of piping as simple as possible to accomplish these purposes;
- (e) filter media shall comply with Appendix A Subpart 4.2.1.6;
- (f) the top of the washwater collectors to be at least 18 inches above the surface of the media;
- (g) the under drain system to efficiently collect the filtered water and to uniformly distribute the backwash water at a rate not less than 15 gallons per minute per square foot of filter area;
- (h) backwash flow indicators and controls that are easily readable while operating the control valves;
- (i) an air release valve on the highest point of each filter;
- (j) an accessible manhole to facilitate inspection and repairs;
- (k) means to observe the wastewater during backwashing;
- (l) construction to prevent cross connection; and
- (m) a pressure relief valve shall be installed for each filter.

4.2.3 Diatomaceous earth filtration

The use of these filters may be considered for application to surface water with low turbidity and low bacterial contamination, and may be used for iron removal for groundwater, providing the removal is effective and the water is of satisfactory sanitary quality before treatment.

4.2.3.1 Conditions of use

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Diatomaceous earth filters are expressly excluded from consideration for the following conditions:

- (a) color removal;
- (b) turbidity removal where either the gross quantity of turbidity is high or the turbidity exhibits poor filterability characteristics; and
- (c) filtration of water with high algae counts.

4.2.3.2 Pilot plant study

Installation of a diatomaceous earth filtration system shall be preceded by a pilot plant study on the water to be treated.

- (a) Conditions of the study such as duration, filter rates, head loss accumulation, slurry feed rates, turbidity removal, bacteria removal, etc. must be approved by the reviewing authority prior to the study;
- (b) Satisfactory pilot plant results must be obtained prior to preparation of final construction plans and specifications.
- (c) The pilot plant study must demonstrate the ability of the system to meet applicable drinking water standards at all times.

4.2.3.3 Types of filters

Pressure or vacuum diatomaceous earth filtration units will be considered for approval. However, the vacuum type is preferred for its ability to accommodate a design which permits observation of the filter surfaces to determine proper cleaning, damage to a filter element, and adequate coating over the entire filter area.

4.2.3.4 Treated water storage

Treated water storage capacity in excess of normal requirements shall be provided to:

- (a) allow operation of the filters at a uniform rate during all conditions of system demand at or below the approved filtration rate, and
- (b) guarantee continuity of service during adverse raw water conditions without by-passing the system.

4.2.3.5 Number of units.

See Appendix A Subpart 4.2.1.3 for information on number of units.

4.2.3.6 Pre-coat

- (a) Application: A uniform pre-coat shall be applied hydraulically to each septum by introducing a slurry to the tank influent line and employing a filter to waste or recirculation system.

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- (b) Quantity: Diatomaceous earth in the amount of 0.2 pounds per square foot of filter area or an amount sufficient to apply a 1/8 inch coating should be used with recirculation. When pre coating is accomplished with a filter to waste system, 0.15-0.2 pounds per square foot of filter area is recommended.

4.2.3.7 Body Feed

A body feed system to apply additional amounts of diatomaceous earth slurry during the filter run is required to avoid short filter runs or excessive head losses.

- (a) Quantity: Rate of body feed is dependent on raw water quality and characteristics and must be determined in the pilot plant study. Inclusion of a coagulant coating (alum or polymer) to the body feed should be considered.
- (b) Operation and maintenance can be simplified by providing accessibility to the feed system and slurry lines.
- (c) Continuous mixing of the body feed slurry is required.

4.2.3.8 Filtration

- (a) Rate of filtration: The recommended nominal rate is 1.0 gallon per minute per square foot of filter area with a recommended maximum of 1.5 gpm per square foot. The filtration rate shall be controlled by a positive means.
- (b) Head loss: The head loss shall not exceed 30 psi for pressure diatomaceous earth filters, or a vacuum of 15 inches of mercury for a vacuum system.
- (c) Recirculation: A recirculation or holding pump shall be employed to maintain differential pressure across the filter when the unit is not in operation in order prevent the filter cake from dropping off the filter elements. A minimum recirculation rate of 0.1 gallon per minute per square foot of filter area shall be provided.
- (d) Septum or filter element: The filter elements shall be structurally capable of withstanding maximum pressure and velocity variations during filtration and backwash cycles, and shall be spaced such that no less than one inch is provided between elements or between any element and a wall.
- (e) Inlet design: The filter influent shall be designed to prevent scour of the diatomaceous earth from the filter element.

4.2.3.9 Backwash

A satisfactory method to thoroughly remove and dispose of spent filter cake shall be provided.

4.2.3.10 Appurtenances

The following shall be provided for every filter:

- (a) sampling taps for raw and filtered water;
- (b) loss of head or differential pressure gauge;
- (c) rate-of-flow indicator, preferably with totalizer;

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- (d) a throttling valve used to reduce rates below normal during adverse raw water conditions; and
- (e) evaluation of the need for body feed, recirculation, and any other pumps, in accordance with Appendix A Subpart 6.3.

4.2.4 Slow Rate Gravity Filters

The use of these filters shall require prior engineering studies to demonstrate the adequacy and suitability of this method of filtration for the specific raw water supply.

4.2.4.1 Quality of raw water

Slow rate gravity filtration will generally be limited to waters having maximum turbidities of 10 units and maximum color of 5 units: such turbidity must not be attributable to colloidal clay. Raw water quality data must include examinations for algae.

4.2.4.2 Number

At least two units shall be provided. Where only two units are provided, each shall be capable of meeting the plant design capacity (normally the projected maximum daily demand) at the approved filtration rate. Where more than two filter units are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter removed from service.

4.2.4.3 Structural details and hydraulics

Slow rate gravity filters shall be so designed as to provide:

- (a) a cover, and insulation to prevent freezing
- (b) headroom to permit normal movement by operating personnel for scraping and sand removal operations
- (c) adequate manholes and access ports for handling of sand
- (d) filtration to waste
- (e) an overflow at the maximum filter water level
- (f) provisions for draining the filter to waste with appropriate measures for back flow prevention (see Appendix A Subpart 4.10)

4.2.4.4 Rates of filtration

The permissible rates of filtration shall be determined by the quality of the raw water and shall be on the basis of experimental data derived from the water to be treated. The nominal rate may be 45 to 150 gallons per day per square foot of sand area, with somewhat higher rates acceptable when demonstrated to the satisfaction of the Secretary.

4.2.4.5 Underdrains

Each filter unit shall be equipped with a main drain and an adequate number of lateral underdrains to collect the filtered water. The underdrains shall be so spaced that the maximum

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velocity of the water flow in the lateral underdrain will not exceed 0.75 feet per second. The maximum spacing of the laterals shall not exceed 3 feet.

4.2.4.6 Filtering material

- (a) Filter sand shall be placed on graded gravel layers for a minimum depth of 30 inches.
- (b) The effective size shall be between 0.15 mm and 0.35 mm, or as approved by the Secretary.
- (c) The uniformity coefficient shall not exceed 2.5, or as approved by the Secretary.
- (d) The sand shall be clean and free from foreign matter.

4.2.4.7 Filter gravel

The supporting gravel shall conform to the size and depth distribution provided for rapid rate gravity filters. See Appendix A Subpart 4.2.1(6)(e)(5).

4.2.4.8 Depth of water on filter beds

Design shall provide a depth of at least three feet of water over the sand. Influent water shall not scour the sand surface.

4.2.4.9 Control appurtenances

Each filter shall be equipped with:

- (a) a loss of head gauge;
- (b) an orifice, venturi meter, or other suitable metering device installed on each filter to control the rate of filtration; and
- (c) an effluent pipe designed to maintain the water level above the top of the filter sand.

4.2.5 Direct Filtration

Direct filtration, as used herein, refers to the filtration of a surface water without prior settling. The nature of the treatment process will depend upon the raw water quality. A full scale direct filtration plant shall not be constructed without prior pilot studies which are acceptable to the Secretary. In-plant demonstration studies may be appropriate where conventional treatment plants are converted to direct filtration.

Where direct filtration is proposed, an engineering report shall be submitted prior to conducting pilot plant or in-plant demonstration studies. In cases where a direct filtration plant is effectively treating the same source, pilot plant studies may be eliminated.

4.2.5.1 Engineering report

In addition to the items considered in Appendix A Subpart 1.2, "Engineer's Report," the report should include a historical summary of meteorological conditions and of raw water quality with

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special reference to fluctuations in quality, and possible sources of contamination. The following raw water parameters should be evaluated in the report:

- (a) color;
- (b) turbidity;
- (c) bacterial concentration;
- (d) microscopic biological organisms;
- (e) temperature;
- (f) total solids;
- (g) general inorganic chemical characteristics; and
- (h) additional parameters as required by the Secretary.

The report should also include a description of methods and work to be done during a pilot plant study or where appropriate, an in plant demonstration study.

4.2.5.2 Pilot plant studies (when required)

After approval of the engineering report, a pilot study or in-plant demonstration study shall be conducted. This study shall be conducted under average and adverse water quality conditions and shall emphasize but not be limited to the following items:

- (a) chemical mixing conditions including shear gradients and detention periods;
- (b) chemical feed rates;
- (c) use of various coagulant aids including polymers;
- (d) flocculation conditions;
- (e) filtration rates;
- (f) filter gradation, types of media and depth of media; and
- (g) filter breakthrough conditions.

Prior to the initiation of design plans and specifications, a final report including the engineer's design recommendations shall be submitted to the Secretary.

4.2.5.3 Pretreatment - Rapid mix and flocculation

The final rapid mix and flocculation basin design should be based on the pilot plant or in-plant demonstration studies augmented with applicable portions of Appendix A Subpart 4.1.1 Rapid Mix and Appendix A Subpart 4.1.2 Flocculation.

4.2.5.4 Filtration

- (a) Filters should be rapid rate gravity filters with dual or mixed media. The final filter design should be based on the pilot plant or in-plant demonstration studies augmented by applicable portions of Appendix A Subpart 4.2.1 Rapid Rate Gravity Filters. Single media sand filters shall not be used.
- (b) Surface wash shall be provided for the rapid rate gravity filters in accordance with Appendix A Subpart 4.2.1.8.

4.2.5.5 Control and operation

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- (a) A continuous recording turbidimeter should be installed on each filter effluent line and on the composite filter effluent line.
- (b) Additional continuous monitoring equipment may be required by the Secretary.

4.3 Disinfection

Historically chlorine has been the preferred disinfecting agent. However, disinfection may be accomplished with liquid chlorine, monochloramines, calcium or sodium hypochlorite or chlorine dioxide. Other disinfecting agents will be considered, providing reliable application equipment is available and testing procedures for residual are recognized in *Standard Methods for the Examination of Water and Wastewater*, latest edition or an equivalent means of measuring effectiveness exists. Disinfection is required for all Subpart H systems including surface water supplies and groundwater under the direct influence of surface water, and for any groundwater at risk of contamination. The required amount of primary disinfection needed shall be specified by the reviewing authority and shall be consistent with levels of treatment required by these rules. Consideration must be given to the formation of disinfection byproducts (DBPs) when selecting the disinfectant.

4.3.1 Chlorination

4.3.1.1 Equipment

4.3.1.1.1 Type

Solution feed gas chlorinators or hypochlorite feeders of the positive displacement type must be provided (See Part 5 of Appendix A). Use of gas is limited to large, operator on-site, or monitored, 24 hour facilities, under very specific conditions.

4.3.1.1.2 Capacity

The chlorinator capacity shall be such that a free chlorine residual of at least 2 milligrams per liter can be maintained in the water with CT values as required in Appendix A Subpart 4.3.2(c) when maximum flow rate coincides with anticipated maximum chlorine demand. The equipment shall be of such design that it will operate accurately over the desired feeding range. (See Appendix A Subpart 5.0.1.)

4.3.1.1.3 Standby equipment

Where chlorination is required for protection of the supply, standby equipment of sufficient capacity shall be available to replace the largest unit. Spare parts shall be made available to replace parts subject to wear and breakage.

4.3.1.1.4 Automatic switchover

Automatic switchover of chlorine cylinders shall be provided, where necessary, to assure continuous disinfection.

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4.3.1.1.5 Automatic proportioning

Automatic proportioning chlorinators will be required where the rate of flow or chlorine demand is not reasonably constant.

4.3.1.1.6 Eductor

Each eductor must be selected for the point of application with particular attention given to the quantity of chlorine to be added, the maximum injector waterflow, the total discharge back pressure, the injector operating pressure, and the size of the chlorine solution line. Gauges for measuring water pressure and vacuum at the inlet and outlet of each eductor should be provided.

4.3.1.1.7 Injector/diffuser

The chlorine solution injector/diffuser must be compatible with the point of application to provide a rapid and thorough mix with all the water being treated. The center of a pipeline is the preferred application point.

4.3.2 Contact time and point of application

- (a) Due consideration shall be given to the contact time of the chlorine in water with relation to pH, ammonia, taste producing substances, temperature, bacterial quality, trihalomethane formation potential and other pertinent factors. Chlorine should be applied at a point which will provide adequate contact time. All basins used for disinfection must be designed to minimize short circuiting. Determination of contact time for calculation of CT values will be made using Appendix C of the E.P.A. Guidance Manual, October, 1989.
- (b) At plants treating surface water, provisions should be made for applying chlorine to the raw water, filtered water, and water entering the distribution system. The contact time as required in this subpart must be provided to achieve the necessary log removal as shown below.

The required minimum primary disinfection is the disinfection needed for the entire surface water and Subpart H treatment process to meet the overall treatment requirement of 3 log *Giardia* and 4 log virus removal/inactivation. Regardless of any filter efficiency, a 0.5 log minimum inactivation of *Giardia* by disinfection is required.

The following table provides a summary of the expected minimum level of surface water and Subpart H treatment performance in well operated filter systems and the required level of disinfection.

	Expected Log Filtration Removals		Required Disinfection (Log Inactivations)	
	<i>Giardia</i>	Viruses	<i>Giardia</i>	Viruses
Conventional	2.5	2.0	0.5	2.0

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Direct	2.0	1.0	1.0	3.0
Slow Sand	2.0	2.0	1.0	2.0
Diatomaceous Earth	2.0	1.0	1.0	3.0

The Secretary may require greater removals/inactivation depending on the degree of contamination in the source water.

- (c) For surface water and groundwater under the direct influence of surface water sources, CT Values (CT) must be achieved as shown in Tables A4-1 and A4-2 (See following Appendix A Subpart 4.3).
- (d) For groundwater sources determined to be vulnerable to viral contamination, 4.0 log inactivation of viruses must be achieved as shown in Table A4-1.
- (e) Groundwater sources not under the direct influence of surface water that are required to be continuously disinfected or that are required to have the capability of being continuously disinfected shall meet the CT requirements to provide 4.0 log viral inactivation as shown in Table A4-1.

4.3.3 Residual chlorine

When systems are required to provide chemical disinfection, the minimum free chlorine residual at distant points in a water distribution system shall be 0.1 milligrams per liter. Higher residuals may be required depending on pH, temperature and other characteristics of the water.

4.3.4 Testing equipment

- (a) Chlorine residual test equipment, using the DPD method or other method recognized in the latest edition of *Standard Methods for the Disinfection of Water and Wastewater*, shall be provided and should be capable of measuring residuals to the nearest 0.1 milligram per liter.
- (b) Each system shall continuously monitor the disinfectant residual of the water as it enters the distribution system and record the lowest disinfectant residual each day. Systems serving fewer than or equal to 3300 people may take grab samples in lieu of continuous monitoring at frequencies as follows:

<i>System Population</i>	<i>Samples/day*</i>
< 500.	1
501-1,000.	2
1,001-2,500.	3
2,501-3,300	4

(*: The minimum time between samples is 1½ hours)

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4.3.5 Chlorinator piping

4.3.5.1 Cross connection protection

The chlorinator water supply piping shall be designed to prevent contamination of the treated water supply by sources of questionable quality. At all facilities treating surface water, pre and post chlorination systems must be independent to prevent possible siphoning of partially treated water into the clear well. The water supply to each eductor shall have a separate shut-off valve. No master shut off valve will be allowed.

4.3.5.2 Pipe material

The pipes carrying elemental liquid or dry gaseous chlorine under pressure and liquid chlorine must be schedule 80 seamless steel tubing or other materials recommended by the Chlorine Institute (never use PVC).

A chlorine solution is defined as a solution of chlorine in water and, therefore, its handling differs from that of elemental liquid or dry gaseous chlorine. For chlorine solution piping and fittings, rubber, PVC, polyethylene, or other materials recommended by the Chlorine Institute must be used.

Nylon products are not acceptable for any part of the chlorine solution piping system.

4.3.6 Housing

Adequate housing must be provided for the chlorination equipment and for storing the chlorine (see Appendix A Part 5).

Table A4-1 - CT VALUES FOR VIRUSES

CT VALUES FOR INACTIVATION OF VIRUSES BY FREE CHLORINE (1,2)

Log Inactivation	2.0		3.0		4.0	
pH	6-9	10	6-9	10	6-9	10
Temperature (°C)						
0.5	6	45	9	66	12	90
5	4	30	6	44	8	60
10	3	22	4	33	6	45
15	2	15	3	22	4	30
20	1	11	2	16	3	22
25	1	7	1	11	2	15

NOTES:

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1. Data adapted from Sobsey (1988) for inactivation of Hepatitis A Virus (HAV) at pH = 6, 7, 8, 9, and 10 and temperature = 5 C. CT values include a safety factor of 3.
2. CT values adjusted to other temperatures by doubling CT for each 10 C drop in temperature.

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Table A4-2 - *GIARDIA* INACTIVATION

CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 0.5°C or Lower																		
Chlorine Concentration (mg/L)	pH<=6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	23	46	69	91	114	137	27	54	82	109	136	163	33	65	98	130	163	195
0.6	24	47	71	94	118	141	28	56	84	112	140	168	33	67	100	133	167	200
0.8	24	48	73	97	121	145	29	57	86	115	143	172	34	68	103	137	171	205
1	25	49	74	99	123	148	29	59	88	117	147	176	35	70	105	140	175	210
1.2	25	51	76	101	127	152	30	60	90	120	150	180	36	72	108	143	179	215
1.4	26	52	78	103	129	155	31	61	92	123	153	184	37	74	111	147	184	221
1.6	26	52	79	105	131	157	32	63	95	126	158	189	38	75	113	151	188	226
1.8	27	54	81	108	135	162	32	64	97	129	161	193	39	77	116	154	193	231
2	28	55	83	110	138	165	33	66	99	131	164	197	39	79	118	157	197	236
2.2	28	56	85	113	141	169	34	67	101	134	168	201	40	81	121	161	202	242
2.4	29	57	86	115	143	172	34	68	103	137	171	205	41	82	124	165	206	247
2.6	29	58	88	117	146	175	35	70	105	139	174	209	42	84	126	168	210	252
2.8	30	59	89	119	148	178	36	71	107	142	178	213	43	86	129	171	214	257
3	30	60	91	121	151	181	36	72	109	145	181	217	44	87	131	174	218	261
Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	40	79	119	158	198	237	46	92	139	185	231	277	55	110	165	219	274	329
0.6	40	80	120	159	199	239	48	95	143	191	238	286	57	114	171	228	285	342
0.8	41	82	123	164	205	246	49	98	148	197	246	295	59	118	177	236	295	354
1	42	84	127	169	211	253	51	101	152	203	253	304	61	122	183	243	304	365
1.2	43	86	130	173	216	259	52	104	157	209	261	313	63	125	188	251	313	376
1.4	44	89	133	177	222	266	54	107	161	214	268	321	65	129	194	258	323	387
1.6	46	91	137	182	228	273	55	110	165	219	274	329	66	132	199	265	331	397
1.8	47	93	140	186	233	279	56	113	169	225	282	338	68	136	204	271	339	407
2	48	95	143	191	238	286	58	115	173	231	288	346	70	139	209	278	348	417
2.2	50	99	149	198	248	297	59	118	177	235	294	353	71	142	213	284	355	426
2.4	50	99	149	199	248	298	60	120	181	241	301	361	73	145	218	290	363	435
2.6	51	101	152	203	253	304	61	123	184	245	307	368	74	148	222	296	370	444
2.8	52	103	155	207	258	310	63	125	188	250	313	375	75	151	226	301	377	452
3	53	105	158	211	263	316	64	127	191	255	318	382	77	153	230	307	383	460
Chlorine Concentration (mg/L)	pH <=9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
<=0.4	65	130	195	260	325	390												
0.6	68	136	204	271	339	407												
0.8	70	141	211	281	352	422												
1	73	146	219	291	364	437												
1.2	75	150	226	301	376	451												
1.4	77	155	232	309	387	464												
1.6	80	159	239	318	398	477												
1.8	82	163	245	326	408	489												
2	83	167	250	333	417	500												
2.2	85	170	256	341	426	511												
2.4	87	174	261	348	435	522												
2.6	89	178	267	355	444	533												
2.8	91	181	272	362	453	543												
3	92	184	276	368	460	552												

Note: CT = CT for 3-Log Inactivation (99.9%)

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 5°C																		
Chlorine Concen- tration (mg/L)	pH<=6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	16	32	49	65	81	97	20	39	59	78	98	117	23	46	70	93	116	139
0.6	17	33	50	67	83	100	20	40	60	80	100	120	24	48	72	95	119	143
0.8	17	34	52	69	86	103	20	41	61	81	102	122	24	49	73	97	122	146
1	18	35	53	70	88	105	21	42	63	83	104	125	25	50	75	99	124	149
1.2	18	36	54	71	89	107	21	42	64	85	106	127	25	51	76	101	127	152
1.4	18	36	55	73	91	109	22	43	65	87	108	130	26	52	78	103	129	155
1.6	19	37	56	74	93	111	22	44	66	88	110	132	26	53	79	105	132	158
1.8	19	38	57	76	95	114	23	45	68	90	113	135	27	54	81	108	135	162
2	19	39	58	77	97	116	23	46	69	92	115	138	28	55	83	110	138	165
2.2	20	39	59	79	98	118	23	47	70	93	117	140	28	56	85	113	141	169
2.4	20	40	60	80	100	120	24	48	72	95	119	143	29	57	86	115	143	172
2.6	20	41	61	81	102	122	24	49	73	97	122	146	29	58	88	117	146	175
2.8	21	41	62	83	103	124	25	49	74	99	123	148	30	59	89	119	148	178
3	21	42	63	84	105	126	25	50	76	101	126	151	30	61	91	121	152	182
Chlorine Concen- tration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	28	55	83	111	138	166	33	66	99	132	165	198	39	79	118	157	197	236
0.6	29	57	86	114	143	171	34	68	102	136	170	204	41	81	122	163	203	244
0.8	29	58	88	117	146	175	35	70	105	140	175	210	42	84	126	168	210	252
1	30	60	90	119	149	179	36	72	108	144	180	216	43	87	130	173	217	260
1.2	31	61	92	122	153	183	37	74	111	147	184	221	45	89	134	178	223	267
1.4	31	62	94	125	156	187	38	76	114	151	189	227	46	91	137	183	228	274
1.6	32	64	96	128	160	192	39	77	116	155	193	232	47	94	141	187	234	281
1.8	33	65	98	131	163	196	40	79	119	159	198	238	48	96	144	191	239	287
2	33	67	100	133	167	200	41	81	122	162	203	243	49	98	147	196	245	294
2.2	34	68	102	136	170	204	41	83	124	165	207	248	50	100	150	200	250	300
2.4	35	70	105	139	174	209	42	84	127	169	211	253	51	102	153	204	255	306
2.6	36	71	107	142	178	213	43	86	129	172	215	258	52	104	156	208	260	312
2.8	36	72	109	145	181	217	44	88	132	175	219	263	53	106	159	212	265	318
3	37	74	111	147	184	221	45	89	134	179	223	268	54	108	162	216	270	324
Chlorine Concen- tration (mg/L)	pH<=9.0 Log Inactivations						Note: CT = CT for 3-Log Inactivation (99.9%)											
	(mg/L)	0.5	1.0	1.5	2.0	2.5												
<=0.4	47	93	140	186	233	279												
0.6	49	97	146	194	243	291												
0.8	50	100	151	201	251	301												
1	52	104	156	208	260	312												
1.2	53	107	160	213	267	320												
1.4	55	110	165	219	274	329												
1.6	56	112	169	225	281	337												
1.8	58	115	173	230	288	345												
2	59	118	177	235	294	353												
2.2	60	120	181	241	301	361												
2.4	61	123	184	245	307	368												
2.6	63	125	188	250	313	375												
2.8	64	127	191	255	318	382												
3	65	130	195	259	324	389												

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 10°C																		
Chlorine Concentration (mg/L)	pH≤6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	12	24	37	49	61	73	15	29	44	59	73	88	17	35	52	69	87	104
0.6	13	25	38	50	63	75	15	30	45	60	75	90	18	36	54	71	89	107
0.8	13	26	39	52	65	78	15	31	46	61	77	92	18	37	55	73	92	110
1	13	26	40	53	66	79	16	31	47	63	78	94	19	37	56	75	93	112
1.2	13	27	40	53	67	80	16	32	48	63	79	95	19	38	57	76	95	114
1.4	14	27	41	55	68	82	16	33	49	65	82	98	19	39	58	77	97	116
1.6	14	28	42	55	69	83	17	33	50	66	83	99	20	40	60	79	99	119
1.8	14	29	43	57	72	86	17	34	51	67	84	101	20	41	61	81	102	122
2	15	29	44	58	73	87	17	35	52	69	87	104	21	41	62	83	103	124
2.2	15	30	45	59	74	89	18	35	53	70	88	105	21	42	64	85	106	127
2.4	15	30	45	60	75	90	18	36	54	71	89	107	22	43	65	86	108	129
2.6	15	31	46	61	77	92	18	37	55	73	92	110	22	44	66	87	109	131
2.8	16	31	47	62	78	93	19	37	56	74	93	111	22	45	67	89	112	134
3	16	32	48	63	79	95	19	38	57	75	94	113	23	46	69	91	114	137
Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	21	42	63	83	104	125	25	50	75	99	124	149	30	59	89	118	148	177
0.6	21	43	64	85	107	128	26	51	77	102	128	153	31	61	92	122	153	183
0.8	22	44	66	87	109	131	26	53	79	105	132	158	32	63	95	126	158	189
1	22	45	67	89	112	134	27	54	81	108	135	162	33	65	98	130	163	195
1.2	23	46	69	91	114	137	28	55	83	111	138	166	33	67	100	133	167	200
1.4	23	47	70	93	117	140	28	57	85	113	142	170	34	69	103	137	172	206
1.6	24	48	72	96	120	144	29	58	87	116	145	174	35	70	106	141	176	211
1.8	25	49	74	98	123	147	30	60	90	119	149	179	36	72	108	143	179	215
2	25	50	75	100	125	150	30	61	91	121	152	182	37	74	111	147	184	221
2.2	26	51	77	102	128	153	31	62	93	124	155	186	38	75	113	150	188	225
2.4	26	52	79	105	131	157	32	63	95	127	158	190	38	77	115	153	192	230
2.6	27	53	80	107	133	160	32	65	97	129	162	194	39	78	117	156	195	234
2.8	27	54	82	109	136	163	33	66	99	131	164	197	40	80	120	159	199	239
3	28	55	83	111	138	166	34	67	101	134	168	201	41	81	122	162	203	243
Chlorine Concentration (mg/L)	pH≤9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
≤0.4	35	70	105	139	174	209												
0.6	36	73	109	145	182	218												
0.8	38	75	113	151	188	226												
1	39	78	117	156	195	234												
1.2	40	80	120	160	200	240												
1.4	41	82	124	165	206	247												
1.6	42	84	127	169	211	253												
1.8	43	86	130	173	216	259												
2	44	88	133	177	221	265												
2.2	45	90	136	181	226	271												
2.4	46	92	138	184	230	276												
2.6	47	94	141	187	234	281												
2.8	48	96	144	191	239	287												
3	49	97	146	195	243	292												

Note: CT = CT for 3-Log Inactivation (99.9%)

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 15°C																		
Chlorine Concentration (mg/L)	pH<=6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	8	16	25	33	41	49	10	20	30	39	49	59	12	23	35	47	58	70
0.6	8	17	25	33	42	50	10	20	30	40	50	60	12	24	36	48	60	72
0.8	9	17	26	35	43	52	10	20	31	41	51	61	12	24	37	49	61	73
1	9	18	27	35	44	53	11	21	32	42	53	63	13	25	38	50	63	75
1.2	9	18	27	36	45	54	11	21	32	43	53	64	13	25	38	51	63	76
1.4	9	18	28	37	46	55	11	22	33	43	54	65	13	26	39	52	65	78
1.6	9	19	28	37	47	56	11	22	33	44	55	66	13	26	40	53	66	79
1.8	10	19	29	38	48	57	11	23	34	45	57	68	14	27	41	54	68	81
2	10	19	29	39	48	58	12	23	35	46	58	69	14	28	42	55	69	83
2.2	10	20	30	39	49	59	12	23	35	47	58	70	14	28	43	57	71	85
2.4	10	20	30	40	50	60	12	24	36	48	60	72	14	29	43	57	72	86
2.6	10	20	31	41	51	61	12	24	37	49	61	73	15	29	44	59	73	88
2.8	10	21	31	41	52	62	12	25	37	49	62	74	15	30	45	59	74	89
3	11	21	32	42	53	63	13	25	38	51	63	76	15	30	46	61	76	91

Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
<=0.4	14	28	42	55	69	83	17	33	50	66	83	99	20	39	59	79	98	118
0.6	14	29	43	57	72	86	17	34	51	68	85	102	20	41	61	81	102	122
0.8	15	29	44	59	73	88	18	35	53	70	88	105	21	42	63	84	105	126
1	15	30	45	60	75	90	18	36	54	72	90	108	22	43	65	87	108	130
1.2	15	31	46	61	77	92	19	37	56	74	93	111	22	45	67	89	112	134
1.4	16	31	47	63	78	94	19	38	57	76	95	114	23	46	69	91	114	137
1.6	16	32	48	64	80	96	19	39	58	77	97	116	24	47	71	94	118	141
1.8	16	33	49	65	82	98	20	40	60	79	99	119	24	48	72	96	120	144
2	17	33	50	67	83	100	20	41	61	81	102	122	25	49	74	98	123	147
2.2	17	34	51	68	85	102	21	41	62	83	103	124	25	50	75	100	125	150
2.4	18	35	53	70	88	105	21	42	64	85	106	127	26	51	77	102	128	153
2.6	18	36	54	71	89	107	22	43	65	86	108	129	26	52	78	104	130	156
2.8	18	36	55	73	91	109	22	44	66	88	110	132	27	53	80	106	133	159
3	19	37	56	74	93	111	22	45	67	89	112	134	27	54	81	108	135	162

Chlorine Concentration (mg/L)	pH<=9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
<=0.4	23	47	70	93	117	140												
0.6	24	49	73	97	122	146												
0.8	25	50	76	101	126	151												
1	26	52	78	104	130	156												
1.2	27	53	80	107	133	160												
1.4	28	55	83	110	138	165												
1.6	28	56	85	113	141	169												
1.8	29	58	87	115	144	173												
2	30	59	89	118	148	177												
2.2	30	60	91	121	151	181												
2.4	31	61	92	123	153	184												
2.6	31	63	94	125	157	188												
2.8	32	64	96	127	159	191												
3	33	65	98	130	163	195												

Note: CT = CT for 3-Log Inactivation (99.9%)

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 20°C																		
Chlorine Concentration (mg/L)	pH≤6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	6	12	18	24	30	36	7	15	22	29	37	44	9	17	26	35	43	52
0.6	6	13	19	25	32	38	8	15	23	30	38	45	9	18	27	36	45	54
0.8	7	13	20	26	33	39	8	15	23	31	38	46	9	18	28	37	46	55
1	7	13	20	26	33	39	8	16	24	31	39	47	9	19	28	37	47	56
1.2	7	13	20	27	33	40	8	16	24	32	40	48	10	19	29	38	48	57
1.4	7	14	21	27	34	41	8	16	25	33	41	49	10	19	29	39	48	58
1.6	7	14	21	28	35	42	8	17	25	33	42	50	10	20	30	39	49	59
1.8	7	14	22	29	36	43	9	17	26	34	43	51	10	20	31	41	51	61
2	7	15	22	29	37	44	9	17	26	35	43	52	10	21	31	41	52	62
2.2	7	15	22	29	37	44	9	18	27	35	44	53	11	21	32	42	53	63
2.4	8	15	23	30	38	45	9	18	27	36	45	54	11	22	33	43	54	65
2.6	8	15	23	31	38	46	9	18	28	37	46	55	11	22	33	44	55	66
2.8	8	16	24	31	39	47	9	19	28	37	47	56	11	22	34	45	56	67
3	8	16	24	31	39	47	10	19	29	38	48	57	11	23	34	45	57	68
Chlorine Concentration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	10	21	31	41	52	62	12	25	37	49	62	74	15	30	45	59	74	89
0.6	11	21	32	43	53	64	13	26	39	51	64	77	15	31	46	61	77	92
0.8	11	22	33	44	55	66	13	26	40	53	66	79	16	32	48	63	79	95
1	11	22	34	45	56	67	14	27	41	54	68	81	16	33	49	65	82	98
1.2	12	23	35	46	58	69	14	28	42	55	69	83	17	33	50	67	83	100
1.4	12	23	35	47	58	70	14	28	43	57	71	85	17	34	52	69	86	103
1.6	12	24	36	48	60	72	15	29	44	58	73	87	18	35	53	70	88	105
1.8	12	25	37	49	62	74	15	30	45	59	74	89	18	36	54	72	90	108
2	13	25	38	50	63	75	15	30	46	61	76	91	18	37	55	73	92	110
2.2	13	26	39	51	64	77	16	31	47	62	78	93	19	38	57	75	94	113
2.4	13	26	39	52	65	78	16	32	48	63	79	95	19	38	58	77	96	115
2.6	13	27	40	53	67	80	16	32	49	65	81	97	20	39	59	78	98	117
2.8	14	27	41	54	68	81	17	33	50	66	83	99	20	40	60	79	99	119
3	14	28	42	55	69	83	17	34	51	67	84	101	20	41	61	81	102	122
Chlorine Concentration (mg/L)	pH≤9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
≤0.4	18	35	53	70	88	105	Note: CT = CT for 3-Log Inactivation (99.9%)											
0.6	18	36	55	73	91	109												
0.8	19	38	57	75	94	113												
1	20	39	59	78	98	117												
1.2	20	40	60	80	100	120												
1.4	21	41	62	82	103	123												
1.6	21	42	63	84	105	126												
1.8	22	43	65	86	108	129												
2	22	44	66	88	110	132												
2.2	23	45	68	90	113	135												
2.4	23	46	69	92	115	138												
2.6	24	47	71	94	118	141												
2.8	24	48	72	95	119	143												
3	24	49	73	97	122	146												

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CT Values for Inactivation of <i>Giardia</i> Cysts by Free Chlorine at 25°C																		
Chlorine Concen- tration (mg/L)	pH≤6 Log Inactivations						pH=6.5 Log Inactivations						pH=7.0 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	4	8	12	16	20	24	5	10	15	19	24	29	6	12	18	23	29	35
0.6	4	8	13	17	21	25	5	10	15	20	25	30	6	12	18	24	30	36
0.8	4	9	13	17	22	26	5	10	16	21	26	31	6	12	19	25	31	37
1	4	9	13	17	22	26	5	10	16	21	26	31	6	12	19	25	31	37
1.2	5	9	14	18	23	27	5	11	16	21	27	32	6	13	19	25	32	38
1.4	5	9	14	18	23	27	6	11	17	22	28	33	7	13	20	26	33	39
1.6	5	9	14	19	23	28	6	11	17	22	28	33	7	13	20	27	33	40
1.8	5	10	15	19	24	29	6	11	17	23	28	34	7	14	21	27	34	41
2	5	10	15	19	24	29	6	12	18	23	29	35	7	14	21	27	34	41
2.2	5	10	15	20	25	30	6	12	18	23	29	35	7	14	21	28	35	42
2.4	5	10	15	20	25	30	6	12	18	24	30	36	7	14	22	29	36	43
2.6	5	10	16	21	26	31	6	12	19	25	31	37	7	15	22	29	37	44
2.8	5	10	16	21	26	31	6	12	19	25	31	37	8	15	23	30	38	45
3	5	11	16	21	27	32	6	13	19	25	32	38	8	15	23	31	38	46

Chlorine Concen- tration (mg/L)	pH=7.5 Log Inactivations						pH=8.0 Log Inactivations						pH=8.5 Log Inactivations					
	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0	0.5	1.0	1.5	2.0	2.5	3.0
≤0.4	7	14	21	28	35	42	8	17	25	33	42	50	10	20	30	39	49	59
0.6	7	14	22	29	36	43	9	17	26	34	43	51	10	20	31	41	51	61
0.8	7	15	22	29	37	44	9	18	27	35	44	53	11	21	32	42	53	63
1	8	15	23	30	38	45	9	18	27	36	45	54	11	22	33	43	54	65
1.2	8	15	23	31	38	46	9	18	28	37	46	55	11	22	34	45	56	67
1.4	8	16	24	31	39	47	10	19	29	38	48	57	12	23	35	46	58	69
1.6	8	16	24	32	40	48	10	19	29	39	48	58	12	23	35	47	58	70
1.8	8	16	25	33	41	49	10	20	30	40	50	60	12	24	36	48	60	72
2	8	17	25	33	42	50	10	20	31	41	51	61	12	25	37	49	62	74
2.2	9	17	26	34	43	51	10	21	31	41	52	62	13	25	38	50	63	75
2.4	9	17	26	35	43	52	11	21	32	42	53	63	13	26	39	51	64	77
2.6	9	18	27	35	44	53	11	22	33	43	54	65	13	26	39	52	65	78
2.8	9	18	27	36	45	54	11	22	33	44	55	66	13	27	40	53	67	80
3	9	18	28	37	46	55	11	22	34	45	56	67	14	27	41	54	68	81

Chlorine Concen- tration (mg/L)	pH≤9.0 Log Inactivations																	
	0.5	1.0	1.5	2.0	2.5	3.0												
≤0.4	12	23	35	47	58	70	Note: CT = CT for 3-Log Inactivation (99.9%)											
0.6	12	24	37	49	61	73												
0.8	13	25	38	50	63	75												
1	13	26	39	52	65	78												
1.2	13	27	40	53	67	80												
1.4	14	27	41	55	68	82												
1.6	14	28	42	56	70	84												
1.8	14	29	43	57	72	86												
2	15	29	44	59	73	88												
2.2	15	30	45	60	75	90												
2.4	15	31	46	61	77	92												
2.6	16	31	47	63	78	94												
2.8	16	32	48	64	80	96												
3	16	32	49	65	81	97												

4.3.7 Non-Chlorine Based Disinfection

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Design and installation of disinfection methods other than chlorine based systems, such as ultraviolet light, may be permitted, provided such designs conform to the Secretary's written guidelines.

4.4 Softening

The softening process selected shall be based upon the mineral qualities of the raw water and the desired finished water quality in conjunction with requirements for disposal of sludge or brine waste, cost of plant, cost of chemicals and plant location. Applicability of the process chosen shall be demonstrated.

4.4.1 Lime or lime-soda process

Design standards for rapid mix, flocculation and sedimentation are in Appendix A Subpart 4.1. Additional consideration shall be given to the following process elements.

4.4.1.1 Hydraulics

When split treatment is used, the bypass line should be sized to carry total plant flow, and an accurate means of measuring and splitting the flow shall be provided.

4.4.1.2 Aeration

Determinations should be made for the carbon dioxide content of the raw water. When concentrations exceed 10 milligrams per liter, the economics of removal by aeration as opposed to removal with lime should be considered if it has been determined that dissolved oxygen in the finished water will not cause corrosion problems in the distribution system.

4.4.1.3 Chemical feed point

Lime and recycled sludge should be fed directly into the rapid mix basin.

4.4.1.4 Rapid mix

Rapid mix basins shall not exceed 30 seconds detention time with adequate velocity gradients to keep the lime particles dispersed.

4.4.1.5 Stabilization

Equipment for stabilization of water softened by the lime or lime-soda process is required. (see Appendix A Subpart 4.7).

4.4.1.6 Sludge Collection

- (a) Mechanical sludge removal equipment shall be provided in the sedimentation basin.
- (b) Sludge recycling to the rapid mix should be provided.

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4.4.1.7 Sludge Disposal

Provisions shall be included for proper disposal of softening sludge. (see Appendix A Subpart 4.10).

4.4.1.8 Disinfection

The use of excess lime shall not be considered an acceptable substitute for disinfection.

4.4.1.9 Plant start-up

The plant processes shall be manually started following shut-down.

4.4.2 Cation exchange process

Alternative methods of hardness reduction should be investigated when the sodium content and dissolved solids concentration is of concern.

4.4.2.1 Pre-treatment requirements

Iron, manganese, or a combination of the two, should not exceed 0.3 milligrams per liter in the water as applied to the ion exchange resin. Pre-treatment is required when the content of iron, manganese, or a combination of the two, is one milligram per liter or more. (see Appendix A Subpart 4.5). Waters having 5 units or more turbidity should not be applied directly to the cation exchange softener.

4.4.2.2 Design

The units may be of pressure or gravity type, of either an upflow or downflow design. Automatic regeneration based on volume of water softened should be used unless manual regeneration is justified and is approved by the reviewing authority. A manual override shall be provided on all automatic controls.

4.4.2.3 Exchange capacity

The design capacity for hardness removal should not exceed 20,000 grains per cubic foot when resin is regenerated with 0.3 pounds of salt per kilograin of hardness removed.

4.4.2.4 Depth of resin

The depth of the exchange resin should not be less than three feet.

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4.4.2.5 Flow rates

The rate of softening should not exceed seven gallons per minute per square foot of bed area and the backwash rate should be six to eight gallons per minute per square foot of bed area. Rate-of-flow controllers or the equivalent shall be installed for the above purposes.

4.4.2.6 Freeboard

The freeboard will depend upon the specific gravity of the resin and the direction of water flow. Generally, the washwater collector should be 24 inches above the top of the resin on downflow units.

4.4.2.7 Underdrains and supporting gravel

The bottoms, strainer systems and support for the exchange resin shall conform to criteria provided for rapid rate gravity filters. (see Appendix A Subparts 4.2.4.5 and 4.2.4.7).

4.4.2.8 Brine distribution

Facilities should be included for even distribution of the brine over the entire surface of both upflow and downflow units.

4.4.2.9 Cross-connection control

Backwash, rinse and air relief discharge pipes should be installed in such a manner as to prevent any possibility of back-siphonage.

4.4.2.10 Bypass piping and equipment

A bypass shall be provided around softening units to produce a blended water of desirable hardness. Totalizing meters shall be installed on the bypass line and on each softener unit. The bypass line shall have a shutoff valve and should have an automatic proportioning or regulating device. In some installations, it may be necessary to treat the bypassed water to obtain acceptable levels of iron and/or manganese in the finished water.

4.4.2.11 Additional limitations

Silica gel resins should not be used for waters having a pH above 8.4 or containing less than six milligrams per liter silica and should not be used when iron is present. When the applied water contains a chlorine residual, the cation exchange resin shall be a type that is not damaged by residual chlorine. Phenolic resin should not be used.

4.4.2.12 Sampling taps

Smooth-nose sampling taps shall be provided for the collection of representative samples. The taps shall be located to provide for sampling of the softener influent, effluent and blended water.

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The sampling taps for the blended water shall be at least 20 feet downstream from the point of blending. Petcocks are not acceptable as sampling taps. Sampling taps should be provided on the brine tank discharge piping.

4.4.2.13 Brine and salt storage tanks

- (a) Salt dissolving or brine tanks and wet salt storage tanks shall be covered and be corrosion-resistant.
- (b) The make-up water inlet shall be protected from back-siphonage. Water for filling the tank should be distributed over the entire surface by pipes above the maximum brine level in the tank. The tanks should be provided with an automatic declining level control system on the make-up water line.
- (c) Wet salt storage basins shall be equipped with manholes or hatchways for access and for direct dumping of salt from a truck. Openings shall be provided with raised curbs and watertight covers having overlapping edges similar to those required for finished water reservoirs.
- (d) Overflows, where provided, shall be protected with corrosion resistant screens and shall terminate with either a turned down bend having a proper free fall discharge or a self-closing flap valve.
- (e) Two wet salt storage tanks or compartments designed to operate independently should be provided.
- (f) The salt shall be supported on graduated layers of gravel placed over a brine collection system.
- (g) Alternative designs which are conducive to frequent cleaning of the wet salt storage tank may be considered.

4.4.2.14 Salt and brine storage capacity

Total salt storage should have sufficient capacity to provide for at least 30 days of operation.

4.4.2.15 Brine pump or eductor

An eductor may be used to transfer brine from the brine tank to the softeners. If a pump is used, a brine measuring tank or means of metering should be provided to obtain proper dilution.

4.4.2.16 Stabilization

Stabilization for corrosion control shall be provided. An alkali feeder shall be provided except when exempted by the reviewing authority.

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4.4.2.17 Waste disposal

Suitable disposal shall be provided for brine waste (See Appendix A Subpart 4.10). Where the volume of spent brine must be reduced, consideration may be given to using a part of the spent brine for a subsequent regeneration.

4.4.2.18 Construction materials

Pipes and contact materials shall be resistant to the aggressiveness of salt. Plastic and red brass are acceptable piping materials. Steel and concrete shall be coated with a non-leaching protective coating which is compatible with salt and brine.

4.4.2.19 Housing

Bagged salt and dry bulk salt storage shall be enclosed and separated from other operating areas in order to prevent damage to equipment.

4.5 Iron & Manganese Control

Iron and manganese control, as used herein, refers solely to treatment processes designed specifically for this purpose. The treatment process used will depend upon the character of the raw water. The selection of one or more treatment processes must meet specific local conditions as determined by engineering investigations, including chemical analyses of representative samples of water to be treated, and receive the approval of the Secretary. It may be necessary to operate a pilot plant in order to gather all information pertinent to the design. Consideration should be given to adjusting pH of the raw water to optimize reaction.

4.5.1 Removal by oxidation, detention and filtration

4.5.1.1 Oxidation may be by aeration or by chemical oxidation with chlorine, potassium permanganate, ozone or chlorine dioxide.

4.5.1.2 Detention

- (a) Reaction - A minimum detention time of 20 minutes shall be provided following aeration to insure that the oxidation reactions are as complete as possible. This minimum detention may be omitted only where a pilot plant study indicates no need for detention. The detention basin should be designed as a holding tank with no provisions for sludge collection but with sufficient baffling to prevent short circuiting.
- (b) Sedimentation - Sedimentation basins are recommended when treating water with high iron and/or manganese content, or where chemical coagulation is used to reduce the load on the filters. Provisions for sludge removal shall be made.

4.5.1.3 Filtration

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Filters shall be provided and shall conform to Subpart 4.2.

4.5.2 Removal by manganese greensand filtration

This process consists of either a continuous feed of potassium permanganate to the influent of a manganese greensand filter or regeneration of filter media by permanganate.

- a) Provisions should be made to apply the permanganate as far ahead of the filter as practical and to a point immediately before the filter.
- b) Other oxidizing agents or processes such as chlorination or aeration may be used prior to the permanganate feed to reduce the cost of the chemical.
- c) Anthracite media cap of at least six inches over manganese greensand is recommended.
- d) Normal filtration rate is three to five gallons per minute per square foot.
- e) Normal wash rate is 8 to 10 gallons per minute per square foot.
- f) Air washing should be provided.
- g) Sample taps shall be provided:
 - (1) prior to application of permanganate,
 - (2) immediately ahead of filtration,
 - (3) at the filter effluent.

4.5.3 Removal by ion exchange

This process of iron and manganese removal should not be used for water containing more than 0.3 milligrams per liter of iron, manganese or combination thereof. This process is not acceptable where either the raw water or wash water contains dissolved oxygen.

4.5.4 Sequestration by polyphosphates

Sequestration process will only be considered as a viable option for use in Vermont under the following conditions:

- (a) Pilot work done with specific sequestering agent being proposed demonstrating effectiveness under various conditions i.e. time, temperature, pH.
- (b) Specific program presented for operational control and monitoring of sequestering agent and its continued effectiveness.
- (c) Manganese shall not be equal to or greater than the health advisory.
- (~~e~~d) Iron, manganese or combination thereof shall not be in excess of 1.0 mg/l.
- (~~d~~e) The maximum concentration of phosphate applied shall not exceed 10 ppm PO₄.
- (~~e~~f) Feeding equipment shall conform to the requirements of Appendix A Subpart 5.
- (~~f~~g) Stock phosphate solution must be kept covered and disinfected by maintaining approximately 10 mg/l free chlorine residual. Newer premixed phosphate solutions may not require free chlorine residual be maintained.
- (~~g~~h) Polyphosphates shall not be applied ahead of iron and manganese removal treatment. The point of application shall be prior to any aeration, oxidation or disinfection if no iron or manganese removal treatment is provided.
- (~~h~~i) Phosphate chemicals must meet NSF Drinking Water Treatment Chemicals and System Components Certification.

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- (i) Testing equipment for phosphates must be available to allow daily monitoring of sequestering chemical levels in the distribution system.

4.5.5 Sampling equipment

Taps shall be located on each raw water source, each treatment unit influent and each treatment unit effluent.

4.5.6 Testing equipment

Testing equipment should be provided for all plants. The equipment should have the capacity to accurately measure the iron content to a minimum detection level of 0.1 milligrams per liter and the manganese content to a minimum detection level of 0.03 milligrams per liter.

4.6 Fluoridation

Sodium fluoride, sodium silicofluoride and hydrofluorosilicic acid shall conform to the NSF *Drinking Water Treatment Chemicals and System Components Certification*. The proposed method of fluoride feed must be approved by the Secretary prior to preparation of final plans and specifications. The proposed method will conform to CDC *Water Fluoridation: A Manual for Engineers and Technicians*, latest edition.

4.6.1 Fluoride compound storage

Fluoride chemicals should be isolated from other chemicals to prevent contamination. Compounds shall be stored in covered or unopened shipping containers and should be stored inside a building. Unsealed storage units for hydrofluorosilicic acid must be vented to the atmosphere at a point outside any building. Bags, fiber drums and steel drums should be stored on pallets.

4.6.2 Chemical feed equipment and methods

In addition to the requirements in Appendix A Part 5, fluoride feed equipment shall meet the following requirements:

- (a) scales, loss-of-weight recorders, water meters or liquid level indicators, as appropriate, accurate to within five percent of the average daily change in reading shall be provided for chemical feeds;
- (b) feeders shall be accurate to within five percent of any desired feed rate;
- (c) the point of application of hydrofluorosilicic acid, if into a horizontal pipe, shall be in the lower half of the pipe;
- (d) a fluoride solution, including hydrofluorosilicic acid, shall be applied by a positive displacement pump;
- (e) anti-siphon devices shall be provided for all fluoride feed lines and dilution water lines;
- (f) a device to measure the flow of water to be treated is required;
- (g) the dilution water pipe shall terminate at least two pipe diameters above the solution tank when an upflow saturator is not used;

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- (h) water used for sodium fluoride dissolution shall be softened if hardness exceeds 75 mg/l as calcium carbonate;
- (i) fluoride solutions shall not be injected to a point of negative pressure;
- (j) the electrical outlet used for the fluoride feed pump should have a nonstandard receptacle and shall be electrically interconnected with the well or service pump; and
- (k) sodium fluoride saturators should be of the upflow type and be provided with a meter and backflow protection on the makeup water line.

4.6.4 Protective equipment

Protective equipment, as outlined in Appendix A Subpart 5.3.4, and as required by OSHA and VOSHA regulations, shall be provided for operators handling fluoride compounds.

4.6.5 Dust control

- (a) Provision must be made for the transfer of dry fluoride compounds from shipping containers to storage bins or hoppers in such a way as to minimize the quantity of fluoride dust which may enter the room in which the equipment is installed. The enclosure shall be provided with an exhaust fan and dust filter which place the hopper under a negative pressure. Air exhausted from fluoride handling equipment shall discharge through a dust filter to the outside atmosphere of the building.
- (b) Provision shall be made for disposing of empty bags, drums or barrels in a manner which will minimize exposure to fluoride dusts. A floor drain should be provided to facilitate the hosing of floors. A floor drain may require a discharge permit from the Secretary.

4.6.6 Testing equipment

Equipment shall be provided for measuring the quantity of fluoride in the water. Such equipment shall be subject to the approval of the Secretary.

4.7 Stabilization

Water that is unstable due to natural causes or to subsequent treatment should be stabilized.

4.7.1 Polyphosphates

The feeding of polyphosphates may be applicable for corrosion control.

- (a) Feed equipment shall conform to Appendix A Part 5, Chemical Application.
- (b) Phosphate must meet NSF Drinking water treatment chemicals and system components certification.
- (c) Stock phosphate solution must be kept covered and disinfected by carrying approximately 10 milligrams per liter free chlorine residual.
- (d) Satisfactory chlorine residuals shall be maintained in the distribution system when phosphates are used.

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4.7.2 Other treatment

Other treatment for controlling corrosive waters by the use of sodium silicate and sodium bicarbonate shall be used where necessary. Any proprietary compound must receive the specific approval of the Secretary before use. Chemical feeders shall be as required in Appendix A Part 5.

4.7.3 Water unstable due to biochemical action in distribution system

Unstable water resulting from the bacterial decomposition of organic matter in water (especially in dead end mains), the biochemical action within tubercles, and the reduction of sulfates to sulfides should be prevented by the maintenance of a free chlorine residual throughout the distribution system.

4.8 Taste & Odor Control

Provision shall be made for the control of taste and odor as required by the Secretary. Chemicals shall be added sufficiently ahead of other treatment processes to assure adequate contact time for an effective and economical use of the chemicals. Where severe taste and odor problems are encountered in-plant and/or pilot plant studies are required.

4.8.1 Flexibility

Treatment plants that supply water with known taste and odor problems should have equipment available to treat these problems. The equipment should have several control processes available for treatment flexibility in addressing the problem.

4.8.2 Chlorination

Chlorination can be used for the removal of some objectionable odors. Adequate contact time must be provided to complete the chemical reactions involved. Excessive potential trihalomethane production through this process should be avoided by adequate bench-scale testing prior to design. The breakpoint technique of chlorinating is recommended.

4.8.3 Chlorine dioxide

Chlorine dioxide has been generally recognized as a treatment for tastes caused by industrial wastes, such as phenols. However, chlorine dioxide can be used in the treatment of any taste and odor that is treatable by an oxidizing compound. Provisions shall be made for proper storing and handling of the sodium chlorite, so as to eliminate any danger of explosion.

4.8.4 Powdered activated carbon

- (a) Powdered activated carbon when prescribed should be added as early as possible in the treatment process to provide maximum contact time. Flexibility to allow the addition of

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carbon at several points is preferred. Activated carbon should not be applied near the point of chlorine application.

- (b) The carbon can be added as a premixed slurry or by means of a dry feed machine as long as the carbon is properly wetted.
- (c) Continuous agitation or resuspension equipment is necessary to keep the carbon from depositing in the slurry storage tank.
- (d) Provision shall be made for adequate dust and explosion control.
- (e) The required rate of feed of carbon in a water treatment plant depends upon the tastes and/or odors involved, but provision should be made for adding from 0.1 milligrams per liter to at least 40 milligrams per liter.
- (f) Powdered activated carbon shall be handled as a potentially combustible material. It should be stored in a building or compartment as nearly fireproof as possible. Other chemicals should not be stored in the same compartment. Carbon feeder rooms should be equipped with explosion-proof electrical outlets, lights and motors.

4.8.5 Granular activated carbon adsorption units

See Subpart 4.2.1.6 of this appendix.

4.8.6 Copper sulphate and other copper compounds

Continuous or periodic treatment of water with copper compounds to kill algae or other growths shall be controlled to prevent copper in excess of 1.3 milligrams per liter as copper in the plant effluent or distribution system. Care shall be taken to assure an even distribution. A permit shall be obtained from the Secretary prior to any such treatment. (See 10 V.S.A., § 1263(a))

4.8.7 Aeration

See Appendix A Subpart 4.4.

4.8.8 Potassium permanganate

Application of potassium permanganate may be considered, providing the treatment shall be designed so that the products of the reaction are not visible in the finished water.

4.8.9 Ozone

Ozonation can be used as a means of taste and odor control. Adequate contact time must be provided to complete the chemical reactions involved. Ozone is generally more desirable for treating water with high threshold odors.

4.8.10 Other Methods

The decision to use any other methods of taste and odor control should be made only after careful laboratory and/or pilot plant tests and on consultation with the Secretary.

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4.9 Microscreening

A microscreen is a mechanical supplement of treatment capable of removing some of the suspended matter from the water by straining. It may be used to reduce nuisance organisms, leaves, weeds and organic matter. It shall not be used in place of:

- (a) filtration, when filtration is necessary to provide a satisfactory water, or
- (b) coagulation, in the preparation of water for filtration.

4.9.1 Design

- (a) Design shall give due consideration to:
 - (1) nature of the suspended matter to be removed
 - (2) corrosiveness of the water
 - (3) effect of chlorination, when required as a pretreatment
 - (4) duplication of units for continuous operation during equipment maintenance
- (b) Design shall provide:
 - (1) a durable, corrosion-resistant screen
 - (2) by-pass arrangements
 - (3) protection against back-siphonage when potable water is used for washing
 - (4) proper disposal of wash waters (see Appendix A Subpart 4.10).

4.10 Waste Handling & Disposal

Provisions must be made for proper disposal of water treatment plant waste such as sanitary, laboratory, clarification sludge, iron sludge, filter backwash water, and brine. All waste discharges shall be permitted by the Secretary. In locating waste disposal facilities, due consideration shall be given to preventing potential contamination of the water supply and groundwater. The Department of Environmental Conservation's Permit Specialists should be contacted (see Rule Introduction) for assistance with regulatory jurisdiction with sludge disposal.

Alternative methods of water treatment and chemical use should be considered as a means of reducing waste handling and disposal problems.

4.10.1 Sanitary waste

The sanitary waste from water treatment plants, pumping stations, etc., must receive treatment. Waste from these facilities must be discharged directly to a sanitary sewer system, when feasible, or to an on-site waste treatment facility approved by the Secretary.

4.10.2 Alum sludge

Lagooning may be used as a method of handling alum sludge. Lagoon size can be calculated using total chemicals used plus a factor for turbidity. Mechanical concentration may be considered. A pilot plant study is required before the design of a mechanical dewatering installation. Freezing changes the nature of alum sludge so that it can be used for fill. Alum sludge can be discharged to a sanitary sewer. However, approval of this method will depend on

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obtaining approval from the owner of the sewerage system as well as from the Secretary before final designs are made.

Lagoons should be designed to produce an effluent satisfactory to the Secretary and should provide for:

- (a) location free from flooding
- (b) where necessary, dikes, deflecting gutters or other means of diverting surface water so that it does not flow into the lagoon
- (c) a minimum usable depth of five feet
- (d) adequate freeboard
- (e) adjustable decanting device
- (f) effluent sampling point, and
- (g) adequate safety provisions

4.10.3 "Red water" waste

Waste filter wash water from iron and manganese removal plants must be disposed of according to the Secretary's requirements.

4.10.4 Waste filter wash water

Waste filter wash water from surface water treatment plants should have suspended solids reduced to a level acceptable to the Secretary before being discharged. Many plants have constructed holding tanks and returned this water to the inlet end of the plant.

The holding tank should be of such a size that it will contain the anticipated volume of waste wash water produced by the plant when operating at design capacity. A plant that has two filters should have a holding tank that will contain the total waste wash water from both filters calculated by using a 15 minute wash at 20 gallons per minute per square foot. In plants with more filters, the size of the holding tank will depend on the anticipated hours of operation. It is recommended that waste filter wash water be returned at a rate of less than 10 percent of the raw water entering the plant. Filter backwash water should not be recycled when the raw water contains excessive algae, when finished water taste and odor problems are encountered, or when trihalomethane levels in the distribution system may exceed allowable levels. As such, a discharge permit, or municipal sewer connection or alternate means of treatment shall be required for waste filter wash water.

4.11 Granular Carbon Filtration

Granular activated carbon (GAC) filtration of contaminants in drinking water that exceed the maximum contaminant levels shall meet the following specifications.

4.11.1 Engineer's report requirements

Every construction permit application that proposes installation of GAC treatment at a **Public** Water System shall include an Engineer's Report that meets the Requirements of Appendix A,

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Part 1 of the Rule. The Engineer's Report shall describe the design basis for the proposed treatment, which shall include the following technical information:

- (a) Water quality characteristics of the water to be treated by the proposed GAC units.
Report must include characterization of the contaminants that the proposed treatment is designed to remove, characterization of water quality constituents that may interfere with GAC treatment (including, ~~for example~~ at a minimum, hardness, iron, manganese, nitrate, pH, alkalinity, turbidity, total organic carbon), discussion of pilot study results (if a pilot study is performed), and discussion of expected treated water quality characteristics.
This water quality characterization shall be developed based on laboratory data obtained from representative sample locations in the water system within the past ~~four~~two years, obtained by samples collected and analyzed in accordance with requirements of Subchapter 21-6.
- (b) Empty ~~Bed~~ contact-Contact Time for each carbon unit, including justification for the selected value.
- (c) Expected useful life of the carbon media, including breakthrough curve for proposed carbon media and contaminants to be treated.
- (d) Description of filter to waste and backwash provisions
- (e) Description of provisions for carbon media replacement.
- (f) Description of the expected pressure loss across each unit.
- (g) Equipment manufacturer's specifications, including:
 - (1) ~~mass-volume~~ of media contained in each unit;
 - (2) unit dimensions;
 - (3) arrangement of piping, including lateral header and drain pipes installed within units; and
 - (4) material specifications for units, including maximum operating pressures and operating temperature ranges
 - (5) type of GAC used
- (h) Evaluation of existing ~~public~~-Public water system disinfection treatment infrastructure (if applicable), including discussion of any improvements that are necessary to ensure disinfection treatment will meet requirements of Appendix A, Subpart 4.3 and 40 CFR Part 141.
- (i) Discussion of the hydraulic loading rate designed for each unit.
- (j) Discussion of the provisions to protect equipment from weather elements and provide freeze protection.
- (k) Discussion of provisions to precondition new carbon media in accordance with manufacturer recommendations.
- (l) When treatment is proposed for the removal of PFAS, discussion of treatment alternatives, including anion exchange.

4.11.2 Technical Standards for GAC filters

- (a) For ~~Non-Community and Domestic Bottled~~ Transient Non-Community and Domestic Bottled Water water-systems, at least one train of two GAC filters plumbed in series shall be provided.

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- (b) For **Public Community and Non-Transient Non-Community** water systems, at least two filter trains shall be provided, each train consisting of two GAC filters plumbed in series. ~~GAC units shall be provided, plumbed in a series.~~
- (c) For **Public Community and Non-Transient Non-Community** water systems. Where only two filter trains are provided each train shall be capable of meeting the plant design capacity (the projected maximum daily demand) at the approved filtration rate. Where more than two filter trains are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter train removed from service.
- (d) GAC filters shall be provided with piping and valves as necessary to facilitate ease of operational adjustments to modify the configuration of primary (lead) and secondary (lag) carbon filters, ~~and to remove a filter from service while maintaining functionality of treatment process.~~
- (e) Pressure gauges in the appropriate range shall be located to monitor pressure loss across each filter. Manufacturer specifications shall be provided.
- (f) Sample ports shall be provided for the inlet and outlet of each filter.
- (g) GAC media shall meet AWWA B604, Standard for GAC.
- (h) All wetted components and materials shall be approved by the National Sanitation Foundation for use in drinking water.
- (i) Hydraulic loading rate for each unit shall not exceed 7 gallons per minute per square foot of bed area.
- (j) ~~Total Empty Bed Contact Time for each filter shall be at least 10 minutes.~~ For Public Community and Non-Transient Non-Community water systems, Empty Bed Contact Time shall be at least 10 minutes with one train removed from service. The Secretary must explicitly approve a modified design that includes a proposed ~~e~~Empty ~~b~~Bed ~~e~~Contact ~~t~~Time less than ~~a total of 2~~10 minutes.
- (k) GAC media depth ~~should shall not all be at least less than 30 inches for every each filter.~~
- (l) GAC filters shall be housed in enclosures that provide for adequate room for routine operation and maintenance and protection from weather elements (control of condensation, ventilation, and freeze protection shall be provided). Filters shall not be located in a confined space.
- (m) ~~Design shall include provisions to add a chemical before the carbon filters.~~
- (n) Disinfection Treatment that meets the requirements of Appendix A Part 4.3 and 40 CFR Part 141 shall be provided to treat all water treated by GAC. This disinfection treatment shall be provided prior to the entry point to the distribution system.
- (o) Pretreatment shall be provided for the presence of any water quality constituent that will prevent successful performance of the proposed carbon treatment. Pretreatment shall be provided in the proposed design as necessary to ensure that iron and manganese concentrations are consistently and reliably less than the Secondary Maximum Contaminant Levels established in 21-6 and within the manufacturer's specified water quality parameters.
- (p) Manufacturer specifications for start-up of the equipment shall be followed.

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- (q) Discharge pipes shall be installed with an air gap between the discharge and the disposal point to prevent back-siphonage. The air gap shall be a minimum of six inches or twice the discharge pipe diameter, whichever is greater.
- ~~(r)~~ Suitable disposal of waste shall be provided.

4.12 Anion Exchange for PFAS removal

Anion exchange to remove PFAS in drinking water that exceed the maximum contaminant levels shall meet the following specifications.

4.12.1 Engineer's report requirements

Every construction permit application that proposes installation of anion exchange treatment to remove PFAS at a **Public** Water System shall include an Engineer's Report that meets the Requirements of Appendix A, Part 1 of the Rule. The Engineer's Report shall describe the design basis for the proposed treatment, which shall include the following technical information:

- (a) Water quality characteristics of the water to be treated by the proposed anion exchange units. Report must include characterization of the contaminants that the proposed treatment is designed to remove, characterization of water quality constituents that may interfere with anion exchange treatment (including, at a minimum, hardness, iron, manganese, nitrate, pH, alkalinity, turbidity, total organic carbon), discussion of pilot study results (if a pilot study is performed), and discussion of expected treated water quality characteristics. This water quality characterization shall be developed based on laboratory data obtained from representative sample locations in the water system within the past four years, obtained by samples collected and analyzed in accordance with requirements of Subchapter 21-6.
- (b) Empty Bed Contact time for each anion exchange unit, including justification for the selected value.
- (c) Expected useful life of the anion exchange resin.
- (d) Description of filter to waste provisions.
- (e) Description of regeneration, and backwash or backfill provisions if required by the resin manufacturer.
- (f) Description of provisions for anion exchange resin replacement.
- (g) Description of the expected pressure loss across each unit.
- (h) Equipment manufacturer's specifications, including:
 - (i) Volume of media contained in each unit;
 - (j) Unit dimensions;
 - (k) Arrangement of piping, including lateral header and drain pipes installed within units; and
 - (l) Material specifications for units, including maximum operating pressures and operating temperature ranges
- (m) Material specifications for the resin, including the resin's preferential list. Only single-use, PFAS-selective resin shall be used.

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- (n) Evaluation of existing **Public** water system disinfection treatment infrastructure (if applicable), including discussion of any improvements that are necessary to ensure disinfection treatment will meet requirements of Appendix A, Subpart 4.3 and 40 CFR Part 141. The design should include provisions to prevent chlorine from degrading the anion exchange resin when the applied water contains a chlorine residual.
- (o) Discussion of the hydraulic loading rate designed for each unit.
- (p) Discussion of the provisions to protect equipment from weather elements and provide freeze protection.
- (q) Discussion of provisions to precondition new anion exchange resin in accordance with manufacturer recommendations.
- (r) When treatment is proposed for removal of PFAS, discussion of treatment alternatives, including the use of GAC.
- (s) Discussion of provisions to maintain acceptable finished water pH. Stabilization may be required by the Secretary.

4.12.2 Technical Standards for Anion Exchange units

- (a) For Transient Non-Community and Domestic Bottled water systems, at least one train of two anion exchange units plumbed in series shall be provided.
- (b) For Public Community and Non-Transient Non-Community water systems, at least two trains shall be provided, each train consisting of two anion exchange units plumbed in series.
- (c) For Public Community and Non-Transient Non-Community water systems. Where only two trains are provided each train shall be capable of meeting the plant design capacity (the projected maximum daily demand) at the approved filtration rate. Where more than two filter trains are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one filter train removed from service.
- (d) Anion exchange units shall be provided with piping and valves as necessary to facilitate ease of operational adjustments to modify the configuration of primary (lead) and secondary (lag) anion exchange units.
- (e) Anion exchange units are typically of the pressure type, downflow design. Automatic regeneration shall not be used. A manual override shall be provided on all automatic controls.
- (f) A bypass for the purpose of blending shall not be provided.
- (g) Pressure gauges in the appropriate range shall be located to monitor pressure loss across each unit. Manufacturer specifications shall be provided.
- (h) Sample ports shall be provided for the inlet and outlet of each unit. Sample taps shall comply with the requirements of Appendix A, Part 4.4.2.12 as applicable.
- (i) Brine and salt storage, salt and brine storage capacity, and brine pump or eductor shall comply with the requirements of Appendix A, Part 4.4 if required by the manufacturer. If proposed, salt storage should be enclosed and separated from other operating areas in order to prevent damage to equipment.
- (j) The treatment equipment shall be designed to include an adequate underdrain and support system and brine distribution system if required by the manufacturer.

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- (k) Unless otherwise approved by the Secretary, the anion exchange resin must be selective for the contaminant of concern.
- (l) All wetted components and materials shall be approved by the National Sanitation Foundation for use in drinking water.
- (m) Hydraulic loading rate for each unit shall be between 6 and 16 gallons per minute per square foot, or as specified by the resin manufacturer. The Secretary must explicitly approve a modified design that includes a proposed hydraulic loading rate outside the specified range.
- (n) Total Empty Bed Contact Time shall be at least 2 minutes. For Public Community and Non-Transient Non-Community water systems, Empty Bed Contact Time shall be at least 2 minutes with one train removed from service. The Secretary must explicitly approve a modified design that includes a proposed Empty Bed Contact Time less than 2 minutes.
- (o) Anion exchange units shall be housed in enclosures that provide for adequate room for routine operation and maintenance and protection from weather elements (control of condensation, ventilation, and freeze protection shall be provided). Anion exchange units shall not be located in a confined space.
- (p) No oxidant shall be applied to the anion exchange resin, unless technically justified by the resin manufacturer or by a pilot study.
- (q) Pretreatment shall be provided for the presence of any water quality constituent that will prevent successful performance of the proposed treatment. Pretreatment shall be provided in the proposed design as necessary to ensure that iron and manganese concentrations are consistently and reliably less than the Secondary Maximum Contaminant Levels established in 21-6 and within the manufacturer's specified water quality parameters.
- (r) Discharge pipes shall be installed with an air gap between the discharge and the disposal point to prevent back-siphonage. The air gap shall be a minimum of six inches or twice the discharge pipe diameter, whichever is greater.
- (s) Manufacturer specifications for start-up of the equipment, including but not limited to filter-to-waste requirements, shall be followed.
- (t) Suitable disposal of all waste shall be provided.
- (u) Appropriate test equipment shall be provided to measure pH.

Part 5 CHEMICAL APPLICATION

Introduction

This Part applies to:

- (a) **Public Community** water systems;
- (b) **Public Non-transient** water systems;
- (c) **Public Transient** water systems; and
- (b) **Domestic Bottled** water systems.

5.0 General

No chemicals shall be applied to treat drinking waters unless specifically allowed by the Secretary.

5.0.1 Plans and specifications

Plans and specifications shall be submitted for review and approval, as provided for in Subpart 2, and shall include:

- (a) description of feed equipment, including maximum and minimum feed ranges;
- (b) location of feeders, piping layout and points of application;
- (c) storage and handling facilities;
- (d) specifications for chemicals to be used and dilution level, if any;
- (e) operating and control procedures including proposed application rates; and
- (f) descriptions of testing equipment and procedures.

5.0.2 Chemical application

Chemicals shall be applied to the water at such points and by such means as to:

- (a) assure maximum efficiency of treatment;
- (b) assure maximum safety to consumer;
- (c) provide maximum safety to operators;
- (d) assure satisfactory mixing of the chemicals with the water;
- (e) provide maximum flexibility of operation through various points of application, when appropriate; and
- (f) prevent backflow or back-siphonage between multiple points of feed through common manifolds.

5.0.3 General equipment design

General equipment design shall be such that:

- (a) feeders will be able to supply, at all times, the necessary amounts of chemicals at an accurate rate throughout the range of water delivery;
- (b) chemical feed pumps shall be installed so they can be easily calibrated;
- (c) chemical contact materials and surfaces are resistant to the aggressiveness of the chemical solution;

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- (d) corrosive chemicals are introduced in such a manner as to minimize potential for corrosion;
- (e) chemicals that are incompatible are not stored or handled together;
- (f) all chemicals are conducted from the feeder to the point of application in separate conduits;
- (g) chemical feeders are as near as practical to the feed point; and
- (h) chemical feeders and pumps operate at no lower than 20 percent of the feed range.

5.1 Facility Design

5.1.1 Number of feeders

- (a) Where chemical feed is necessary for the protection of the supply such as chlorination, coagulation, or other essential processes:
 - (1) a minimum of two feeders shall be provided;
 - (2) the standby unit or a combination of units of sufficient capacity should be available to replace any unit during shutdowns; and
 - (3) where a booster pump is required, duplicate equipment should be provided and, when necessary, standby power.
- (b) A separate feeder shall be used for each chemical applied.
- (c) Spare parts shall be available for all feeders to replace parts which are subject to wear and damage.

5.1.2 Control

- (a) Feeders may be manually or automatically controlled, with automatic controls being designed so as to allow override by manual controls.
- (b) Chemical feed rates shall be proportional to flow.
- (c) A means to measure water flow must be provided in order to determine chemical feed rates.
- (d) Provisions shall be made for measuring the quantities of chemicals used.
- (e) Weighing scales:
 - (1) shall be provided for weighing cylinders, at all plants utilizing chlorine gas;
 - (2) may be required for fluoride solution feed;
 - (3) should be provided for volumetric dry chemical feeders; and
 - (4) should be accurate to measure increments of 0.5 percent of load.

5.1.3 Dry chemical feeders

Dry chemical feeders shall:

- (a) measure chemicals volumetrically or gravimetrically;
- (b) provide adequate solution water and agitation of the chemical in the solution pot;
- (c) provide gravity feed from solution pots where possible;
- (d) completely enclose chemicals to prevent emission of dust to the operating room; and
- (e) be specified as to make, model and design characteristics.

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5.1.4 Positive displacement solution pumps

Positive displacement type solution feed pumps should be used to feed liquid chemicals, but shall not be used to feed chemical slurries. Pumps must be sized to match or exceed maximum head conditions found at the point of injection. Specify make and model number of pump for all pumps used.

5.1.5 Liquid chemical feeders - siphon control

Liquid chemical feeders shall be such that chemical solutions cannot be siphoned into the water supply by assuring discharge at a point of positive pressure; and

- (a) providing vacuum relief;
- (b) providing a suitable air gap; or
- (c) other suitable means or combinations as necessary to prevent siphoning.

5.1.6 Cross connection control

Cross connection control meeting current AWWA Standard C-506 must be provided to assure that:

- (a) the service water lines discharging to solution tanks shall be properly protected from backflow as required by the Secretary;
- (b) liquid chemical solutions cannot be siphoned through solution feeders into the water supply as required in Appendix A Subpart 5.1.5; and
- (c) no direct connection exists between any sewer, and a drain or overflow from the feeder, solution chamber or tank by providing that all drains terminate at least six inches or two pipe diameters, whichever is greater, above the overflow rim of a receiving sump, conduit or waste receptacle.

5.1.7 Chemical feed equipment location

Chemical feed equipment shall:

- (a) be located in a separate room to reduce hazards and dust problems;
- (b) be conveniently located near points of application to minimize length of feed lines;
- (c) be readily accessible for servicing, repair and observation of operation; and
- (d) shown in schematic lay out for location and method of control and operation.

5.1.8 In Plant water supply

In plant water supply shall be:

- (a) ample in quantity and adequate in pressure;
- (b) provided with means for measurement when preparing specific solution concentrations by dilution;
- (c) properly treated for hardness, when necessary;
- (d) properly protected against backflow; and
- (e) obtained from a location sufficiently downstream of any chemical feed point to assure adequate mixing and contact time if necessary.

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5.1.9 Storage of chemicals

- (a) Space should be provided for:
 - (1) at least 30 days of chemical supply;
 - (2) convenient and efficient handling of chemicals;
 - (3) dry storage conditions; and
 - (4) a minimum storage volume of 1.5 truck loads where purchase is by truck load lots.
- (b) Storage tanks and pipelines for liquid chemicals shall be specific to the chemicals and not for alternates.
- (c) Chemicals shall be stored in covered or unopened shipping containers, unless the chemical is transferred into an approved storage unit.
- (d) Liquid chemical storage tanks must:
 - (1) have a liquid level indicator; and
 - (2) have an overflow and a receiving basin or drain capable of receiving accidental spills or overflows (meeting OSHA and VOSHA regulations).

5.1.10 Solution tanks

- (a) A means which is consistent with the nature of the chemical solution shall be provided in a solution tank to maintain a uniform strength of solution. Continuous agitation shall be provided to maintain slurries in suspension.
- (b) Two solution tanks of adequate volume may be required for a chemical to assure continuity of supply in servicing a solution tank.
- (c) Means shall be provided to measure the solution level in the tank.
- (d) Chemical solutions shall be kept covered. Large tanks with access openings shall have such opening curbed and fitted with overhanging covers.
- (e) Subsurface locations for solution tanks shall;
 - (1) be free from sources of possible contamination; and
 - (2) assure positive drainage for groundwaters, accumulated water, chemical spills and overflows.
- (f) Overflow pipes, when provided should:
 - (1) be turned downward, with the end screened;
 - (2) have a free fall discharge; and
 - (3) be located where noticeable.
- (g) Acid storage tanks must be vented to the outside atmosphere, but not through vents in common with day tanks.
- (h) Each tank shall be provided with a valved drain, protected against backflow in accordance with Appendix A Subpart 5.1.5. and Appendix A Subpart 5.1.6.
- (i) Solutions tanks shall be located and protective curbings provided so that chemicals from equipment failure, spillage or accidental drainage shall not enter the water in conduits, treatment or storage basins.

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5.1.11 Day tanks

- (a) Day tanks should be provided where bulk storage of liquid chemical is provided.
- (b) Day tanks shall meet all the requirements of Appendix A Subpart 5.1.10.
- (c) Day tanks should be scale-mounted, or have a calibrated gauge painted or mounted on the side if liquid level can be observed in a gauge tube or through translucent sidewalls of the tank. In opaque tanks, a gauge rod extending above a reference point at the top of the tank, attached to a float, may be used. The ratio of the area of the tank to its height must be such that unit readings are meaningful in relation to the total amount of chemical fed during a day.
- (d) Hand pumps may be provided for transfer from a carboy or drum. A tip rack may be used to permit withdrawal into a bucket from a spigot. Where motor driven transfer pumps are provided a liquid level limit switch and an overflow from the day tank, must be provided.
- (e) A means which is consistent with the nature of the chemical solution shall be provided to maintain uniform strength of solution in a day tank. Continuous agitation shall be provided to maintain chemical slurries in suspension.
- (f) Day tanks shall be properly labeled to designate the chemical contained.
- (g) Labels shall also specify size, make, model and material of each tank.

5.1.12 Feed lines:

- (a) should be as short as possible, and:
 - (1) of durable, corrosion resistant material;
 - (2) easily accessible throughout the entire length;
 - (3) protected against freezing, and
 - (4) readily cleanable;
- (b) should slope upward from the chemical source to the feeder when conveying gases;
- (c) shall be designed consistent with scale-forming or solids depositing properties of the water, chemical, solution or mixtures conveyed; and
- (d) shall be color coded. (See Appendix A Subpart 2.14)

5.1.13 Handling

- (a) Carts, elevators and other appropriate means shall be provided for lifting chemical containers to minimize excessive lifting by operators.
- (b) Provision must be made for the proper transfer of dry chemicals from shipping containers to storage bins or hoppers, in such a way as to minimize the quantity of dust which may enter the room in which the equipment is installed.
- (c) Provision shall be made for measuring quantities of chemical used to prepare feed solutions.

5.1.14 Housing

- (a) Floor surfaces shall be smooth, impervious, slip proof and well drained with a positive slope to floor drains.
- (b) Vents from feeders, storage facilities and equipment exhaust shall discharge to the outside atmosphere above grade and remote from air intakes.

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5.2 Chemicals

5.2.1 Shipping containers

Chemical shipping containers shall be fully labeled to include:

- (a) chemical name, purity and concentration; and
- (b) supplier name and address.

5.2.2 Specifications

All products or chemicals which may come in contact with water intended for use in a **Public** water system shall meet American National Standards Institute/NSF International Standards, specifically ANSI/NSF Standards 60 and 61.

5.2.3 Assay

Provisions may be required for assay of chemicals delivered.

5.2.4 Safety Data Sheets

A Safety Data Sheet must be obtained from each vendor for each chemical used and readily available for in plant review by operating personnel.

5.3 Operator Safety

5.3.1 Ventilation

Special provisions shall be made for ventilation of chlorine feed and storage rooms.

5.3.2 Respiratory protection equipment

Respiratory protection equipment, meeting the requirements the National Institute for Occupational Safety and Health (NIOSH), shall be available where chlorine gas is handled, and shall be stored at a convenient location, but not inside any room where chlorine is used or stored. The units shall use compressed air, have at least a 30 minute capacity, and be compatible with or exactly the same as units used by the fire department responsible for the plant.

5.3.3 Chlorine leak detection

A bottle of ammonium hydroxide, 56 percent ammonia solution, shall be available for chlorine leak detection; where ton containers are used, a leak repair kit approved by the Chlorine Institute shall be provided. Continuous chlorine leak detection equipment is recommended. Where a leak detector is provided it shall be equipped with both an audible alarm and a warning light.

5.3.4 Protective equipment

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- (a) At least one pair of rubber gloves, dust respirator of a type certified by NIOSH for toxic dusts, an apron or other protective clothing and goggles or face mask shall be provided for each operator as required by the Secretary. A deluge shower and/or eyewashing device should be installed where strong acids and alkalis are used or stored.
- (b) Other protective equipment should be provided as necessary.

5.4 Specific Chemicals

5.4.1 Chlorine gas

- (a) Chlorine gas feed and storage shall be enclosed and separated from other operating areas. The chlorine room shall be:
 - (1) provided with a shatter resistant inspection window installed in an interior wall;
 - (2) constructed in such a manner that all openings between the chlorine room and the remainder of the plant are sealed; and
 - (3) provided with doors equipped with panic hardware, assuring ready means of exit and opening outward only to the building exterior.
- (b) Full and empty cylinders of chlorine gas should be:
 - (1) isolated from operating areas;
 - (2) restrained in position to prevent upset;
 - (3) stored in rooms separate from ammonia storage; and
 - (4) stored in areas not in direct sunlight or exposed to excessive heat.
- (c) Where chlorine gas is used, the room shall be constructed to provide the following:
 - (1) each room shall have a ventilating fan with a capacity which provides one complete air change per minute when the room is occupied;
 - (2) the ventilating fan shall take suction near the floor as far as practical from the door and air inlet, with the point of discharge so located as not to contaminate air inlets to any rooms or structures;
 - (3) air inlets should be through louvers near the ceiling;
 - (4) louvers for chlorine room air intake and exhaust shall facilitate airtight closure;
 - (5) separate switches for the fan and lights shall be located outside of the chlorine room and at the inspection window. Outside switches shall be protected from vandalism. A signal light indicating fan operation shall be provided at each entrance when the fan can be controlled from more than one point;
 - (6) vents from feeders and storage shall discharge to the outside atmosphere, above grade;
 - (7) the room location should be on the prevailing downwind side of the building away from entrances, window louvers, walkways, etc.; and
 - (8) floor drains are discouraged. Where provided, the floor drains shall discharge to the outside of the building and shall not be connected to other internal or external drainage systems.
- (d) Chlorinator rooms should be heated to 60 degrees Fahrenheit, and be protected from excessive heat. Cylinders and gas lines should be protected from temperatures above that of the feed equipment.
- (e) Pressurized chlorine feed lines shall not carry chlorine gas beyond the chlorinator room.

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5.4.2 Acids and caustics

- (a) Acids and caustics shall be kept in closed corrosion-resistant shipping containers or storage units.
- (b) Acids and caustics shall not be handled in open vessels, but should be pumped in undiluted form from original containers through suitable hose, to the point of treatment or to a covered day tank.

5.4.3 Sodium chlorite for chlorine dioxide generation

Proposals for the storage and use of sodium chlorite must be approved by the Secretary prior to the preparation of final plans and specifications. Provisions shall be made for proper storage and handling of sodium chlorite to eliminate any danger of explosion.

(a) Storage

- (1) Sodium chlorite shall be stored by itself in a separate room and preferably shall be stored in an outside building detached from the water treatment facility. It must be stored away from organic materials which would react violently with sodium chlorite.
- (2) The storage structures shall be constructed of noncombustible materials.
- (3) If the storage structure must be located in an area where a fire may occur, water must be available to keep the sodium chlorite area cool enough to prevent decomposition from heat and the resultant explosive conditions.

(b) Handling

- (1) Care should be taken to prevent spillage.
- (2) An emergency plan of operation should be available for the clean up of any spillage.
- (3) Storage drums must be thoroughly flushed prior to recycling or disposal.

(c) Feeders

- (1) Positive displacement feeders shall be provided.
- (2) Tubing for conveying sodium chlorite or chlorine dioxide solutions shall be Type 1 PVC, polyethylene or materials recommended by the manufacturer.
- (3) Chemical feeders may be installed in chlorine rooms if sufficient space is provided or facilities meeting the requirements of Appendix A Subpart 5.4.1 shall be provided.
- (4) Feed lines shall be installed in a manner to prevent formation of gas pockets and shall terminate at a point of positive pressure.
- (5) Check valves shall be provided to prevent the backflow of chlorine into the sodium chlorite line.

Part 6 PUMPING FACILITIES

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

6.0 General

Pumping facilities shall be designed to maintain the sanitary quality of pumped water. Subsurface pits or pump rooms and inaccessible installations should be avoided. No pumping station shall be subject to flooding. Any below grade electrical installation must be provided with a ground fault interrupted electrical service, within 50' of equipment and on all 15-20 amp receptacles.

6.1 Location

The pumping station shall be so located that the proposed site will meet the requirements for sanitary protection of water quality, hydraulics of the system and protection against interruption of service by fire, flood or any other hazard.

6.1.1 Site protection

The station shall be:

- (a) elevated to a minimum of three feet above the 100- year flood elevation, or three feet above the highest recorded flood elevation, whichever is higher, or protected to such elevations;
- (b) readily accessible at all times unless permitted to be out of service for the period of inaccessibility;
- (c) graded around the station so as to lead surface drainage away from the station; and
- (d) protected to prevent vandalism and entrance by animals or unauthorized persons.

6.2 Pumping Stations

Both raw and finished water pumping stations shall:

- (a) have adequate space for the installation of additional units if needed, and for the safe servicing of all equipment;
- (b) be of durable construction, fire and weather resistant and with outward-opening doors;
- (c) have a floor elevation of at least six inches above finished grade;
- (d) have underground structure waterproofed;
- (e) have all floors drained in such a manner that the quality of the potable water will not be endangered. All floors shall be well drained with a positive slope to a floor drain; and
- (f) provide a suitable outlet for drainage from pump glands without discharging onto the floor.

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6.2.1 Suction well

Suction wells shall:

- (a) be watertight;
- (b) have floors sloped to permit removal of water and entrained solids; and
- (c) be covered or otherwise protected against contamination.

6.2.2 Equipment servicing

Pump stations shall be provided with:

- (a) craneways, hoist beams, eyebolts, or other adequate facilities for servicing or removal of pumps, motors or other heavy equipment;
- (b) openings in floors, roofs, or wherever else needed for removal of heavy or bulky equipment; and
- (c) a convenient tool board, or other facilities as needed, for proper maintenance of the equipment.

6.2.3 Stairways and ladders

Stairways or ladders shall:

- (a) be provided between all floors, and in pits or compartments which must be entered;
- (b) have handrails on both sides, and treads of non-slip material. Stairs are preferred in areas where there is frequent traffic or where supplies are transported by hand. They shall have risers not exceeding nine inches and treads wide enough for safety; and
- (c) conform to OSHA and VOSHA regulations covering these fixtures

6.2.4 Heating

Provisions shall be made for adequate heating for:

- (a) the comfort of the operator; and
- (b) the safe and efficient operation of the equipment.

In pump houses not occupied by personnel, only enough heat need be provided to prevent freezing of equipment or treatment processes.

6.2.5 Ventilation

Ventilation shall conform to existing local and/or state codes. Adequate ventilation shall be provided for all pumping stations. Forced ventilation of at least six changes of air per hour shall be provided for:

- (a) all rooms, compartments, pits and other enclosures below ground floor; and
- (b) any areas where unsafe atmosphere may develop or where excessive heat may be built up.

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6.2.6 Dehumidification

In areas where excess moisture could cause hazards to safety or damage to equipment, means for dehumidification should be provided.

6.2.7 Lighting

Pump stations shall be adequately lighted throughout. All electrical work shall conform to the requirements of the American Insurance Associations and related agencies and to the relevant state and/or local codes.

6.2.8 Sanitary and Other Conveniences

All pumping stations that are regularly occupied for extended periods should be provided with potable water, lavatory and toilet facilities. Plumbing must be so installed to prevent contamination of a **Public** water system. Wastes shall be discharged in accordance with Appendix A Subpart 4.10 and with other applicable regulations.

6.3 Pumps

At least two pumping units shall be provided. With any pump out of service, the remaining pump or pumps shall be capable of providing the maximum daily pumping demand of the system. Pumping stations for **Public Non-Community** systems may be designed with one pumping unit. The pumping unit(s) shall:

- (a) have ample capacity to supply the peak demand without dangerous overloading. The calculated peak demand should be no less than the total gpm obtained by using fixture methods outlined in, AWWA Manual M22, *Sizing Water Service Lines and Meters*, or the required fire flows if fire hydrants are provided for the system;
- (b) be driven by a prime mover able to operate against the maximum head;
- (c) have spare parts and tools readily available; and
- (d) be served by control equipment that has proper heater and overload protection for air temperature encountered.

6.3.1 Suction Lift

Suction lift should:

- (a) be avoided, if possible; and
- (b) be within allowable limits, preferably less than 15 feet.

If suction lift is necessary, provision shall be made for priming the pumps.

6.3.2 Priming

Prime water must not be of lesser sanitary quality than that of the water being pumped. Means shall be provided to prevent back siphonage. When an air operated ejector is used, the screened intake shall draw clean air from a point at least 10 feet above the ground or other source of

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possible contamination, unless the air is filtered by an apparatus approved by the Secretary. Vacuum priming may be used.

6.4 Booster Pumps (Main Line)

Booster pumps shall be located or controlled so that:

- (a) they will not produce negative pressure in their suction lines;
- (b) the intake pressure shall be at least 20 psi when the pump is in normal operation;
- (c) automatic cutoff pressure shall be at least 10 psi in the suction line;
- (d) automatic or remote control devices shall have a range between the start and cutoff pressure which will prevent excessive cycling; and
- (e) a bypass is available.

6.4.1 Duplicate Pumps

Each booster pumping station should contain not less than two pumps with capacities such that peak demand can be satisfied with the largest pump out of service.

6.4.2 Metering

All booster pumping stations should contain a totalizer meter.

6.4.3 Inline Booster Pumps

In addition to the other requirements of this part, inline booster pumps shall be accessible for servicing and repairs.

6.5 Automatic & Remote Controlled Stations

All automatic stations should be provided with automatic signaling apparatus which will report when the station is out of service. All remote controlled stations shall be electrically operated and controlled and shall have signaling apparatus of proven performance. Installation of electrical equipment shall conform with the applicable state and local electrical codes and the latest edition of the National Electrical Code.

6.6 Appurtenances

6.6.1 Valves

Pumps shall be adequately valved to permit satisfactory operation, maintenance and repair of the equipment. If foot valves are necessary, they shall have a net valve area of at least 2.5 times the area of the suction pipe and they shall be screened. Each pump shall have a positive-acting check valve on the discharge side between the pump and the shutoff valve.

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6.6.2 Piping

In general, piping shall:

- (a) be designed so that the friction losses will be minimized;
- (b) not be subject to contamination;
- (c) have watertight joints;
- (d) be protected against surge or water hammer; and
- (e) be such that each pump has an individual suction line or that the lines shall be so manifolded that they will insure similar hydraulic and operating conditions.

6.6.3 Gauges and Meters

Each pump:

- (a) shall have a standard pressure gauge on its discharge line;
- (b) shall have a compound gauge on its suction line;
- (c) shall have recording gauges in the larger stations; and
- (d) should have a means for measuring the discharge.

The station should have indicating, totalizing, and recording metering of the total water pumped.

6.6.4 Water Seals

Water seals shall not be supplied with water of a lesser sanitary quality than that of the water being pumped. Where pumps are sealed with potable water and are pumping water of lesser sanitary quality, the seal shall:

- (a) be provided with a break tank open to atmospheric pressure; and
- (b) have an air gap of at least six inches or two pipe diameters, whichever is greater, between the feeder line and the spill line of the tank.

6.6.5 Controls

Pumps, their prime movers and accessories, shall be controlled in such a manner that they will operate at rated capacity without dangerous overload. Where two or more pumps are installed, provision shall be made for alteration. Provision shall be made to prevent energizing the motor in the event of a backspin cycle. Electrical controls shall be located above grade.

6.6.6 Water Prelubrication

When automatic pre lubrication of pump bearings is necessary and an auxiliary direct drive power supply is provided, the pre-lubrication line shall be provided with a valved bypass around the automatic control so that the bearings can, if necessary, be lubricated manually before the pump is started or the pre lubrication controls shall be wired to the auxiliary power supply.

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6.6.7 Standby power

To ensure continuous service when the primary power has been interrupted, a power supply shall be provided from at least two independent sources or a standby or an auxiliary source shall be provided. If standby power is provided by onsite generators or engines the fuel storage and fuel line must be designed to protect the water system from contamination. Natural gas or bottled gas is the preferred fuel. This requirement may be waived for small sized systems on a case by case basis.

Part 7 FINISHED WATER STORAGE

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

7.0 General

The materials and designs used for finished water storage structures shall provide stability and durability as well as protect the quality of the stored water. Steel structures shall follow the current AWWA standards concerning steel tanks, standpipes, reservoirs, and elevated tanks wherever they are applicable. Other materials of construction are acceptable when properly designed to meet the requirements of Appendix A Part 7. Design for cast-in-place and pre-cast concrete structures must show the placement of structural steel and specify the material for sealing the joints.

7.0.1 Sizing

Storage facilities shall have sufficient capacity, as determined from engineering studies, to meet average daily domestic demands, and where fire protection is provided, fire flow demands.

- (a) When fire protection is provided, the minimum flow requirement shall be 500 gpm at 20 p.s.i. system residual pressure for a 2-hour duration for residential structures. If the Insurance Services Office or a other responsible agency (e.g., local fire department) recommends a higher flow rate than this minimum, the higher flow rate should be considered.
- (b) The minimum storage capacity (or equivalent capacity) for systems not providing fire protection shall be equal to the average daily demand. This requirement may be reduced when the source and treatment facilities have sufficient capacity with standby power to supplement peak demands of the system.
- (c) Level control is recommended but low water level alarm is required for **Public Community** water systems. (See Appendix A Subpart 7.3.3)

7.0.2 Location of ground level reservoirs

- (a) The bottom of reservoirs and standpipes shall be above maximum flood level. Steel and glass fused to steel water storage tanks shall be placed at the normal ground surface. Cast in place and pre-cast, pre-stressed concrete storage structures may be partially buried. In order to determine the location of other materials, consult with the Secretary's staff.
- (b) The bottom of any reservoir or standpipe shall be placed above the groundwater table. Artificially lowering the groundwater table is acceptable. Sewers, drains, standing water, and similar sources of possible contamination must be kept at least fifty feet from the

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reservoir. Water main pipe, pressure tested in place to 50 psi without leakage, may be used for gravity sewers at distances greater than 20 feet and less than 50 feet.

- (c) The top of a reservoir shall not be less than two feet above normal ground surface. Clear wells constructed under filters may be exempted from this requirement when the total design gives the same protection.

7.0.3 Location of Below Grade Reservoirs

Below grade installation may be acceptable for reservoirs. Provisions shall be made to minimize the risk of reservoir damage and the tendency of the tank to float during high groundwater conditions. The top of any earth covered reservoir shall be covered with a flexible waterproof membrane as approved by the Secretary.

7.0.4 Protection

All finished water storage structures shall have suitable watertight roofs which exclude birds, animals, insects, and excessive dust and shall have a perimeter drain at least 4" in diameter, if determined to be necessary, on a case-by-case basis.

7.0.5 Protection from Trespassers

Necessary precautions shall be provided to deter trespassing, vandalism, and sabotage.

7.0.6 Inflow and Outflow

Inflow and outflow shall be positioned so as to maximize chlorine contact time, if applicable.

7.0.7 Drains

No drain on a water storage structure may have a direct connection to a sewer or storm drain. The design shall allow draining the storage facility for cleaning or maintenance without causing loss of pressure in the distribution system.

7.0.8 Overflow

All water storage structures shall be provided with an overflow which should terminate 12 to 24 inches above the ground surface, and discharges over a drainage inlet structure or a splash plate. No overflow may be connected directly to a sewer or storm drain. All overflow pipes shall be located so that any discharge is visible.

- (a) The overflow shall be constructed of metallic pipe open downward and be screened with 24 mesh non-corrodible screen installed within the pipe at a location least susceptible to damage by vandalism.
- (b) The overflow pipe shall be of sufficient diameter to permit discharge of water in excess of the filling rate.

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- (c) When an internal overflow pipe is used on elevated tanks it shall be located in the access tube. For vertical drops on the other types of storage facilities, the over flow pipe shall be located on the outside of the structure.

7.0.9 Access

Finished water storage structures shall be designed with reasonably convenient access to the interior floor for cleaning and maintenance. Entrances above the water line shall:

- (a) be framed at least four inches, and preferably six inches, above the surface of the roof at the opening. On ground level structures, entrances should be elevated at least 18 inches above the top or covering sod;
- (b) be fitted with a solid watertight cover which overlaps the framed opening and extends down around the frame at least two inches;
- (c) be hinged at one side; and
- (d) have a locking device.

7.0.10 Vents

Finished water storage structures shall be vented. Overflows shall not be considered as vents. Open construction between the sidewall and roof is not permissible. Vents shall:

- (a) be made of metallic or other durable pipe;
- (b) prevent the entrance of surface water and rainwater;
- (c) exclude birds and animals;
- (d) will exclude insects and dust, as much as this function can be made compatible with effective venting, (for elevated tanks and standpipes, four mesh non-corrodible screen may be used);
- (e) on ground level structures, terminate in an inverted J construction with the opening 24 to 36 inches above the roof or sod and protected with 24 mesh non-corrodible screen installed within the pipe at a location least susceptible to vandalism; and
- (f) be adequately sized to keep the effects of negative pressure safely within the design load of the structure.

7.0.11 Roof and sidewall

The roof and sidewalls of all structures must be watertight with no openings except properly constructed vents, manholes, overflows, risers, drains, pump mountings, control ports, or piping for inflow and outflow.

- (a) Any pipes running through the roof or sidewall of a finished water storage structure must be welded, or properly gasketed in metal tanks. In concrete tanks, these pipes shall be connected to standard wall castings which were poured in place during the forming of the concrete. These wall castings should have seepage rings imbedded in the concrete.
- (b) Openings in a storage structure roof or top, designed to accommodate control apparatus or pump columns, shall be curbed and sleeved with proper additional shielding to prevent the access of surface or floor drainage water into the structure.

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- (c) Valves and controls should be located outside the storage structure so that the valve stems and similar projections will not pass through the roof or top of the reservoir.
- (d) The roof of concrete reservoirs with earthen cover shall be sloped to facilitate drainage. Consideration shall be given to installation of an impermeable roof covering.

7.0.12 Drainage of roof

The roof of the storage structure shall be well drained. Down spout pipes shall not enter or pass through the reservoir parapets, or similar construction which would tend to hold water and snow on the roof, will not be approved unless adequate waterproofing and drainage are provided.

7.0.13 Safety

The safety of employees must be considered in the design of the storage structure. As a minimum, such matters shall conform to pertinent laws and regulations of the area where the reservoir is constructed.

- (a) Ladders, ladder guards, balcony railings, and safely located entrance hatches shall be provided where applicable.
- (b) Elevated tanks with riser pipes over eight inches in diameter shall have protective bars over the riser openings inside the tank.
- (c) Railings or handholds shall be provided on elevated tanks where persons must transfer from the access tube to the water compartment.

7.0.14 Freezing

All finished water storage structures and their appurtenances, especially the riser pipes, overflows, and vents, shall be designed to prevent freezing which could interfere with proper functioning.

7.0.15 Internal catwalk

Every catwalk over finished water in a storage structure shall have a solid floor with raised edges so designed that shoe scrapings and dirt will not fall into the water.

7.0.16 Silt stop

The discharge pipes from all reservoirs shall be located in a manner that will prevent the flow of sediment into the distribution system. Removable silt stops should be provided.

7.0.17 Grading

The area surrounding a ground level structure shall be graded in a manner that will prevent surface water from standing within 50 feet of it.

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7.0.18 Painting and/or cathodic protection

Proper protection shall be given to metal surfaces by paints or other protective coatings, by cathodic protective devices, or by both.

- (a) Paints systems shall be acceptable to the Secretary (either EPA or NSF approved). Interior paint must be properly applied and cured. After curing, the coating shall not transfer any substances to the water which will be toxic or cause tastes or odors. Prior to placing in service, an analysis for volatile organic compounds is required to establish that the coating is properly cured.
- (b) Wax coatings for the tank interior should not be used on new tanks. Re coating with a wax system is discouraged; however, the old wax coating must be completely removed to use another tank coating.
- (c) Cathodic protection should be designed and installed by competent technical personnel; a maintenance contract should be provided.

7.0.19 Disinfection

- (a) Finished water storage structures shall be disinfected in accordance with current AWWA Standard C652. Two or more successive ~~sets of~~ samples, taken at 24 hour intervals, shall indicate microbiologically satisfactory water before the facility is placed into operation.
- (b) Disposal of heavily chlorinated water from the tank disinfection process shall be in accordance with the requirements of the Secretary.
- (c) The disinfection procedure (AWWA chlorination method 3, section 4.3 C652) which allows use of the chlorinated water held in the storage tank for disinfection purposes is not recommended. When that procedure is used, it is required that the initial heavily chlorinated water be properly disposed in order to prevent release of water which may contain various chlorinated organic compounds into the distribution system.

7.1 Plant Storage

The applicable design standards of Appendix A Subpart 7.0 shall be followed for plant storage.

7.1.1 Washwater tanks

Washwater tanks shall be sized, in conjunction with available pump units and finished water storage, to provide the backwash water required by Appendix A Subpart 4.2.1.10. Consideration shall be given to the backwashing of several filters in rapid succession.

7.1.2 Clear well

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Clear well storage should be sized, in conjunction with the distribution system storage, to relieve the filters from having to follow fluctuations in water use.

- (a) When finished water storage is used to provide contact time for chlorine (see Appendix A Subpart 4.3.2) special attention shall be given to size and baffling.
- (b) An overflow shall be provided.

7.1.3 Adjacent compartments

Finished water must not be stored or conveyed in a compartment adjacent to unsafe water when the two compartments are separated by a single wall.

7.1.4 Basins and wet wells

Receiving basins and pump wet wells for finished water shall be designed as finished water storage structures.

7.2 Hydropneumatic Tanks

Hydropneumatic (pressure) tanks, when provided as the only storage facility, are acceptable only in very small water systems. When serving more than 150 living units, ground or elevated storage designed in accordance with Appendix A Subpart 7.0.1 should be provided. Pressure tank storage is not to be considered for fire protection purposes. Pressure tanks shall meet ASME code requirements.

7.2.1 Location

The tank should be located above the normal ground surface and be completely housed, except that a pressure tank may be placed below grade within a building served by the system if adequate drainage and access are provided.

7.2.2 Sizing

- (a) The capacity of the pumps in a hydropneumatic system should be at least ten times the average daily consumption rate or capable of meeting the peak instantaneous demand (See Appendix A Subpart 6.3). The usable volume of the hydropneumatic tank, in gallons, should be chosen from the following table based upon the type, horsepower and average capacity rated in gallons per minute of the largest pump in the system. For example, a 3/4 horsepower, single phase submersible pump rated at 20 gpm would require a pressure tank with a usable volume of 24 gallons.

Submersible Pumps		
Pump Motor Rating	Cycles per Hour	Usable Tank Volume
Up to: 3/4 HP single phase or 5 HP three phase	12.5	1.2 x PC

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1 to 5 HP single phase or 7½ HP & over three phase	4.17	3.6 x PC
7½ HP & over single phase	2	7.5 x PC

Non-submersible Pumps		
Pump Motor Rating	Cycles per Hour	Usable Tank Volume
All horsepower and phases	2	2.5 x PC

* PC = capacity of largest pump in gpm

- (b) Sizing of hydropneumatic storage tanks must consider the need for chlorine detention time, as applicable, independent of the requirements in Appendix A Subpart 7.2.2.a above.

7.2.3 Piping

The tank shall have bypass piping to permit operation of the system while it is being repaired or painted.

7.2.4 Appurtenances

Each tank without a separate air bladder shall have an access hole, a drain, and control equipment consisting of pressure gauge, water sight glass, automatic or manual air blow-off, means for adding air, and pressure operated start-stop controls for the pumps. Where practical the access manhole should be 24 inches in diameter.

7.3 Distribution Storage

The applicable design standards of this subpart shall be followed for distribution system storage.

7.3.1 Pressures

The maximum variation between high and low levels in storage structures providing pressure to a distribution system should not exceed 30 feet. The minimum working pressure in the distribution system should be 35 psi and the normal working pressure should be approximately 60 psi.

When static pressures exceed 100 psi, pressure reducing devices should be provided on mains in the distribution system.

7.3.2 Drainage

Storage structures which provide pressure directly to the distribution system shall be designed so they can be isolated from the distribution system and drained for cleaning or maintenance without necessitating loss of pressure in the distribution system. The drain shall discharge to the ground surface with no direct connection to a sewer or storm drain.

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7.3.3 Level Controls

Controls shall be provided to maintain levels in distribution system storage structures. Level indicating devices should be provided at a central location. Low level alarms are required.

- (a) Pumps should be controlled from tank levels with the signal transmitted by telemetering equipment when any appreciable head loss occurs in the distribution system between the source and the storage structure.
- (b) Altitude valves or equivalent controls may be required for second and subsequent structures on the system.
- (c) Overflow and low-level warnings or alarms shall be located at places in the community where they will be under responsible surveillance 24 hours a day. This requirement does not apply to **Public Non-Community** water systems.
- (d) The low water level control shall be high enough so that the water system operator has time to correct the problem before a water shortage occurs.

Part 8 DISTRIBUTION SYSTEMS

Introduction

This Part applies to:

- (a) **Public Community** water systems; and
- (b) **Domestic Bottled** water systems.

8.0 Materials

8.0.1 Standards, Materials Selection

Pipe, fittings, valves and fire hydrants shall conform to the latest standards issued by the AWWA. Special attention shall be given to selecting pipe materials which will protect against both internal and external pipe corrosion.

8.0.2 Used materials

Water mains which have been used previously for conveying potable water may be reused provided they meet the above standards and have been restored practically to their original condition.

8.0.3 Joints

Packing and jointing materials used in the joints of pipe shall meet the standards of the AWWA, C-111. Pipe ~~having with~~ mechanical joints or slip-on joints with rubber gaskets is preferred. Gaskets containing lead shall not be used. Repairs to lead joint pipe shall be made using alternative methods. Transition couplings used between dissimilar piping materials shall have pressure ratings greater or equal to the pipe pressure rating.

8.1 Water Main Design

8.1.1 Pressure

All water mains, including those not designed to provide fire protection, shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The system shall be designed to maintain a minimum pressure of 20 psi at ground level at all points in the distribution system under all conditions of flow. The normal working pressure in the distribution system should be approximately 60 psi and not less than 35 psi.

8.1.2 Diameter

The minimum size of water main for providing fire protection and serving fire hydrants shall be eight inch diameter. Larger size mains will be required if necessary to allow the withdrawal of the required fire flow while maintaining the minimum residual pressure specified in Appendix A Subpart 8.1.1.

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8.1.3 Fire Protection

When fire protection is to be provided, system design shall meet the minimum flow standards in Appendix A, Part 7.0.1.

8.1.4 Small Mains

Any departure from minimum requirements shall be justified by hydraulic analysis and future water use, and will be considered only in special circumstances.

8.1.5 Hydrants

Water mains not designed to carry fire flows shall not have fire hydrants connected to them.

8.1.6 Dead ends

Dead ends shall be minimized by looping of all mains whenever practical.

8.1.7 Flushing

Where dead end mains occur they shall be provided with a fire hydrant if flow and pressure are sufficient, or with an approved flushing hydrant or blow off for flushing purposes. Flushing devices should be sized to provide flows which will give a velocity of at least 2.5 feet per second in the water main being flushed. No flushing device shall be directly connected to any sewer. The open end of a blow off must be capped and terminate at least 18 inches above grade.

8.2 Valves

Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500 foot intervals in commercial districts, at not more than one block or 800 foot intervals in other districts, and at not more than 5000 foot intervals on transmission lines.

8.3 Hydrants

8.3.1 Location and spacing

Hydrants should be provided at each street intersection and at intermediate points between intersections as recommended by the state Insurance Services Office. Generally, hydrant spacing may range from 350 to 600 feet depending on the area being served.

8.3.2 Valves and nozzles

Fire hydrants should have a bottom valve size of at least five inches in diameter, one 4.5 inch diameter pumper nozzle and two 2.5 inch diameter nozzles.

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8.3.3 Hydrant leads

The hydrant lead shall be a minimum of six inches in diameter. Auxiliary valves shall be installed in all hydrant leads.

8.3.4 Drainage

Hydrant drains should be plugged. When the drains are plugged the barrels must be pumped dry after use during freezing weather. Where hydrant drains are not plugged, a gravel pocket or dry well shall be provided unless the natural soils will provide adequate drainage. Hydrant drains shall not be connected to or located within 10 feet of sanitary sewers or storm drains.

8.4 Air Relief Valves: Valve, Meter & Blow-Off Chambers

8.4.1 Air relief valves

At high points in water mains where air can accumulate, provisions shall be made to remove the air by means of hydrants or air relief valves. Automatic air relief valves shall not be used in situations where flooding of the accessway or chamber may occur.

8.4.2 Air relief valve piping

The open end of an air relief pipe from the automatic valve shall be extended to at least 1 foot above grade and provided with a screened, downward-facing elbow. The pipe from a manually operated valve shall be extended to the top of the pit.

8.4.3 Chamber drainage

Chambers, pits or manholes containing valves, blow-offs, meters, or other such appurtenances to a distribution system, shall not be connected directly to any storm drain or sanitary sewer, nor shall blow-offs or air relief valves be connected directly to any sewer. Such chambers or pits shall be drained to the surface of the ground where they are not subject to flooding by surface water, or to absorption pits underground.

8.5 Installation of Mains

8.5.1 Standards

8.5.1.1 Job specifications shall incorporate applicable provisions of the AWWA Standards.

Manufacturer's recommended installation procedures may be specified when they are equal to or better than AWWA procedures.

8.5.1.2 Piping, fittings and appurtenances which have been previously used for purposes other than for **Public** water system use shall not be used in a **Public** water system without the written approval of the Secretary.

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8.5.2 Bedding

A continuous and uniform bedding shall be provided in the trench for all buried pipe. Back fill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe. Stones found in the trench shall be removed for a depth of at least six inches below the bottom of the pipe.

8.5.3 The open ends of exposed pipe shall be left plugged in excavations at the conclusions of the day's work. During periods of delay and at the conclusion of the day's work, lengths of pipe with open ends shall be tightly closed with watertight plugs, special seals or by other suitable means to prevent the entry of animals, foreign matter and trench water. Trench water shall be pumped out before the seals, plugs or other closures are removed.

8.5.4 Cover

All water mains shall be covered with at least 5.5 feet of earth. Insulation may be used in lieu of cover depth when approved in advance by the Secretary.

8.5.5 Thrust Blocks

All tees, bends, plugs and hydrants shall be provided with reaction blocking, tie rods or joints designed to prevent movement. Specifications shall include a requirement that all air be removed from the pipes before water at test pressure levels is added. Size of blocks shall be specified and design basis shown (i.e. type of soil, design water pressure used).

8.5.6 Pressure and leakage testing

All types of installed pipe shall be pressure tested and leakage tested in accordance with the latest edition of AWWA *Standard C600*.

8.5.7 Disinfection

All new, cleaned or repaired water mains shall be disinfected in accordance with AWWA *Standard C651*, latest published version. The specifications shall include detailed procedures for the adequate flushing, disinfection, and microbiological testing of all water mains. If bacteriological tests show the treatment to be unsatisfactory, the disinfection procedures shall be repeated until satisfactory bacteriological sample results are obtained. The tablet method in AWWA *Standard 651* is not acceptable.

8.6 Separation of Water Mains, Sanitary Sewers, Storm Sewers & Other Sources of Contamination

8.6.1 General

The following factors should be considered in providing adequate separation:

- (a) materials and type of joints for water and sewer pipes;

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- (b) soil conditions;
- (c) service and branch connections into the water main and sewer line;
- (d) compensating variations in the horizontal and vertical separations;
- (e) space for repair and alterations of water and sewer pipes; and
- (f) off-setting of pipes around manholes.

8.6.2 Parallel installation

Water mains shall be laid at least 10 feet horizontally from any existing or proposed manhole or sanitary sewer. This distance can be reduced to 5 feet for storm sewers. The distance shall be measured edge to edge. In cases where it is not practical to maintain a 10 foot separation, the Secretary may allow deviation on a case_by_case basis if supported by data from the design engineer. Such deviation may allow installation of the water main closer to a sewer, provided that the water main is laid in a separate trench or on an undisturbed earth shelf located on one side of the sewer at such an elevation that the bottom of the water main is at least 18 inches above the top of the sewer. See Appendix A Subpart 8.6.4 for approval required for such exception.

8.6.3 Crossings

Water mains crossing sewers shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. At crossings, one full length of water pipe shall be located so both joints will be as far from the sewer as possible. If the sewer main is over the water main, the first sewer pipe joints on each side of the water main must be concrete encased. Special structural support for the water and sewer pipes may be required. Water mains shall not pass through sewer manholes or be submerged in basins containing sewage or other grossly contaminated or hazardous material. Stream crossings shall meet the provisions of Appendix A Subpart 8.7.

8.6.4 Exception

The Secretary must specifically approve any variance from the requirements of Appendix A Subparts 8.6.2, 8.6.3, 8.6.6 and 8.6.7 when it is impossible to obtain the specified separation distances. Where sewers are being installed and Appendix A Subparts 8.6.2 and 8.6.3 cannot be met, the sewer materials shall be water main pipe or equivalent and shall be pressure tested to ensure water tightness.

8.6.5 Force mains

There shall be at least a 10 foot horizontal separation between water mains and sanitary sewer force mains. There shall be an 18 inch vertical separation at crossings as required in Appendix A Subpart 8.6.3.

8.6.6 Septic Tanks and Leach Fields

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Distribution lines shall be placed not closer than fifty (50) feet horizontal distance from any septic tank or leach field except as provided in Appendix A Subpart 8.6.4.

8.6.7 Other underground storage tanks

Distribution lines shall be placed not closer than twenty five (25) feet horizontal distance from underground storage tanks. Fifty (50) feet separation is preferable except as provided in Appendix A Subpart 8.6.4.

8.7 Surface Water Crossings

Surface water crossings, whether over or under water, present special problems. The Secretary shall be consulted before final plans are prepared.

8.7.1 Above-water crossings

The pipe shall be adequately supported and anchored, protected from damage and freezing, and accessible for repair or replacement.

8.7.2 Underwater crossings

A minimum cover of two feet shall be provided over the pipe. When crossing water courses greater than 15 feet in width, the following shall be provided:

- (a) the pipe shall be of special construction, having flexible water tight joints;
- (b) valves shall be provided at both ends of water crossings so that the section can be isolated for testing or repair; the valves shall be easily accessible, and not subject to flooding; and the valve closest to the supply source shall be in a manhole; and
- (c) permanent taps shall be made on each side of the valve within the manhole to allow insertion of a small meter to determine leakage and for sampling purposes.

8.8 Cross-Connections & Interconnections

8.8.1 Cross-connections

There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system. This does not preclude approved cross connection control devices.

8.8.2 Cooling water; Heating Water

- (a) Neither steam condensate nor cooling water from engine jackets or other heat exchange devices shall be returned to a public water supply.
- (b) Notwithstanding subsection (a) of this section, standing column geothermal systems are allowed provided that:
 - (1) No additive is added to the re-circulated groundwater :

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- (2) The heat exchange medium in the system is R-410A or a different heat exchange medium approved by the Secretary;
 - (3) The system has a low pressure safety cutout circuit that will turn off the system when there is a pressure leak in the heat exchange medium containment vessel;
 - (4) All electrical components of the system are properly grounded to prevent potential electrolysis of metals; and
 - (5) In the event that the heat exchange unit is disconnected as a heating or cooling source, all piping associated with the unit shall either be capped and labeled or removed.
- (c) For the purposes of this section, a standing column geothermal system is one where groundwater is taken from a public water supply well for heating and/or cooling purposes and re-circulated back into the same well below the estimated low water elevation of the well.

8.8.3 Interconnections

Drains from the fire hydrants, air relief pits and blow off valve pits shall not connect directly to sewer lines or discharge at a point which will permit possible back siphonage conditions. The approval of the Secretary shall be obtained for interconnections between potable water systems.

8.9 Service Meters

Each service connection should be individually metered.

8.10 Water Loading Stations

Water loading stations present special problems since the fill line may be used for filling both potable water vessels and other tanks or contaminated vessels. To prevent contamination of both the **Public** system and potable water vessels being filled, the following principles shall be met in the design of water loading stations:

- (a) there shall be no backflow to the **Public** water system;
- (b) the piping arrangement shall prevent contaminant being transferred from a hauling vessel to others subsequently using the station; and
- (c) hoses shall not be contaminated by contact with the ground.

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Part 9 (RESERVED)

Part 10 (RESERVED)

Part 11 NON-COMMUNITY WATER SYSTEMS

11.1 Introduction and Definitions

11.1.0 General

This part provides regulation and guidance for potable water sources, storage, and distribution systems serving **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems. Information to be submitted with permit applications, methodologies to be used in source evaluation, and minimum standards for construction and operation of such systems are provided.

Public Transient Non-Community water systems are administered by the Department's Drinking Water and Groundwater Protection Division.

These standards and limits represent minimum criteria. Designers should note that the use of this part requires professional judgement. The standards are minimal and the safety factors are marginal, and will not yield satisfactory designs, by themselves, in all situations.

These regulations have two principal goals:

- (a) the prevention of health hazards caused by water sources of inadequate quality and quantity; and
- (b) the assurance that water sources and distribution systems are adequate for the needs of a project.

11.1.1 Alternative Designs

The professional engineer may propose alternative engineering designs for water systems and justify the design based on its reliability in providing water of adequate quality and quantity for the size and nature of the project.

11.1.2 Definitions

The following definitions apply for the purposes of this Part (Appendix A Part 11); additional definitions are contained in Subchapter 21-2.

AVERAGE DAY DEMAND - The volume of water anticipated to be used by a particular building or project in a 24 hour period; expressed in gallons per day (gpd).

CONSTANT DISCHARGE PUMPING TEST - A test of a water source in which the well is pumped for a specified duration at one flow rate to determine the yield of the well, aquifer characteristics and/or well interference.

FLOOD PLAIN - Any area which is flooded with an average frequency of once or more in each 100 years as determined by the Secretary.

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FLOODWAY - The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge a 100 year frequency flood without cumulatively increasing the water surface elevation more than one foot.

HYDROFRACTURING - A method of bedrock well development used to increase the yield of wells, in which high pressures are generated in the well to open fractures. Propping agents may be introduced to keep the fractures open.

HYDROGEOLOGIC CONNECTION - A situation where a water source is down- gradient of a potential source of contamination under either natural groundwater flow conditions or pumping conditions.

INSTANTANEOUS PEAK DEMAND - The instantaneous flow rate that the system must satisfy. This is determined by the number and type of plumbing fixtures on it.

LICENSED WELL DRILLER - An individual licensed under the Vermont Well Driller Licensing Rules and Standards.

LONG-TERM YIELD - The amount of water that the source is capable of providing on a daily basis over the design life of the project; expressed in gallons per minute (gpm).

MAXIMUM DAY DEMAND - For **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems, the rate at which the average day demand is to be used by a particular building or project divided by not more than 720 minutes; expressed in gallons per minute (gpm).

QUALIFIED CONSULTANT - Certified Site Technician, or Vermont Registered Professional Engineer, working within the scope of his or her certification and expertise.

SHALLOW WATER SOURCE - A developed structure to collect groundwater, generally less than 20 feet deep. This includes springs, dug wells, jetted wells, drilled wells, and well points, and other water intake structures which may or may not be under the jurisdiction of the Vermont Well Driller's Rules and Construction Standards.

SOURCE INTERFERENCE - **Public** water systems and potable water supplies affected by the pumping of other proposed or existing sources.

STATE ELECTRICAL CODE - State of Vermont Electrical Safety Rule adopted by the Vermont Department of Public Safety per 26 V.S.A. §891.

STATE PLUMBING CODE - State of Vermont Plumbing Rule, adopted by the Vermont Department of Public Safety per 26 V.S.A. §2173.

TOTAL AVAILABLE HEAD - The difference in elevation between the static water level and the hydraulic base of a well.

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WATER SOURCE - An existing or permitted water well or shallow water source designed to collect potable groundwater.

WATER SYSTEM - The source, pumping facility, storage, distribution system and related appurtenances used to provide potable water.

11.2 Preconstruction Requirements

11.2.0 General

For all **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems, a water source site plan, basis of design statement, and design plans and specifications, along with all available information on the source, must be submitted with the permit application. Design plans shall include a professional engineer's seal and signature. In addition, a Long Range Plan, Source Protection Plan, and Engineer's Report, as required by Subchapters 4.2.2, 5.5(e), 15.1, and 16.1, must be submitted for new **Public Non-Transient Non-Community** water systems. Some of this information may be developed in pre-application work and may require review and approval by the Secretary before an application will be considered complete.

Increased demands to existing or previously approved **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems will require analysis of additional maximum day demand and/or instantaneous peak demand.

11.2.1 Basis of Design

A statement of the basis of design, and supporting calculations, shall include:

- (a) Average Day Demand;
- (b) Maximum Day Demand;
- (c) Instantaneous Peak Demand;
- (d) Source Capacity;
- (e) Storage Capacity;
- (f) Pump Capacities;
- (g) Operating Pressure Ranges; and
- (h) reference to the flood plain

11.2.2 Water Source Site Plan

A water source site plan shall include:

- (a) plan view at a scale of 1" = 200', or larger;
- (b) surface drainage features and general topography;
- (c) potential sources of contamination within the distances listed in Appendix A Part 11 Tables 11-1 and 11-2;
- (d) neighboring wells as shown in the interference monitoring distance table; and
- (e) minimum separation zones per Appendix A Subpart 11.4.1.

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11.2.3 Design Plans and Specifications

The design plans and specifications shall include:

- (a) source development, transmission, storage and distribution;
- (b) system component site plan at a scale of 1" = 100', or larger;
- (c) piping, valving and standard pressure; and
- (d) specific construction instructions.

11.2.4 Source Development and Testing

11.2.4.1 Projects with Maximum Day Demand of 5 gpm or less

These projects will be permitted prior to water source development unless there is reason to suspect that sufficient water may not be available, in which case the Secretary may:

- (a) require that the water source be developed and tested before the permit is issued; or
- (b) issue a permit with a condition that the water source be developed and tested before a subdivision is created, a building is constructed or a mobile home park is established.

11.2.4.2 Projects with Maximum Day Demand of More Than 5 gpm

These projects will not normally be permitted before the source is developed and tested, unless:

- (a) the applicant demonstrates a high probability of adequate yield and quality from the proposed water source. In such a case the source must be developed, tested and analyzed in accord with Subpart 11.6 prior to the creation of subdivision lots, construction of buildings or the establishment of a mobile home park.

11.2.4.3 Subdivision With Individual On-Site Sources

These projects are normally approved prior to source development. Multiple lot subdivisions may need to show evidence that adequate yields are likely to be available, and/or that proposed sources are not likely to cause unacceptable interference in nearby existing or permitted water sources.

11.3 Water System Demand

11.3.0 Average Day Demand

- (a) For **Public** water systems, the average day demand shall be determined according to the design flows per Appendix A, Part 2, Table A2-1 of this rule.
- (b) For residential units average day demand shall be 90% of the design flow.
- (c) Installation of low flow plumbing fixtures, 3.5 gallon or less flush toilets, 3.0 gallon per minute or fewer showerheads, and faucet aerators will allow for a 10% reduction in design flows as calculated from Table A2-1.

11.3.1 Maximum Day Demand

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The maximum day demand is calculated by dividing the average day demand by not more than 720 minutes. The resulting flow rate is expressed in gallons per minute.

11.3.2 Instantaneous Peak Demand

The instantaneous peak demand, expressed in gallons per minute (gpm), shall be calculated as follows:

- (a) determined by the State Plumbing Code; or
- (b) for residential units only, the instantaneous peak demand equals 5 gpm multiplied by the number of units.

11.4 Isolation and Separation Distances

11.4.0 General

The proposed site of the water source for the building or project shall be approved by the Secretary before the source is developed.

Adequate horizontal isolation distances between wells and potential sources of contamination are required. The required horizontal minimum distances are listed in Tables A11-1 and A11-2 below. Qualified consultants, Site Technicians, Professional Engineers or Hydrogeologists, as appropriate, are responsible for assuring that these minimums are adequate for individual cases, and should increase them as they deem appropriate in their professional judgement. The Secretary may increase the minimum horizontal isolation distances in Tables A11-1 and A11-2 or prescribe any additional safeguards it deems necessary when the depth to the aquifer or the nature of overburden material is not sufficient to protect the water source from pollution. The Secretary will consider permitting reductions of these individual cases only on the written request of the qualified consultants, which technically justifies the reduction in a particular case.

The minimum recommended horizontal isolation distances in these regulations from water systems to sewage systems are based on sewage treatment in soils, pathogen attenuation, effluent travel time in soil and dispersion, without site specific hydrogeologic information. Site specific data may be collected and justification made for reducing the distances listed in Tables A11-1 and A11-2.

Table A11-1 - REQUIRED HORIZONTAL MINIMUM SEPARATION DISTANCES

Potential Source of Contamination	Water Sources in Bedrock or Confined Surficial Aquifer	Water Sources in Unconfined Surficial Aquifer
Agriculture cropland	100	200
Buildings or structures, porches, foundations of buildings or structures	10	10
Cemeteries	100	150

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Composting sites (commercial or agricultural)	200 (see a.)	300 (see a.)
Concentrated livestock holding areas barnyard	200 (see b.)	500 (see b.)
Driveways (fewer than 3 residences)	15	15
Driveways (3 or more residences), roadways, parking lots	25	25
Fertilizer or pesticide storage structures (buried tank of any size; above ground tank >1,500 gallons; dry or liquid; and piping serving a nonresidential facility)	100	200
Flood ways	(see c.)	(see c.)
Fuel oil, gasoline & other petroleum tanks and piping (not including liquefied petroleum gas tank)	25	100
Hazardous or Solid Waste Disposal Site	(see d.)	(see d.)
Leachfields (proposed, existing, or permitted)	(see e.)	(see e.)
Limit of Herbicide Application on a ROW	100 (see f.)	200 (see f.)
Manure storage systems, above ground	50 (see b.)	100 (see b.)
Manure storage systems, inground concrete or geosynthetic lined	100 (see b.)	200 (see b.)
Manure storage system, earthen lined	200 (see b.)	500 (see b.)
Non-sewage Wastewater Disposal Field	(see d.)	(see d.)
Property lines	10	10
Salvage yards	300 (see g.)	300 (see g.)
Sanitary sewer collection lines and sanitary sewer service lines	50	75

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Silage storages	50	75
Solid waste transfer facilities	100 (see h.)	200 (see h.)
Stormwater treatment practice (lined)	10	10
Stormwater treatment practice (unlined and subsurface systems)	100	150
Storm sewers	10	50
Surface water, normal high water elevation	10 (see i.)	25 (see i.)
Wastewater disposal spray area and lagoons	200 (see j.)	300 (see j.)
Wastewater tanks (proposed, existing, or permitted)	(see e.)	(see e.)

- a. Isolation distances for composting sites (commercial and agricultural) shall be measured from the perimeter of the composting area or area used for storage of composted material.
- b. Isolation distances for concentrated livestock holding areas and manure storage systems shall be measured from the perimeter of the holding area or outside perimeter of the manure storage system.
- c. Water sources shall not be located in a flood way.
- d. If a water source is potentially downgradient of a source of contamination, then the Secretary shall apply the criteria in Appendix A Subpart 11.4.2.2.
- e. See Table A11-2. Wastewater Tanks include septic tanks, pump stations, dosing siphons, holding tanks, wastewater storage tanks, wastewater treatment tanks, sand filters, constructed wetlands, and grease tanks.
- f. Applies to rights-of-way (ROW) where herbicides have been applied in the past 12 months or may be applied in the future.
- g. Isolation distances for salvage yards shall be measured from the perimeter of the area used for the storage of salvaged materials to the component. If the applicant's designer demonstrates that the groundwater flow from the salvage yard is not in the direction of the public drinking water source, the isolation distance shall be 100 feet rather than 300 feet.
- h. Isolation distances for solid waste transfer facilities shall be measured from points within the transfer facility used for storing solid waste.
- i. For Public water sources, see Appendix A, Part 3, Subpart 3.4. The horizontal location to surface water should allow for possible future widening of the surface water due to bank erosion.

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- j. Ffor isolation distance applies unless identified as being superseded by Table 11-2 or Section 11.4.1 below.

Table A11-2 - REQUIRED MINIMUM HORIZONTAL SEPARATION DISTANCES TO SEWAGE SYSTEM DISPOSAL FIELDS^{1,2} (Feet)

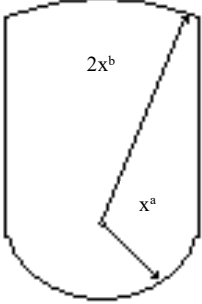
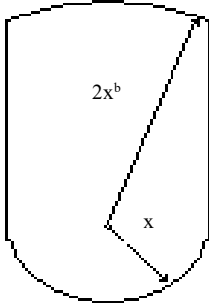
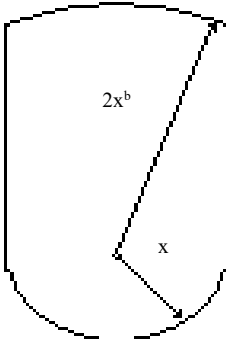
Design Flow of Domestic Sewage System Disposal Field (GPD)	Water Source Maximum Daily Demand (GPM)			
	0-1.9	2.0-4.9	5.0-7.9	>8.0
Fewer than 2,000	100	150	200	200 ^{++a}
2,000 through 6,499	150	150	200	200 ^{++a}
Equal to or Greater than 6,500	200 ^{++b}	200 ^{++b}	200 ^{++b}	200 ^{++a}

- 1 The minimum separation distance, (X), is used to determine the minimum separation zone (see Appendix A Subpart 11.4.1 and Figure 11-1).
- 2 For shallow water sources the minimum separation distance, X, per Subpart 11.4.1, shall not be less than 150 feet, and the minimum upslope separations distance shall be 500 feet instead of 2X regardless of the minimum separation distance, X, listed. If the bottom of the well or spring is higher than the ground surface at the disposal field then the minimum separation distance, X, may be reduced to 50 feet.
 - a Hydrogeologic evaluation required to define potential recharge area of the source and two year time of travel.
 - b For all water sources with less than 8 gpm maximum daily demand, the minimum presumptive upslope separation distance to greater than 6,500 gpd leachfields, per Appendix A Subpart 11.4.1, shall be 1,000 feet instead of 2X.

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FIGURE 11-1.

PLAN VIEW OF REQUIRED MINIMUM SEPERATION DISTANCES TO DOMESTIC SEWAGE DISPOSAL FIELDS¹

Domestic Sewage System Disposal Field Design Flow (gpd)	Water Source Maximum Daily Demand, MDD (gpm)			
	MDD < 2	2 < MDD	5 < MOD < 8	8 < MDD
< 2000	X = 100' 			X= 200' For water source with demands of 6 gpm or greater, the well must be located outside the 2 year time of travel of all effluent plume paths.
> 2000 and < 6500		X = 150' 	X = 200' 	
> 6500	X= 200' For septic systems over 6500 gpd wells must be located outside the 2 year time of travel effluent plume path, or greater than 1000' from the disposal fields.			

1. These shapes assume parallel ground surface contours horizontally across page with a downslope direction toward the bottom of the page.
 - a. For shallow water supplies X = 150'
 - b. For shallow water supplies use 500' distance instead of 2X

11.4.1.0 Separation Distances to Sewage System Disposal Fields

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Wells and sewage system disposal fields should be located to optimize the hydrogeologic separation within the project limitations. The applicant's designer must establish a separation zone around the water source which defines the probable area of groundwater recharge to the water source. The separation zone may be established by a presumptive method which uses ground surface topography and minimum distances.

The minimum separation distances for leach fields can be also estimated by using methods to define Source Protection Areas in accord with procedures defined in this rule (see Appendix A Part 3), or with other methods approved by the Secretary.

11.4.1.1 Presumptive Minimum Separation Zone Methods for a Water Well

To determine the size and shape of the required minimum separation zone between sewage disposal fields and a water well the following steps should be taken (see Figure 11-1):

- (a) draw a circle with a radius equal to the required minimum separation distance, X , from Table A11-2, around the well head or water source;
- (b) now either:
 - (1) if the circle drawn intersects with the contour elevation of the source, then draw lines beginning at these intersections, extending upslope and perpendicular to the contours, until these lines intersect an arc with a radius equal to twice the minimum separation distance ($2X$) from the source. If necessary, to provide closure of the area draw an arc with radius $2X$ from the source; or
 - (2) if the circle drawn in Step 1 is in all cases at a lower elevation than the source elevation, no further delineation may be required (resulting in the smallest possible minimum separation zone of a circle with radius X); or,
 - (3) if the circle drawn in Step 1 is in all cases is above the elevation of the well, the water shed area or a circle with a radius of $2X$, whichever is smaller, shall represent the minimum separation zone (resulting in the largest possible minimum separation zone of a circle with a radius $2X$).

11.4.1.2 Presumptive Minimum Separation Zone Methods for a Shallow Water Source

To determine the size and shape of the required minimum separation zone between sewage disposal fields and a shallow water source, the following steps should be taken (see Figure A11-1):

- (a) draw a circle with a radius equal to the required minimum separation distance, X , from Table A11-2, around the well head or water source;
- (b) now either:
 - (1) if the circle drawn intersects with the contour elevation of the source, then draw lines beginning at these intersections, extending upslope and perpendicular to the contours, until these lines intersect an arc with a radius equal to 500 feet from the source. If necessary, to provide closure of the area draw an arc with radius of 500 feet from the source; or

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- (2) if the circle drawn in Step 1 is in all cases at a lower elevation than the source elevation, no further delineation may be required (resulting in the smallest possible minimum separation zone of a circle with radius X); or
- (3) if the circle drawn in Step 1 is in all cases above the elevation of the well, the water shed area or a circle with a radius of 500 feet, whichever is smaller, shall represent the minimum separation zone (resulting in the largest possible minimum separation zone of a circle with a radius of 500 feet).

11.4.2.0 Requirements for Investigation of Potential Hydrogeologic Connections Between Water Sources and Sewage Disposal Fields

This subpart applies when a hydrogeologic connection may exist between a sewage system disposal field and a potable water source.

These distances listed in Table A11-1 & A11-2 provide a minimal level of protection for water sources. These distances may be increased or reduced based on site specific data.

11.4.2.0.1 Increasing the Minimum Separation Zone

These distances may be increased up to a maximum of 500 feet if a sewage disposal field is discharging upgradient of a water source and to the same unconsolidated, unconfined aquifer from which the water source is withdrawing.

11.4.2.0.2 Reduction of the Minimum Separation Zone

These distances may be reduced with the use of site specific data under the following conditions:

- (a) If there is a continuous impeding layer from the sewage system disposal field to the well head, and the well is properly sealed to prevent contaminant migration along the well casing then the minimum separation zone around the well head may be reduced to a radius of not less than 100 feet; or
- (b) If the groundwater flow from beneath the sewage system disposal fields is not toward a minimum separation zone around the well head that has a radius of X; or
- (c) If a detailed hydrogeologic investigation reveals that groundwater flow from beneath the sewage system disposal field does not flow toward the source under pumping conditions the minimum separation zone around the well head may be reduced to a radius of not less than 100 feet; or
- (d) If a detailed hydrogeologic investigation demonstrates a time of travel exceeding two years in accordance with Appendix A Subpart 11.4.2.1, then the minimum separation zone around the well head may be reduced to a radius of not less than 100 feet.

11.4.2.1 Two Year Time of Travel

If required elsewhere in Appendix A Subpart 11.4.2, then a minimum travel time of two years must exist in the materials between a potential source of contamination that may contain pathogenic microorganisms and the drinking water source. The two year travel time is based on the reasonable assurance of pathogen attenuation. Calculations of travel time must take into

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account hydraulic gradient, porosity, saturated hydraulic conductivities in the materials with the largest saturated hydraulic conductivity, the cone of influence of production wells or the recharge area of springs being considered, and mounding of the water table due to groundwater recharge by discharge of the sewage effluent.

11.4.2.2 Increased Level of Contamination

The potential source(s) of contamination may not increase the level of contamination in any drinking water source to more than the Maximum Contaminant Levels (MCL) of the Drinking Water Standards in Subchapter 21-6 of this rule. Nitrate (expressed as N) may be used as an indicator when dealing with domestic (non-industrial) wastes. Calculations must take into account the concentration of nitrate-nitrogen at the base of the leach_field, which is assumed to be 40 mg/l, dilution by precipitation and groundwater flow, dispersion, background concentrations of nitrate-nitrogen, and other existing sources of nitrate-nitrogen, including fertilizers, in the subsurface drainage basin, using the assumption that no denitrification takes place in the subsoil. Methods of calculation and evaluation must closely approximate actual conditions and should be determined in consultation with the Secretary before any work is done.

The minimum separation distances for leach_fields can be also estimated by using methods to define Source Protection Areas as contained in Appendix A Part 3 -or with other methods approved by the Secretary.

11.5 Well and Spring Construction Standards

11.5.0 Water Well

The requirements of this subpart presume that water wells are constructed in compliance with Appendix A, Part 12 (Construction and Isolation Standards for Wells).

11.5.1 Spring and Shallow Well Construction

11.5.1.1 Materials

Acceptable materials include:

- (a) concrete tiles (grouted together);
- (b) poured in place concrete;
- (c) well casing; and
- (d) other metallic or plastic casing as approved by the Secretary.

11.5.1.2 Site Work

Spring and shallow well site construction shall include the following:

- (a) screened ventilation or overflow openings;
- (b) surface water diversion berm at least 50 feet upslope when feasible;
- (c) back fill material of high clay content sloping away from source;
- (d) minimum of 4 inches of top soil over the clay;

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- (e) a watertight, rodent-proof sanitary cover; and
- (f) for ~~public~~ **Public** water systems, an entrance access hatch and lock.

11.6 Water Quantity Testing

11.6.0 Water Sources

11.6.0.1 Projects with a Maximum Day Demand of 5 gpm or less:

These projects:

- (a) may use 50 percent of the well drillers estimated yield as long term yield; and
- (b) if project maximum day demand is greater than 50 percent of the well drillers estimated yield, a constant discharge pumping test as defined in Appendix A Subpart 11.6.1 is required.

11.6.0.2 Projects with Maximum Day Demand of more than 5 gpm

These projects shall conduct a constant discharge pumping test in accord with Subpart 11.6.1 to determine the long term yield of the well.

11.6.0.3 Springs

A spring source shall require that the yield be determined by hydrogeologic flow analysis per Appendix A Subpart 11.6.1.2. Single family residences and projects classified as home occupations, shall be exempt from this requirement.

11.6.1 Long Term Yield Testing

11.6.1.1 Water Wells

When a constant discharge test is required by the provisions of Appendix A Subpart 11.6.0, the following conditions shall be met:

- (a) the test shall be designed and analyzed by a qualified hydrogeologist, or a professional engineer, who is proficient in well testing and analyses;
- (b) the test shall be conducted for the durations listed in Table A11-3 at a pumping rate greater than or equal to the required maximum day demand of the well;
- (c) water level drawdown and rate of discharge shall be measured using accepted methods at intervals that will plot evenly on a logarithmic scale graph;
- (d) the draw down measurements shall continue into the recovery period for two days or until a minimum of 90% recovery is achieved whichever occurs first.
- (e) alternate testing methods may be considered by the Secretary; and
- (f) monitoring for interference shall be performed as required in Appendix A Subpart 11.6.3.

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Table A11-3 - CONSTANT DISCHARGE PUMPING TEST DURATION

MAXIMUM DAY DEMAND OF WELL ^a	MINIMUM TEST LENGTH, HOURS
0.0 - 1.9 gpm	24
2.0 - 4.9 gpm	36
5.0 - 7.9 gpm	48 ^b
8.0 - 49.9 gpm	72
50.0 - 99.9 gpm	96
100 gpm or Greater	120

a. Rounded to nearest tenth.

b. This duration may be increased to 72 hours if interference or special studies are required.

11.6.1.2 Shallow Water Sources

11.6.1.2.1 Springs

- (a) A proposal for adequately determining long term yield of springs shall be prepared by a qualified hydrogeologist or professional engineer and submitted to the Secretary for approval prior to testing; and
- (b) Long term yield tests for springs shall normally include monitoring during low flow periods.

11.6.1.2.2 Shallow Water Sources Excluding Springs

These sources shall be tested in accordance with the requirements of Appendix A Subpart 11.6.1.1. and take into account seasonal fluctuations in water level.

11.6.2 Long Term Yield Analysis

The following material shall be submitted to the Secretary for approval:

- (a) “as-built” water source site plans;
- (b) pumping test data;
- (c) predicted long-term yield and method of analysis;
- (d) predicted interference; and
- (e) all supporting graphs and calculations.

11.6.2.1 Water Wells

The analysis shall predict the long term yield that shall meet or exceed the following criteria:

- (a) constant withdrawal at the Average Day Demand for 180 days; and
- (b) drawdown shall not exceed 90 percent of the total available head.

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11.6.2.2 Springs

Analysis of monitoring data shall follow accepted hydrogeologic methods such as low flow analyses or other suitable methods.

11.6.2.3 Shallow Water Sources Excluding Springs

Analyses shall be in accordance with Appendix A Subpart 11.6.2.1 and take into account seasonal low static water level.

11.6.3 Interference Testing and Analysis

- (a) Any existing water source for a public or private potable water system, located within the distances specified in Table A11-4 shall be located and reported with the application. The Secretary may require interference testing to assess the impact of the project well or wells on, and/or from, other water sources.
- (b) Water sources within the distances specified in Table A11-4 shall be monitored for interference during long term yield pumping tests, unless the consultant demonstrates that it is not feasible or necessary to monitor those wells.
- (c) If any **Public** Community water systems exist within the distances given in Table A11-4, then the consultant shall notify the Drinking Water and Groundwater Protection Division. The Division may require additional testing or testing on additional wells to assess the impact of wells on each other.
- (d) Other methods to address the potential for interference may be submitted to the Secretary by a qualified hydrogeologist, or a professional engineer, who is proficient in aquifer analysis.
- (e) Water sources must not cause unacceptable interference on other water sources, unless resolved in accordance per Appendix A Subpart 11.6.3.2.

11.6.3.1 Unacceptable Interference

Public and private water systems affected by the pumping of other proposed or existing groundwater sources shall be able to meet their average day demand while the proposed water system is operated at the proposed pumping rates. If, as a result of predicted source interference, existing water systems cannot meet their design demands, then unacceptable interference exists. Unacceptable interference may also include water quality problems resulting from source testing.

11.6.3.2 Resolution of Unacceptable Interference

- (a) The applicant must resolve all source interference problems prior to issuance of a Source Permit for proposed water sources. Any agreement between the applicant and the affected party will be reviewed by the Secretary. The applicant is responsible for identification of all sources in use within the monitoring radius defined in Table A11-4. The Secretary may either reduce the approved yield or require additional testing or analysis to determine the impact upon the unmonitored source. A Source Permit will not

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be granted if unacceptable interference cannot be resolved or if the owner of the affected source does not accept a proposed solution.

- (b) Solutions may include:
- (1) drill affected source deeper and test for water quantity;
 - (2) test affected source or re-evaluate existing data;
 - (3) connect affected water source onto acceptable **Public** water system;
 - (4) develop an alternative water source for the affected source;
 - (5) for some private water system, additional storage may be developed to offset the source interference; and
 - (6) hydrofracture the well or redevelop by other methods.

Table A11-4 - MONITORING DISTANCES FROM TEST WELLS

MONITORING DISTANCE FROM TEST WELL TO A POTABLE WATER SOURCE	
MAXIMUM DAILY DEMAND OF TESTED WELL, GPM	DISTANCE, FT.
0 - 1.9	0 - 200
2 - 4.9	0 - 500
5 - 19.9	0 - 1000
20 - 49.9	0 - 2000
50 - 99.9	0 - 2500
100 or greater	0 - 3000

11.7 Water Quality

11.7.0 Water Quality Requirements for **Public Transient Non-Community**

Public Transient Non-Community water systems shall be designed to provide potable water. The requirements for water quality testing are as follows:

- (a) All **Public Transient Non-Community** water systems shall monitor initially for contaminants as follows:
- (1) **Public Transient Non-Community** water systems shall initially monitor for all the contaminants identified in Tables A11-5 and A11-6.

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Table A11-5 - SECONDARY CONTAMINANT STANDARDS FOR Public Transient Non-Community water systems	
Secondary Contaminant Standards	Secondary Maximum Contaminant Level
Chloride	250 mg/l
Sodium	250 mg/l
Iron	0.3 mg/l
Manganese	0.05 mg/l
Odor	3 threshold odor number
pH	6.5 to 8.5

Table A11-6 - PRIMARY CONTAMINANT STANDARDS FOR PUBLIC TRANSIENT NON-COMMUNITY WATER SYSTEMS	
Primary Contaminant Standards	Maximum Contaminant Level
Arsenic	0.010 mg/l
Nitrate	10 mg/l
Nitrite	1.0 mg/l
Total Coliform Bacteria	~~Absent~~ <i>There is no total coliform MCL; see E. coli MCL in Table 6-5.</i>
Uranium	20 µg/l

- (b) The Secretary may require the monitoring and compliance with the additional contaminants not listed in Tables A11-5, ~~and A11-6, and A11-7~~, as well as with the contaminants listed in these tables when there is reason to suspect their presence, or suspect a public health or welfare risk.
- (c) **Public Transient Non-Community** water systems shall comply with the sampling and laboratory requirements as described in Subchapter 21-6.
- (d) **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems shall comply with the water quality standards and monitoring requirements as specified in Subchapter 21-6 of this rule and in 40 CFR, Part 141. **Public Transient Non-Community** water systems with contaminants exceeding the primary or secondary standards may be required to treat or abandon the sources at the discretion of the Secretary.
- (e) When a water system is developed before a permit is issued, the analysis shall be part of the permit application.

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- (f) When a water system is developed after a permit is issued, the analysis shall be submitted as a permit condition.

11.8 Design Standards for Pumping, Storage and Distribution

11.8.0 General Considerations

The Secretary has jurisdiction over water system appurtenances including pumps, pressure tanks and water storage tanks, including those located within a building.

Service water, storage facilities and all water system appurtenances shall be located to provide adequate isolation from potential sources of contamination.

11.8.0.1 Sample Taps

Sample taps shall be provided so that water samples can be obtained from each water source and from appropriate locations in each unit of distribution.

11.8.0.2 Disinfection Prior to Use

- (a) All walls, pipe, tanks, and equipment which can convey or store potable water shall be disinfected in accordance with AWWA procedures; and
- (b) for single family residences or public buildings with flows not exceeding 500 gallons per day, which have individual on-site water systems, shall be disinfected in accordance with Appendix A Subpart 12.

11.8.0.3 Isolation Distances

Suction water lines shall be located to comply with the isolation distances for water wells in Appendix A Subpart 11.4, Table A11-1 and be located greater than 100' from any domestic sewage disposal field.

11.8.1 Pumping Facilities

11.8.1.0 General

Pumping facilities shall be designed to maintain the sanitary quality of pumped water. Subsurface pits or pump rooms should be avoided unless there is a non-mechanical way of avoiding flooding from either groundwater, surface water, or interior pipe break. No pumping station shall be subject to flooding. Any below grade electrical installation must be provided with a ground fault interrupted electrical service. All installations shall be safely and easily accessible for monitoring, maintenance, and equipment removal.

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11.8.1.1 Location

The pumping station shall be so located that the proposed site will meet the requirements for sanitary protection of water quality, hydraulics of the system and protection against interruption of service by fire, flood or any other hazard.

11.8.1.1.1 Site Protection

The station shall be:

- (a) elevated to a minimum of three feet above the 100 year flood elevation, or three feet above the highest recorded flood elevation, whichever is higher, or protected to such elevations;
- (b) readily accessible at all times unless permitted to be out of service for the period of inaccessibility;
- (c) graded around the station so as to lead surface drainage away from the station; and
- (d) protected to prevent vandalism and entrance by animals or unauthorized persons.

11.8.1.2 Pumping Stations

Both raw and finished water pumping stations shall:

- (a) have adequate space for the installation of additional units if needed, and for the safe servicing of all equipment;
- (b) be of durable construction, fire and weather resistant and with outward-opening doors;
- (c) have floor elevation of at least six inches above finished grade;
- (d) have underground structure waterproofed;
- (e) have all floors drained in such a manner that the quality of the potable water will not be endangered. All floors shall slope to a suitable drain, that runs to daylight; and
- (f) provide a suitable outlet for drainage from pump glands, relief valves or control valves without discharging onto the floor.

11.8.1.2.1 Equipment Servicing

Pump stations shall be provided with:

- (a) crane-ways, hoist beams, eyebolts, or other adequate facilities for servicing or removal of pumps, motors or other heavy equipment that cannot be serviced or removed by other more conventional methods; and
- (b) openings in floors, roofs, or wherever else needed for removal of heavy or bulky equipment.

11.8.1.2.2 Stairways and Ladders

Stairways or ladders shall:

- (a) be provided between all floors, and in pits or compartments which must be entered;
- (b) have handrails on both sides, and treads of non-slip material. Stairs are preferred in areas where there is frequent traffic or where supplies are transported by hand; and
- (c) conform to OSHA and VOSHA regulations covering these fixtures.

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11.8.1.2.3 Heating

Provisions shall be made for adequate heating for the safe and efficient operation of the equipment.

11.8.1.2.4 Ventilation

Adequate ventilation shall be provided for all areas where unsafe atmosphere may develop or where excessive heat may be built up.

11.8.1.2.5 Dehumidification

In areas where excess moisture could cause hazards to safety or damage to equipment, means for dehumidification should be provided.

11.8.1.2.6 Electrical

All electrical work shall conform to the requirements of the Vermont Code and to the relevant state and/or local codes.

11.8.1.3 Pumps

The pumping unit shall:

- (a) have ample capacity to supply the instantaneous peak demand without dangerous overloading, or the required fire flow if fire demand is required from the pumping station;
- (b) be driven by a prime mover able to operate against the maximum head; and
- (c) be served by control equipment that has proper heater and overload protection for air temperature encountered.

11.8.1.3.1 Suction Lift

Suction lift should:

- (a) be avoided, if possible; and
- (b) be within allowable limits, preferably less than 15 feet.

If suction lift is necessary, provision shall be made for priming the pump.

11.8.1.3.2 Priming

Prime water must not be of lesser sanitary quality than that of the water being pumped. Means shall be provided to prevent back siphonage. When an air operated ejector is used, the screened intake shall draw clean air from a point at least 10 feet above the ground or other source of possible contamination, unless the air is filtered by an apparatus approved by the Secretary. Vacuum priming may be used.

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11.8.1.4 Appurtenances

11.8.1.4.1 Valves

Pumps shall be adequately valved to permit satisfactory operation, maintenance and repair of the equipment. If foot valves are necessary, they shall have a net valve area of at least 1-1/2 times the area of the suction pipe and they shall be screened. Each pump shall have a positive-acting check valve on the discharge side between the pump and the shut-off valve.

11.8.1.4.2 Piping

In general, piping shall:

- (a) be designed so that the friction losses will be minimized;
- (b) not be subject to contamination;
- (c) have watertight joints;
- (d) be protected against surge or water hammer; and
- (e) be such that each pump has an individual suction line or that the lines shall be so manifolded that they will insure similar hydraulic and operating conditions.

11.8.1.4.3 Gauges

Each pump shall have a standard pressure gauge in its discharge line.

11.8.1.4.4 Water Seals

Water seals shall not be supplied with water of a lesser sanitary quality than that of the water being pumped. Where pumps are sealed with potable water and are pumping water of lesser sanitary quality, the seal shall:

- (a) be provided with a break tank open to atmospheric pressure; and
- (b) have an air gap of at least six inches or two pipe diameters, whichever is greater, between the feeder line and the spill line of the tank.

11.8.1.4.5 Controls

Pumps, their prime movers and accessories, shall be controlled in such a manner that they will operate at rated capacity without dangerous overload. Where two or more pumps are installed, provision shall be made for alternation. Provision shall be made to prevent energizing the motor in the event of a backspin cycle.

11.8.2 Finished Water Storage

11.8.2.1 Water Storage Requirements

A water system and distribution system must be capable of satisfying both the maximum day demand of a project or building and the instantaneous peak demand of the plumbing system. Unless the combination of the water source, withdrawal system and pressurization system can

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meet both these criteria, water storage shall be required. The following types of projects are exempt from this subpart of the rules, provided they are served by an individual water system:

- (a) non-residential buildings with design flows of not more than 500 gallons per day with an instantaneous peak demand of less than 15 gallons per minute;
- (b) a single family residence; or
- (c) a single family residence with a one-bedroom apartment, where the average day demand is 540 gpd or less.

11.8.2.2 Instantaneous Peak Yield Testing

If the water source's long-term yield is less than the water system instantaneous peak demand, then an abbreviated peak demand test may be performed on the source by one of the following methods:

- (a) pumping of the source at the water system instantaneous peak demand rate or greater for a duration at which the total volume pumped equals twice the average day demand. The pumping test must be supervised by a qualified hydrogeologist, professional engineer, licensed well driller or well servicer. The pump discharge rate shall be measured and recorded at 30 minute intervals with a minimum of three readings. If the pumping discharge rate during the test period is equal to, or greater than the water system instantaneous peak demand, and the source is not dewatered to the level of the pump, then no water storage is required to meet instantaneous peak demand, provided the well service pump is capable of delivering at a flow rate equal to, or greater than the peak demand;
- (b) a three hour blow test with flow measurements at less than or equal to 30 minute intervals performed by a licensed well driller;
- (c) licensed well driller's yields determined by methods which do not meet the requirements of Appendix A Subpart 11.8.2.2(a) or (b) shall be divided by two to determine flow rate for instantaneous peak; and
- (d) other methods for determining instantaneous peak yield of the water source may be used if a written proposal detailing them is approved by the Secretary prior to testing.

11.8.2.3 Storage Volume

If the water system instantaneous peak demand exceeds the water source yield and/or the source pump capacity, water storage volume computed by one of the following methods shall be provided:

- (a) storage equal to average day demand if the water source long term yield equals or exceeds two-thirds of the maximum day demand;
- (b) storage equal to 55 percent of average day demand if the water source long term yield equals or exceeds the maximum day demand; or
- (c) storage equal to the following equation if the water source yield equals or exceeds the maximum day demand:

$$S = D (1 - Y/P)$$

Where S = Volume of water storage (gallons)

D = Project average day demand (gallons) (See Appendix A Subpart 11.3);

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- P = Project water system instantaneous peak demand (gallons/minute) (See Appendix A Subpart 11.3); and
- Y = Water source yield (either long term yield per Appendix A Subpart 11.6 or peak yield per Appendix A Subpart 11.8.2.2).

11.8.2.3.1 Casing Storage

A portion of the required storage may be met by using the effective storage provided by the well casing, well tile or spring box. Calculation of the effective storage shall take into account the predicted drawdown of the water level in the casing, based on the daily usage of the water source.

- (a) For water wells, the effective storage shall be determined as follows:
- (1) for a source where a pumping test and analysis has been performed, the effective storage shall be the volume of water between the predicted drawdown associated with Subpart 11.6.2.1(a) of this rule and the pump cut-off level.
 - (2) for a source where the pumping test and analysis has not been performed, the effective storage shall be the volume of water between the predicted drawdown, as calculated below, and the pump cut-off level.

The predicted drawdown shall be based on the long term yield, the maximum day demand and the total available head as follows:

$$DD = SE + (TAH (MDD / Y))$$

where DD= depth to predicted drawdown, below ground surface (ft)
SE= depth to static water level in well, below ground surface (ft)
TAH= total available head (ft)
MDD=maximum day demand (gpm)
Y= long term yield (gpm) (per 11.6)

- (b) for shallow water sources, the effective storage is one half of the volume between the annual low water level and the outlet or pump cut off level.

11.8.2.4 Reservoirs General

The materials and designs used for finished water storage structures shall provide stability and durability as well as protect the quality of the stored water. Steel structures shall follow the current AWWA standards concerning steel tanks, reservoirs, and elevated tanks wherever they are applicable. Other materials of construction are acceptable when properly designed and approved by the Secretary. Design for cast-in-place and pre-cast concrete structures must be reinforced and specify the material for sealing the joints. Reservoirs should be tested for leakage.

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11.8.2.4.1 Location of Reservoirs

- (a) The bottom of steel reservoirs should be placed at the normal ground surface and shall be above maximum flood level.
- (b) When the bottom of a steel tank must be below normal ground surface, it shall be placed above the groundwater table. Artificially lowering the groundwater table is acceptable.
- (c) For all storage reservoirs, sewers, drains, standing water, and similar sources of possible contamination must be kept at least fifty feet from the reservoir. Water main pipe, pressure tested in place to 50 psi without leakage, may be used for gravity sewers at distances greater than 20 feet and less than 50 feet.
- (d) The top of a reservoir access shall not be less than two feet above normal ground surface.
- (e) Below grade installation of precast and poured in-place concrete reservoirs are acceptable. Provisions shall be made to eliminate the tendency of the tank to float during high groundwater conditions. All joints shall be water tight.

11.8.2.4.2 Protection

- (a) All finished water storage structures, shall have suitable water tight roofs which exclude birds, animals, insects, and excessive dust. If necessary, these structures shall have a perimeter drain at least 4" in diameter.
- (b) Fencing, locks on access manholes, and other necessary precautions shall be provided to prevent trespassing, vandalism, and sabotage.

11.8.2.4.3 Drains

No drain on a water storage structure may have a direct connection to a sewer or storm drain. The design shall allow draining the storage facility for cleaning or maintenance.

11.8.2.4.4 Overflow

All water storage structures shall be provided with an overflow. The discharge end of the overflow should terminate at least 18 inches above the ground surface, and discharge over either a drainage inlet structure or a splash plate. No overflow may be connected directly to a sewer or storm drain. All overflow pipes shall be located so that any discharge is visible.

- (a) The above grade portion of the overflow shall be open downward and be screened with 24 mesh noncorrodible screen installed within the pipe at a location least susceptible to damage by vandalism; and
- (b) the overflow pipe shall be of sufficient diameter to permit discharge of water in excess of the filling rate.

11.8.2.4.5 Access

Finished water storage structures shall be designed with reasonably convenient access to the interior floor for cleaning and maintenance.

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- (a) On ground level structures, manholes should be elevated at least 18 inches above the top or covering sod;
- (b) shall be fitted with a solid watertight cover which overlaps the framed opening and extends down around the frame at least two inches;
- (c) shall have a locking device; and
- (d) drainage shall be directed away from the access.

11.8.2.4.6 Vents

Finished water storage structures shall be vented. Overflows shall not be considered as vents. Open construction between the sidewall and roof is not permissible. Finished water source vents shall:

- (a) prevent the entrance of surface water and rain water;
- (b) exclude birds and animals;
- (c) exclude insects and dust, as much as this function can be made compatible with effective venting. For elevated tanks and standpipes, four-mesh noncorrodible screen may be used; and
- (d) on ground level structures, terminate in an inverted U construction with the opening 24 mesh noncorrodible screen installed within the pipe at a location least susceptible to vandalism.

11.8.2.4.7 Roof and Sidewall

The roof and sidewalls of all structures must be watertight with no openings except properly constructed vents, manholes, overflows, risers, drains, pump mountings, control ports, or piping for inflow and outflow.

- (a) Any pipes running through the roof or sidewall of a finished water storage structure must be welded, or properly gasketed in metal tanks. In concrete tanks, these pipes shall be connected to standard wall castings which were poured in place during the forming of the concrete or wall sleeves, with flexible wall penetration sleeves;
- (b) openings in a storage structure roof or top, designed to accommodate control apparatus or pump columns, shall be curbed and sleeved with proper additional shielding to prevent the access of surface or floor drainage water into the structure; and
- (c) valves and controls should be located outside the storage structure so that the valve stems and similar projections will not pass through the roof or top of the reservoir.

11.8.2.4.8 Drainage of Roof

The roof of above grade storage structures shall be well drained. Roofs shall not tend to hold water.

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11.8.2.4.9 Safety

The safety of employees must be considered in the design of the storage structure. As a minimum, such matters shall conform to pertinent laws and regulations of the area where the reservoir is constructed.

11.8.2.4.10 Freezing

All finished water storage structures and their appurtenances, shall be designed to prevent freezing which will interfere with proper functioning.

11.8.2.4.11 Grading

The area surrounding a ground level structure shall be graded in a manner that will prevent surface water from standing within 50 feet of it.

11.8.2.4.12 Painting and/or Cathodic Protection

Proper protection shall be given to metal surfaces by paints or other protective coatings, by cathodic protective devices, or by both.

- (a) Paints systems shall be acceptable to the Secretary (either EPA or NSF approved). Interior paint must be properly applied and cured. After curing, the coating shall not transfer any substances to the water which will be toxic or cause tastes or odors. Prior to placing in service, an analysis for volatile organic compounds is required to establish that the coating is properly cured; and
- (b) cathodic protection should be designed and installed by competent technical personnel. A maintenance contract should be provided.

11.8.2.4.13 Disinfection

- (a) Finished water storage structures shall be disinfected in accordance with correct AWWA Standard C652. Two or more successive ~~sets of~~ samples, taken at 24-hour intervals, shall indicate microbiologically satisfactory water before the facility is placed into operation;
- (b) disposal of heavily chlorinated water from the tank disinfection process shall not be discharged to groundwater or surface water; and
- (c) the disinfection procedure (AWWA chlorination method 3, section 4.3 C652) which allows use of the chlorinated water held in the storage tank for disinfection purposes is not recommended. When that procedure is used, it is required that the initial heavily chlorinated water be properly disposed in order to prevent release of water which may contain various chlorinated organic compounds into the distribution system.

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11.8.2.5 Hydropneumatic Tanks

Hydropneumatic (pressure) tanks, when provided as the only storage facility, are acceptable. Pressure tank storage is not to be considered for fire protection purposes. Pressure tanks shall meet BOCA code requirements.

11.8.2.5.1 Location

The tank shall be completely housed.

11.8.2.5.2 Sizing

The capacity of the wells and pumps in a hydropneumatic storage should be such that the minimum pump on time is 2 minutes, unless the pump manufacturer certifies less is acceptable. In no case will a pump on time of less than 1 minute be acceptable. Only the available storage during the pump-on time shall be considered in meeting storage requirements.

11.8.2.5.3 Appurtenance

Each tank shall have a drain, pressure gauge, water sight glass, if applicable, automatic or manual air blow-off, means for adding air, and pressure operated start-stop controls for the pumps.

11.8.2.6 Distribution Storage

The applicable design standards of Appendix A Subpart 11.8.2 shall be followed for distribution system storage.

11.8.2.6.1 Pressures

The minimum working pressure at the hydropneumatic tank system should be set at no less than 20 psi. When static pressures exceed 100 psi, pressure reducing devices should be provided on mains in the distribution system.

11.8.2.6.2 Drainage

Storage structures which provide pressure directly to the distribution system shall be designed so they can be isolated from the distribution system and drained for cleaning or maintenance. The drain shall discharge to the ground surface with no direct connection to a sewer or storm drain.

11.8.2.6.3 Level Controls

Controls shall be provided to maintain levels in distribution system storage structures. Controls shall have the following features:

- (a) low level alarm is required;
- (b) pumps should be controlled from tank levels;

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- (c) overflow and low-level warnings or alarms shall be located at places in the community where they will be reasonably noticed by maintenance personnel;
- (d) the low water level control shall be high enough so that the water system operator has time to correct the problem before a water shortage occurs.

11.8.3 Distribution Systems

11.8.3.0 Materials

11.8.3.0.1 Standards, Materials Selection

Pipe, fittings, valves and fire hydrants shall conform to the latest standards issued by AWWA. Special attention shall be given to selecting pipe materials which will protect against both internal and external pipe corrosion.

11.8.3.0.2 Used Materials

Water mains which have been used previously for conveying potable water may be reused provided they meet the above standards and have been restored practically to their original condition.

11.8.3.0.3 Joints

Packing and jointing materials used in the joints of pipe shall meet the standards of the AWWA. Pipe having mechanical joints or slip-on joints with rubber gaskets is preferred.

11.8.3.1 Service Connections

Service connection detail must be provided. Curb stops must be shown on plan drawings; they must be incapable of conveying surface loads onto the service line.

11.8.3.2 Water Main Design

11.8.3.2.1 Pressure

All water mains shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The normal working pressure in the distribution system should be:

- (a) 35 psi at the main;
- (b) 20 psi at the ground level at the foundation wall; or
- (c) 8 psi at the highest fixture.

11.8.3.2.2 Hydrants

Water mains not designed to carry fire flows shall not have fire hydrants connected to them.

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11.8.3.2.3 Dead Ends

Dead ends shall be minimized by looping of all mains whenever practical.

11.8.3.2.4 Flushing

Flushing devices should be sized to provide flows which will give a velocity of at least 2.5 feet per second in the water main being flushed. No flushing device shall be directly connected to any sewer. The open end of a blow off must be capped and terminate at least 18 inches above grade.

11.8.3.3 Valves

Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500 foot intervals in commercial districts, at not more than one block or 800 foot intervals in other districts, and at not more than 5,000 feet on transmission lines.

11.8.3.4 Air Relief and Blow-off Chambers

11.8.3.4.1 Air Relief Valves

At high points in water mains where air can accumulate, consideration shall be made to incorporate air relief devices.

11.8.3.4.2 Chamber Drainage

Chambers, pits or manholes containing valves, blow-offs, meters, or other such appurtenances to a distribution system, shall not be connected directly to any storm drain or sanitary sewer, nor shall blow-offs or air relief valves be connected directly to any sewer. Such chambers or pits shall be drained to the surface of the ground where they are not subject of flooding by surface water, or to absorption pits underground.

11.8.3.5 Installation of Mains

11.8.3.5.1 Bedding

A continuous and uniform bedding shall be provided in the trench for all buried pipe. Back fill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe.

11.8.3.5.2 Cover

All water mains shall be covered with at least 5-1/2 feet of earth. Insulation may be used in lieu of cover depth.

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11.8.3.5.3 Thrust Blocks

All tees, bends, plugs and hydrants shall be provided with reaction blocking, tie rods or joints designed to prevent movement. The size and shape of the blocks shall be appropriate for the site conditions and design water pressure.

11.8.3.5.4 Disinfection

All new or reconstructed water mains shall be disinfected in accordance with AWWA *Standard C651-86*. The specifications shall include detailed procedures for the adequate flushing, disinfection, and microbiological testing of all water mains. If bacteriological tests show the treatment to be unsatisfactory, the disinfection procedures shall be repeated until satisfactory bacteriological sample results are obtained. The tablet method in AWWA *Standard 651* is not acceptable.

11.8.3.5.5 Pressure Testing

All types of installed pipe shall be pressure tested and leakage tested in accordance with the latest edition of AWWA *Standard C600*.

11.8.3.6 Water and Sewer Mains

11.8.3.6.1 Crossings

Water mains crossing sewers shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. At crossings, one full length of water pipe shall be located so both joints will be as far from the sewer as possible. If the sewer main is over the water main, then the sewer main must be encased by concrete, extending beyond the first sewer pipe joints and resting on undisturbed soil on each side of the water main, or the sewer line shall be installed to meet the Secretary's sewer line standards for Source Protection Areas. Special structural support for the water and sewer pipes may be required. Water pipes shall not pass through sewer manholes or be submerged in basins containing sewage or other grossly contaminated or hazardous material. Properly constructed and approved submerged stream crossings shall be exempted from this provision of the regulations.

11.8.3.6.2 Parallel Installation

Water mains shall be laid at least 10 feet horizontally from any existing or proposed manhole or sanitary sewer. This distance can be reduced to 5 feet for storm sewers. The distance shall be measured edge to edge. In cases where it is not practical to maintain a 10 foot separation, the Secretary may allow deviation on a case by case basis if supported by data from the design engineer. Such deviation may allow installation of the water main closer to a sewer, provided that the water main is laid in a separate trench or on an undisturbed earth shelf located on one side of the sewer at such an elevation that the bottom of the water main is at least 18 inches above the top of the sewer.

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11.8.3.6.3 Exception

The Secretary must specifically approve any variance from the requirements of Appendix A Subparts 11.8.3.6.1 and 11.8.3.6.2 when it is impossible to obtain the specified separation distances. Where sewers are being installed and Appendix A Subparts 11.8.3.6.1 and 11.8.3.6.2 cannot be met, the sewer materials shall be water main pipe or equivalent and shall be pressure tested to ensure water tightness.

11.8.3.7 Surface Water Crossings

Surface water crossings, whether over or under water, present special problems. The reviewing authority should be consulted before final plans are prepared.

11.8.3.7.1 Above-water Crossings

The pipe shall be adequately supported and anchored, protected from damage including flood waters, floating debris, ice and freezing, and shall be accessible for repair or replacement.

11.8.3.7.2 Underwater Crossings

A minimum cover of two feet measured from the lowest point of the stream bed, shall be provided over the pipe. When crossing water courses, the pipe shall be of special construction, having flexible water tight joints.

11.8.3.8 Cross-connections and Interconnections

11.8.3.8.1 Cross-connections

There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system. This does not preclude approved cross connection control devices.

11.8.3.8.2 Cooling Water; Heating Water

- (a) Neither steam condensate nor cooling water from engine jackets or other heat exchange devices shall be returned to a **Public** water system.
- (b) Notwithstanding subsection (a) of this section, standing column geothermal systems are allowed provided that:
 - (1) No additive is added to the re-circulated groundwater;
 - (2) The heat exchange medium in the system is R-410A or a different heat exchange medium approved by the Secretary;
 - (3) The system has a low pressure safety cutout circuit that will turn off the system when there is a pressure leak in the heat exchange medium containment vessel;
 - (4) All electrical components of the system are properly grounded to prevent potential electrolysis of metals: and

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- (5) In the event that the heat exchange unit is disconnected as a heating or cooling source, all piping associated with the unit shall either be capped and labeled or removed.
- (c) For the purposes of this section, a standing column geothermal system is one where groundwater is taken from a **Public** water system well for heating and/or cooling purposes and re-circulated back into the same well below the estimated low water elevation of the well

11.8.3.8.3 Interconnections

Drains from the fire hydrants, air relief pits and blow off valve pits shall not connect directly to sewer lines or discharge at a points which will permit possible back-siphonage conditions.

11.8.3.9 Water Services and Plumbing

11.8.3.9.1 Plumbing

Water services and plumbing shall conform to the state plumbing code.

11.8.3.10 Water Loading Stations

Water loading stations present special problems since the fill line may be used for filling both potable water vessels and other tanks or contaminated vessels. To prevent contamination of both the water system and potable water vessels being filled, the following principles shall be met in the design of water loading stations:

- (a) there shall be no backflow to the water system;
- (b) the piping arrangement shall prevent contaminant being transferred from a hauling vessel to others subsequently using the station;
- (c) hoses shall not be contaminated by contact with the ground.

Part 12 CONSTRUCTION AND ISOLATION STANDARDS FOR WELLS

12.1 General

12.1.1 Pursuant to 10 V.S.A. Section 1395a(b), this subpart sets forth certain minimum construction standards, which apply to any person engaged in the business of well drilling (“well driller” as used in this part) for **Public** water systems unless explicitly stated otherwise.

12.2 Construction Standards for Monitoring Wells, Public Non-Transient Non-Community water systems and Public Transient Non-Community water systems

12.2.1 Drilling - General

12.2.1.1 Damage to Site

The well driller shall not cause undue soil erosion or water pollution; or pollute the site with fuels, lubricants, solvents, or other contaminants used in the construction or repair of the well. The well driller must obtain approval from the Secretary before allowing or causing the discharge of water or other substances to waters of the State. The well driller should make preparations in advance to contain and promptly remove any contaminants which are accidentally spilled.

12.2.1.2 Drilling fluids and cuttings

The well driller shall not use materials and procedures which may adversely affect the public health, the drill site, or groundwater. The use of drilling fluids, additives, cements or other materials that may adversely affect the public health or the environment is prohibited. All drilling fluids shall be disposed of properly upon completion of their use. Contaminated drill cuttings, samples or liquids shall be disposed of as approved by the Secretary.

All water used in drilling or servicing water wells shall be potable water (see definition in Subchapter 21-2).

All wells shall be sufficiently developed to remove all additives and well development fluids (such as hydrofracturing water) and provide reasonably clear water.

12.2.1.3 Contaminated Equipment

When constructing or repairing a well for potable water, the well driller shall not use or reuse casing, tools, or drilling fluids which may have become contaminated. All drilling equipment which may have become contaminated during a drilling operation shall be thoroughly cleaned and decontaminated before reuse.

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12.2.1.4 Disinfection

All potable water wells shall be adequately chlorinated promptly upon completion of well construction, servicing, or repair or installation of pumps, and may include circulation of the chlorinated solution as necessary to ensure adequate disinfection of the entire well.

12.2.1.5 Heat Pump Wells

Only non toxic fluids shall be used in closed loop heat pump well installations.

12.2.2 Casing and Liner

12.2.2.1 The casing and liner material used on all wells shall be of such strength and composition as to prevent the movement of water or contaminants into or out of the well in the interval cased. The casing or liner shall not distort, collapse, crack, or disintegrate during placement or under normal conditions. The casing and liner shall be adequate to provide for the installation, removal, and maintenance as appropriate of caps, pitless adapters, screens, pumps, pipes, wires or other devices which may be used. Any casing which is driven shall be protected with a firmly attached drive shoe or equivalent. All steel casing shall have full circumferential welds or threaded coupling joints.

12.2.2.2 The well driller shall perform the following, unless the Department grants an exemption:

- (a) **Bedrock Wells**
All bedrock wells shall be constructed with not fewer than 20 feet of water tight casing. The casing shall be securely set into competent bedrock. The casing shall prevent sediment or fluids from above the bottom of the casing from entering the well.
- (b) **Gravel Wells**
All gravel wells shall be constructed with not less than 20 feet of water tight casing.
- (c) **Lining Wells**
When a liner is set to control hole stability within the uncased hole it shall be terminated with a packer or otherwise secured to the bore hole. It may be slotted, screened or perforated to permit the movement or storage of water. When a liner is set to control water movement or contamination, it shall be adequately grouted and water tight.
- (d) **Monitoring Wells**
Monitoring wells are exempt from minimum casing length requirements, however, they shall be designed and constructed to prevent any migration of contaminants into uncontaminated zones.

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- (e) Closed Loop Heat Pump Wells
Heat pump wells in which a closed loop is to be installed shall be exempt from the casing length requirements of this subpart. A temporary casing may be used but shall be adequately set to prevent contamination. The full depth of the loop shall be grouted in place. The temporary casing may be removed at the time of grouting. Closed loop heat pump wells may require an underground injection control (UIC) permit (contact the UIC program for more information).

12.2.3 Annular Space

- 12.2.3.1 Annular space shall be grouted unless the native materials such as drill cuttings can achieve the following:

- (a) when placed are at least as impervious, competent and compact as the surrounding materials;
- (b) completely fill the annular space from the bottom of the casing to land surface;
- (c) do not allow the accumulation of water around the well or artesian flow in the annular space; and
- (d) securely support the casing so that it cannot be moved by manual means.

- 12.2.3.2 In cases where contamination occurs and impermeable natural materials cannot be adequately placed and compacted as required in Appendix A Subpart 12.3.3.1 or where geologic conditions or the isolation distance may not be adequate as required in Appendix A Subpart 12.2.2, the annular space shall be grouted for the full length of the unscreened portion of the casing, or the portion thereof below the frost line or pitless adaptor, so that no fluids may move in the zone needing to be grouted. Grouting procedures and materials set forth in Appendix A Subpart 12.3.4 shall be followed.

- 12.2.3.3 Under most conditions, driven steel casing shall be considered to have no annular space provided no pilot hole larger than the casing has been drilled below the depth of the pitless adaptor or the frost line.

12.2.4 Grouting

- 12.2.4.1 Grouting or the use of a grout mixture is recommended or required under the following conditions:

- (a) Filling the annular space as required in Appendix A Subpart 12.3.3;
- (b) Providing additional protection when isolation distances are less than that required in Appendix A Subpart 12.2.3 or 11.4;
- (c) Plugging abandoned wells, and closed loop heat pump wells; and
- (d) As needed in the construction or closure of monitoring wells.

- 12.2.4.2 A grouting material or mixture shall:

- (a) Allow negligible movement of all fluids in the annular space;
- (b) Support and secure the casing; and
- (c) Provide negligible shrinkage, breakage, or deterioration of the grout after placement.

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12.2.4.3 The grout shall be placed in a continuous operation to ensure against any voids, mixing with or diluting contaminated fluids, or damaging the casing or borehole. Fluid based grouts shall be placed from the bottom to the top of the annular space under positive pressure. The amount of water utilized in mixing any grout shall be carefully limited to only the amount needed to properly hydrate and place the grout mixture.

12.2.4.4 The full depth of all closed loop heat pump installations shall be grouted in place.

12.2.5 Closure of Abandoned Wells

12.2.5.1 All abandoned wells shall be closed to prevent the contamination of ground or surface water resources, the migration of fluids, and risks to the health and safety of the public.

12.2.5.2 Prior to closing, all wells or holes shall be cleared of any pumps, wires, piping, or other materials which may interfere with effective closing.

12.2.5.3 An abandoned well or hole shall be completely filled with a grout or other material to render the bore hole at least as impervious as the surrounding native material. Contaminated wells shall be closed with grout material for the full depth of the well or at least the zone shown to be contaminated. If a flowing well is to be abandoned, it shall be closed to prevent fluids from flowing out of the well.

12.2.5.4 All abandoned monitoring wells shall be closed. Wells located where contaminants are present shall be completely filled with grout material to prevent migration of fluids in the bore hole. Contaminated materials shall be transported and disposed of in accordance with the Secretary's requirements.

12.2.6 Well Finish

12.2.6.1 Each well shall be finished to prevent damage to the well and minimize the potential for contamination.

12.2.6.2 The well casing shall extend not less than 18 inches above existing grade, or at least 12 inches above the pump house floor or concrete apron surface, except as permitted in Appendix A Subpart 12.3.6.4.

The well shall be covered with a temporary or permanent tight fitting cap or protective structure which cannot be removed or opened without the use of tools, a key, or a combination.

12.2.6.3 Any well located in the 100 year frequency floodplain or floodway shall be floodproofed to prevent flood water from entering the well.

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12.2.6.4 No well shall be located in a well pit, underground enclosure, or in a hazardous location unless specifically requested by the owner. If an underground enclosure is used it shall prevent intrusion by persons or animals and shall be passively drained to prevent any ponding of water in the enclosure. The well shall be capped with a water tight cap meeting the Standard for Watertight Well Caps (PAS-97) adopted by the Water Systems Council, Chicago, IL. A sanitary seal shall not be used. Any well which is buried in a well pit, or underground enclosure shall be separately vented. The wiring for the pump shall either be sealed for water tightness where it enters the cap or be contained in a watertight conduit system.

Wells permitted under Appendix A Subparts 12.4.2(c) and (d) may only be buried when approved by the Secretary.

12.2.6.5 No well shall be finished, vented or capped in a manner which has any similarity to any oil or gas filling pipe unless specifically and permanently labeled to prevent confusion.

12.2.7 Pump Installation for Water Wells

12.2.7.1 If a pump house is placed over a well, it shall be passively drained. The casing shall extend at least 12 inches above the floor. The well shall be capped as required in Appendix A Subpart 12.2.6.2 or shall otherwise be suitably covered to prevent foreign material from entering the well.

12.2.7.2 If a pitless unit is used it shall be constructed of durable water tight materials. The pitless unit shall be at least the same size as the well casing and securely attached by welding, cementing or threading.

12.2.7.3 If a pitless adapter is used it shall be of durable construction and of sufficient strength and size for the pump and pipe to be attached to it. The attachment hole through the well casing must be properly sized, smooth and without burrs. The pitless adapter must be securely connected to the well casing and must be watertight.

12.2.7.4 All wells should be properly vented at the well head or by adequate size pipe into a protected structure. The vent opening shall be covered with a very fine mesh screen. Wells which have special construction (e.g., flowing wells) need not be vented.

12.2.7.5 All wells shall be finished as required in 12.2.6 and shall be disinfected upon completion of work as required in Appendix A Subpart 12.2.1.4.

12.2.7.6 All wiring in the well shall conform to all applicable standards and shall be done under the license of a licensed electrician where appropriate and required.

12.2.7.7 All wiring outside of the casing shall be contained in a suitable conduit or pipe from the well cap to at least 2 feet below land surface. Connection to the well cap assembly shall be tight fitting.

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12.2.7.8 All pumps, piping, and fittings shall be of durable construction suitable for use in water systems and shall not contain any hazardous materials. All in-well pumps should have a check valve to prevent backflow. Torque arresters, taping of electrical lines, and piping and other appropriate means shall be used to properly support and prevent excessive movement of the pumping system in the well or damage to the well.

12.2.7.9 Due to the inherent health risks associated with inadequate pump installations, the Department recommends that all final pump installations be performed by a licensed water well driller or a licensed plumber.

12.2.8 Flowing Wells

12.2.8.1 Flowing wells should be constructed and finished in a manner to prevent unreasonable depletion of the aquifer, loss of artesian pressure, and erosion of the aquifer confining materials or the land surface.

12.2.9 Well Tag Identification

12.2.9.1 Each new water well or untagged water well which is deepened or serviced shall be identified with a permanently attached identification tag. The tag shall identify the well driller's license number and a unique number which shall be used on the Well Completion Report. When deepening or servicing a previously tagged well, the complete previous tag number shall be recorded on the Well Completion Report. Identification tags will be supplied by the Secretary. Each driller will be provided with a supply of tags upon request. Each water well shall be tagged within 30 days of completion.

12.2.9.2 Each monitoring well shall be adequately and permanently identified with a unique identification (usually supplied by the owner's consultant) and noted on the Monitoring Well Report and on any site plan. This identification shall not be subsequently removed but may be added to. Where feasible, the same tag used by water well drillers shall be used on monitoring wells. All monitoring wells shall be tagged or permanently identified within 30 days of construction.

12.2.10 Inspection of Wells

12.2.10.1 The Secretary may observe the construction of wells to assure compliance with this chapter. Upon request of the Secretary, the well driller shall provide details of material, equipment, and methods used and other information that the Secretary may require.

12.2.10.2 The Secretary may inspect, with permission of the well owner, any well as it deems necessary or desirable. The Secretary may inspect any well which is the subject of any formal complaint filed with the Secretary.

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- 12.2.10.3 The Secretary shall notify the well owner, and other parties if appropriate, of the time and date of the inspection.

12.3 Construction and Isolation Standards for Wells Requiring Permits

12.3.1 Purpose and Scope

- 12.3.1.1 Vermont's Water Supply Rule (Chapter 21) require permits for wells drilled under these jurisdictions. The well driller shall request of the landowner whether a state permit is required or not for the construction of the proposed well. If a state permit is required, the well driller shall construct the well in accordance with these Construction and Isolation Standards.

12.3.2 Wells Serving **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems

A well for a **Public Non-Transient Non-Community** water systems or **Public Transient Non-Community** water systems requiring permits means any well which requires a permit from the Wastewater Management Division. These permits are required by 10 V.S.A. Section 1973, and cover water sources for:

- (a) **Public Transient Non-Community** water systems (TNC), which serve 25 or more people more than 60 days per year.
- (b) **Public Non-Transient Non-Community** water systems (NTNC), which are **Public** water systems that are not **Public Community** water systems and that regularly serve at least 25 of the same persons over six months per year.

12.3.3 Construction Standards For **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems

- 12.3.3.1 Well construction for **Public Non-Transient Non-Community** water systems and **Public Transient Non-Community** water systems must at minimum follow those standards outlined in Subpart 12.3 unless stated otherwise.

12.3.4 Isolation Distances

- 12.3.4.1 The proposed site of the water source for the building or project shall be approved by the Secretary before the source is developed. Adequate isolation distances between wells and potential sources of contamination are required. The distances are listed in Subpart 11.4 of this Appendix.

12.3.5 (Reserved)

12.3.6 Wells Requiring Source Permits under the Water Supply Rule

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12.3.6.1 Public Community water system wells require a permit from the Secretary as do wells for bulk and bottled water. They are as follows:

- (a) Wells for Public Community water systems are those which serve at least fifteen (15) service connections used by year-round residents or regularly serve at least 25 year round residents.
- (b) Wells for bulk water facilities (bulk water is water delivered to consumers or water surveyors by means other than pipeline or bottled water); and
- (c) Wells for Bottled Water Facilities (bottled water is non-carbonated, non-flavored water placed in a sealed container for sale or distribution to the public with the express or implied intent of providing water for human consumption).

12.3.7 Construction Standards from the Water Supply Rule

12.3.7.1 The following standards are in addition to those in Appendix A Subpart 12.3. Water used in drilling must be potable and all fluids, muds, additives must be National Sanitation Foundation (NSF) approved and listed. Every well shall be tested for plumbness and alignment in accordance with American Water Works Association (AWWA) Standards.

12.3.8 Minimum Protected Depths

12.3.8.1 Drilled wells shall provide watertight construction to such depths as may be required by the Secretary, to:

- (a) exclude surface contamination, and
- (b) seal off formations that are contaminated or yield undesirable water.

12.3.8.2 Drilled bedrock wells shall have casing installed a minimum of 10 feet into unweathered competent bedrock. A minimum of 20 feet of casing shall be installed in all bedrock wells.

12.3.9 Temporary Steel Casing

12.3.9.1 Temporary steel casing used for construction shall be capable of withstanding the structural load imposed during its installation and removal.

12.3.10 Permanent Steel Casing Pipe

12.3.10.1 Steel pipe used for permanent casing in permitted water wells shall be new pipe meeting AWWA, ASTM, or API specifications for water well construction,

12.3.10.2 Have minimum weights and thickness as indicated in the table below.

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STEEL PIPE					
SIZE	DIAMETER (inches)		THICKNESS (inches)	WEIGHT per FOOT (pounds)	
	EXTERNAL	INTERNAL		PLAIN ENDS (calculated)	W/THREADS & Couplings (nominal)
6 id.	6.625	6.065	0.280	18.97	19.18
8	8.625	7.981	0.322	28.55	29.35
10	10.750	10.020	0.365	40.48	41.85
12	12.750	12.000	0.375	49.56	51.15
14 od.	14.000	13.250	0.375	54.57	57.00
16	16.000	15.250	0.375	62.58	
18	18.000	17.250	0.375	70.59	
20	20.000	19.250	0.375	78.60	
22	22.000	21.000	0.500	114.81	
24	24.000	23.000	0.500	125.49	
26	26.000	25.000	0.500	136.17	
28	28.000	27.000	0.500	146.85	
30	30.000	29.000	0.500	157.53	
32	32.000	31.000	0.500	168.21	
34	34.000	33.000	0.500	178.89	
36	36.000	35.000	0.500	189.57	

12.3.10.3 When additional thickness and weight is necessary to assure reasonable life expectancy of a well, the casing shall:

- (a) be capable of withstanding forces to which it is subjected,
- (b) be equipped with a drive shoe when driven, and
- (c) have full circumferential welds or threaded coupling joints.

12.3.11 Nonferrous Casing Materials

12.3.11.1 The use of any nonferrous material as well casing shall be approved by the Secretary prior to submission of plans and specifications; and

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12.3.11.2 Nonferrous material proposed as a well casing shall be resistant to the corrosiveness of the water and to the stresses to which it will be subjected during installation, grouting and operation.

12.3.12 Packers

12.3.12.1 Packers shall be of material that will not impart taste, odor, toxic substance or bacterial contamination to the well water.

12.3.13 Screens

12.3.13.1 Screens shall be constructed of materials capable of withstanding the structural loads imposed and resistant to damage by chemical action of groundwater or cleaning operations, and shall

- (a) have size of openings based on sieve analysis of formation and/or gravel pack materials;
- (b) have sufficient diameter to provide adequate specific capacity and low aperture entrance velocity. The entrance velocity should not exceed 0.1 feet per second;
- (c) be installed so that the pumping water level remains above the screen under all operating conditions;
- (d) where applicable, be designed and installed to permit removal or replacement without adversely affecting watertight construction of the well;
- (e) be provided with a bottom plate or washdown bottom fitting of the same material as the screen; and
- (f) be reviewed and approved by the Secretary before installation.

12.3.14 Grouting Requirements

12.3.14.1 All permanent well casing, including the couplings, (except driven Schedule 40 steel casing with the approval of the Secretary), shall be surrounded by a minimum of 1½ inches of grout to the required depth. All temporary construction casings should be removed, but shall be withdrawn at least ten feet to insure grout contact with the native formation.

Deviation from the grouting standards contained herein may be allowed after review under the provisions of Section 3.7 in Subchapter 21-3.

12.3.14.2. Neat cement grout

- (a) Cement conforming to ASTM standard C150, with not more than 5 gallons of water per 94 pound sack of cement, shall be used for 1½ inch or larger annular openings.
- (b) Additives may be used to increase fluidity subject to approval by the Secretary.

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12.3.14.3. Concrete grout

- (a) Equal parts of cement conforming to ASTM Standard C150, and sand, with not more than 5 gallons of water per 94 pound sack of cement may be used for annular openings larger than 1½ inches.
- (b) Where an annular opening larger than 4 inches is available, gravel not larger than ½ inch in size may be added.

12.3.14.4. Clay Seal/Bentonite

Where an annular opening greater than 6 inches is available, a clay seal of clean local clay mixed with at least 10 percent swelling bentonite may be used when approved by the Secretary.

12.3.14.5 Application

- (a) Sufficient annular opening shall be provided to permit a minimum of 1½ inches of grout around permanent casings, including couplings.
- (b) When the annular opening is less than 4", grout shall be installed under pressure by means of a grout pump from the bottom of the annular opening upward in one continuous operation until the annular opening is filled.
- (c) When the annular opening is four or more inches and less than 100' in depth, and concrete grout is used, it may be placed by gravity through a grout pipe installed to the bottom of the annular opening in one continuous operation until the annular opening is filled.
- (d) When the annular opening exceeds six inches, is less than 100' in depth, and a clay seal is used, it may be placed by gravity.
- (e) After cement grouting is applied, work on the well shall be discontinued until the cement or concrete grout has properly set.
- (f) If clay or hard pan is encountered above the water bearing formation, the permanent casing and grout shall extend through such materials, or
- (g) If a sand or gravel aquifer is overlain only by permeable soils, the permanent casing and grout shall extend to at least 18.5 feet below original or final ground elevation, whichever is lower.
- (h) If a temporary outer casing is used, it shall be completely withdrawn as grout is applied.
- (i) Alternate methods of installing grout in rock wells follow. All examples include drilling a hole 3" in diameter greater than the casing (including couplings) at least 10' into unweathered bedrock. A minimum of 20 feet of casing is required.
 - (1) Place grout in open hole and insert plugged casing to displace grout upward and into the natural materials.
 - (2) Fill hole with grout, set open casing, let grout set, drill grout out; note that grout may be removed before the cement is set as long as the wet cement seal is not broken. Regrouting may be required in the event of a failure of the grout.
 - (3) Set casing near bottom of hole with tremie pipe fitting on end of casing, pump grout into bottom of pipe until it rises to the surface outside of the casing, set casing, remove tremie pipe, and drill out fittings.
 - (4) Other methods may be approved after review by the Secretary.

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12.3.14.6 Guides

The casing shall be provided with sufficient guides welded to the casing to permit unobstructed flow and uniform thickness of grout.

12.3.15 Well Construction

12.3.15.1 Permanent casing for all groundwater sources shall project at least 12 inches above the pump house floor or concrete apron surface and at least 18 inches above final ground surface.

12.3.15.2 Where a well house is constructed, the floor surface shall be at least 6 inches above the final ground elevation.

12.3.15.3 Sites subject to flooding shall be provided with an earth mound surrounding the casing and terminating at an elevation at least 2 feet above the 100 year flood elevation, or other suitable protection as determined by the Secretary.

12.3.15.4 The top of the well casing at sites subject to flooding shall terminate at least 3 feet above the 100 year flood elevation.

12.3.16 Development

12.3.16.1 Every well shall be developed to remove the native silts and clays, drilling mud and/or finer fraction of the gravel pack or rock fracture.

12.3.16.2 Development shall continue until the maximum specific capacity is documented from the completed well.

12.3.16.3 Where chemical conditioning is required, the specification shall include provisions for the method, equipment, chemicals, testing for residual chemicals, and disposal of waste and inhibitors.

12.3.16.4 Where blasting procedures may be used, the specifications shall include the provisions for blasting and cleaning.

12.3.16.5 Other development procedures including hydrofracturing may be approved by the Secretary.

12.3.17 Capping Requirements

12.3.17.1 A water-tight, non-corrodible vented cap must be installed on each well. Each cap must have a screened 40 mesh vent designed to shed water and snow.

12.3.17.2 At all times during the progress of work, the contractor shall provide protection to prevent tampering with the well or entrance of foreign materials.

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12.3.17.3 Caps for testing flowing wells shall include a pressure gauge sensitive enough to calculate static water level to the nearest tenth of a foot.

12.3.18 Closure of Abandoned Wells

12.3.18.1 Test wells and groundwater sources which are not in use or planned for use shall be sealed by such methods as necessary to restore the controlling geological conditions which existed prior to construction, or as directed by the Secretary.

12.3.18.2 Wells to be abandoned shall:

- (a) be sealed to prevent undesirable exchange of water from one aquifer to another;
- (b) preferably be filled with neat cement grout;
- (c) have fill materials other than cement grout or concrete approved by the Secretary;
- (d) when filled with cement grout or concrete, these materials shall be applied to the well hole through a pipe, tremie, or bailer; and
- (e) be disinfected and free from foreign materials.

12.3.18.3 Well abandonment shall be performed only by a Vermont licensed water well driller or monitoring well driller for their respective class and in conformance with all Department regulations.

12.3.19 Aquifer Types and Construction Methods - Special Conditions

12.3.19.1 Gravel Pack Wells

- (a) Gravel pack shall be well rounded particles, 95% siliceous material, that are smooth and uniform, free of foreign material, properly sized, washed and then disinfected immediately prior to or during placement.
- (b) Gravel pack shall be placed in one uniform continuous operation.
- (c) Gravel refill pipes, when used, shall be Schedule 40 steel pipe incorporated within the pump foundation and terminated with screwed or welded caps at least 12 inches above the pump house floor or concrete apron.
- (d) Gravel refill pipes located in the grouted annular opening shall be surrounded by a minimum of 1 ½ inches of grout.
- (e) Protection from leakage of grout or fine grained formation materials into the gravel pack or screen shall be provided for.
- (f) Permanent casings shall meet requirements of Subpart 12.3.10.
- (g) Minimum casing and grouted depth shall be acceptable to the Secretary.

12.3.19.2 Naturally Flowing Wells

- (a) Flow shall be controlled.
- (b) Permanent casing and grout shall be provided.
- (c) If erosion of the confining bed appears likely, special protective construction may be required by the Secretary.
- (d) Capping shall be in accordance with Subpart 12.2.6.2.

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12.3.20 Well Pumps, Discharge Piping and Appurtenances

12.3.20.1 Line Shaft Pumps

Wells equipped with line shaft pumps shall:

- (a) have the casing firmly connected to the pump structure or have the casing inserted into a recess extending at least one half inch into the pump base, and
- (b) have the pump foundation and base designed to prevent water from coming into contact with the joint.

12.3.20.2 Submersible Pumps

Where a submersible pump is used:

- (a) the top of the casing shall be effectively sealed against the entrance of water under all conditions of vibration or movement of conductors or cables, and
- (b) the electrical cable shall be firmly attached to the riser pipe at 20 foot intervals or less.

12.3.20.3 Discharge Piping

- (a) The discharge piping shall:
 - (1) be designed so that the friction loss will be low,
 - (2) have control valves and appurtenances located above the pump house floor when an above ground discharge is provided,
 - (3) be protected against the entrance of contamination,
 - (4) be equipped with a check valve, a shut off valve, a pressure gauge, a means of measuring flow, and a smooth nosed sampling tap located at a point where positive pressure is maintained,
 - (5) where applicable, be equipped with an air release vacuum relief valve located upstream from the check valve, with exhaust/relief piping terminating in a down-turned position at least 18 inches above the floor and covered with a 24 mesh corrosion resistant screen,
 - (6) be valved to permit test pumping and control of each well,
 - (7) have all exposed piping, valves and appurtenances protected against physical damage and freezing,
 - (8) be properly anchored to prevent movement, and
 - (9) be protected against surge or water hammer.
- (b) The discharge piping should be provided with a means of pumping to waste, but shall not be directly connected to a sewer.

12.3.20.4 Pitless Well Units

- (a) The Secretary must be contacted for approval of specific applications of pitless units.
- (b) Pitless units shall:
 - (1) be threaded or welded to the well casing,
 - (2) be of watertight construction throughout,

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- (3) be of materials and weight at least equivalent and compatible to the casing,
 - (4) have field connection to the lateral discharge from the pitless unit of threaded, flanged or mechanical joint connection, and
 - (5) have the wellhead terminate at least 18 inches above final ground elevation or 3 feet above highest known flood elevation or as the Secretary directs.
- (c) The design of the pitless unit shall make provision for:
- (1) access to disinfect the well,
 - (2) facilities to measure water levels in the well
 - (3) a cover at the upper terminal of the well that will prevent the entrance of contamination,
 - (4) a contamination-proof entrance connection for electrical cable,
 - (5) an inside diameter as great as that of the well casing, up to and including casing diameters of 12 inches, to facilitate work and repair on the well, pump, or well screen, and
 - (6) at least 1 check valve within the well casing or in compliance with requirements of the Secretary.

12.3.20.5 Casing Vent

Provisions shall be made for venting the well casing to atmosphere. The vent shall terminate in a downturned position, at or above the top of the casing or pitless unit in a minimum 1½ inch diameter opening covered with a 24 mesh, corrosion resistant screen. The pipe connecting the casing to the vent shall be of adequate size to provide rapid venting of the casing.

APPENDIX B - LONG RANGE PLAN REQUIREMENTS

The Long Range Plan required in Subsections 4.2.2 and 5.5(e) of this Rule shall include the following elements where applicable:

1. Existing ownership of the system.

- (a) Entity (Individual, Corporation, Association, Fire District, etc.) and formal name.
- (b) Owner's contact information
- (c) Address for receipt of official mail
- (d) Telephone number(s) for owner and operator(s)

2. For new system proposals, specify the final ownership structure.

- (a) Describe in narrative form the proposed or existing ownership structure and its legal basis.
- (b) Describe in narrative form any anticipated ownership changes (e.g., from developer to a homeowners association), and provide a summary of the mechanism that will trigger the ownership change (e.g., 70% of lots sold). If no changes are anticipated, so state.
- (c) Provide an organizational chart of the ownership and operational structure, which identifies the major water system responsibilities of each position listed on the chart.
- (d) Provide descriptions of the experience and expertise of all proposed management and operational personnel for the system.
- (e) Provide a copy or draft copy of proposed by-laws, policies, procedures, etc., for water system responsibilities, customer responsibilities, customer complaint procedures, etc., including fiscal management and controls.

3. Costs of Operation and Maintenance of System

- (a) Budget projections for five years.
 - (i) Provide a line item budget for all costs of operation and maintenance (O&M). Include operator salaries/benefits, training, chemical costs, electric and other utilities for each of the next five years.
 - (ii) Indicate how the budget items for maintenance were derived.
- (b) Capital fund reserve
 - (i) List the major project elements in table form, showing their useful lives, current age, and replacement cost.
 - (ii) For each of these, determine the funds needed annually for a reserve fund to pay for replacement of the major project elements at the end of their useful lives.

4. Revenues for Operation and Maintenance.

- (a) Describe any fees to be collected to begin operation (new system).
- (b) State the number of users on the system, and calculate the annual user charges for the next five years to fund the costs identified in 3 above.

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- (c) Describe in narrative form the method(s) to be used to fund the reserve for capital equipment.
- (d) Provide an analysis of the reliability of the anticipated revenues (i.e., relate user charges to median household income, property values, or projected sales).

5. Alternatives and Plans for Growth or Modernization.

- (a) Describe the scope of the plan in narrative form; include a Vermont Orthophoto Base Map with the existing and future service areas clearly marked.
- (b) Provide the information outlined in Subparts 1.2.2 and 1.2.3 of Appendix A.
- (c) Address the impact of feasible and appropriate water conservation measures on each of the alternatives and plans.

6. Water Conservation Planning

Development of a water conservation plan that, at a minimum, addresses the following:

- (a) evaluation of system water use efficiency, including evaluation of extent of unaccounted-for water, water accounting, and loss control;
- (b) universal metering;
- (c) a water rate system to promote water conservation;
- (d) public education and information on water conservation;
- (e) opportunities for water recycling or reuse by large commercial and industrial water users; and
- (f) promoting the installation of water saving fixtures and devices in new and existing residences and facilities.

NOTE: A plan adopted under Title 24, Chapter 117, Capital Budget Program, may be submitted for review to fulfill this long range plan requirement for existing systems. For new systems, the long range plan requirements may be incorporated in the Engineer's Report required for new systems. The Engineer's Report requirements are detailed in Appendix A, Subpart 1.2.

APPENDIX C - BACTERIOLOGICAL MONITORING REQUIREMENTS

Table C1-1 - BACTERIOLOGICAL MONITORING REQUIREMENTS

Minimum Number of Population Served	Samples per ~~Calendar~~ ~~Month~~ <u>Monitoring</u> <u>Period</u>
25 to 1,000	1
1,001 to 2,500	2
2,501 to 3,300	3
3,301 to 4,100	4
4,101 to 4,900	5
4,901 to 5,800	6
5,801 to 6,700	7
6,701 to 7,600	8
7,601 to 8,500	9
8,501 to 12,900	10
12,901 to 17,200	15
17,201 to 21,500	20
21,501 to 25,000	25
25,001 to 33,000	30
33,001 to 41,000	40
41,001 to 50,000	50
50,001 to 59,000	60
59,001 to 70,000	70
70,001 to 83,000	80
83,001 to 96,000	90
96,001 to 130,000	100
(Truncated for Vermont)	

Water systems over 1,000 in population are required to sample on a monthly frequency.

APPENDIX D - OPERATION AND MAINTENANCE MANUALS

O&M Manuals should meet the following two parameters of usefulness when prepared and completed:

- 1) Useful as a stand alone document to allow daily routine and trouble shooting operation by a properly trained operator, including testing and monitoring requirements necessary for the particular system.
- 2) Useful in conjunction with "as-built" system prints for full system maintenance to insure adequate quality water supply to the residents served.

The O&M Manual must reflect actual installation, actual equipment and actual control functions "as-built", not as proposed. For example, statements such as "use pump XYZ or equivalent" should not be used, rather the manual should read: "Pump installed is an XYZ, Model B."

The following elements shall be contained in all O&M Manuals:

1. General System Description

- (a) Approved source(s)
- (b) Raw water storage (if any)
- (c) Raw water treatment (will vary with system size)
- (d) Finished water storage
- (e) Distribution system
- (f) System pressure maintenance (gravity, hydropneumatic, booster pumps)
- (g) Source protection area (SPA) map, source protection plan.

2. System Schematic

- (a) Major elements identified
- (b) All system valves identified
- (c) List of equipment and valves. Brief description of each and their system function (use 2(a) and 2(b) for reference).

3. Start-up Procedure

- (a) Initial flushing and disinfection
- (b) Sequenced system start-up

4. Normal Operation

- (a) Periodic system checks required
- (b) Chemical tanks to be filled; periodic system backwashing, recharging, etc.
- (c) Routine tests to be performed.
- (d) Routine samples and forms to be sent to Vermont Department of Health (in-plant Quality Control for larger systems).

Vermont Water Supply Rule

- (e) Periodic system maintenance required (add oil, check for leaks, clean injectors, exercise valves, etc.)
- (f) Provide for calibration and standardization of test equipment (turbidimeter, pH meter, etc.)
- (g) Routine inspection and recording of sources of contamination in the source protection area and any associated sampling or monitoring.
- (h) Procedures for replacement/regeneration of carbon media, if applicable.
- (i) Process flow diagram and valve alignments of expected treatment system conditions.
- (j) Procedures to be followed in response to breakthrough of a carbon unit, if granular activated carbon is applied.

5. Safety

- (a) List of all system operational hazards including all chemicals to be used and their Safety Data Sheet(s).
- (b) Reinforce the need for the routine use of personal protective equipment.
- (c) Outline possible unsafe conditions caused by poor system operation.
 - (1) No disinfectant
 - (2) Elevated levels of treatment
 - (3) Low water pressure
 - (4) Cross connections (primarily in water plant facility)

6. Contingency Plan

- (a) Required notification.
- (b) Alternate water supply made available
- (c) Sequenced system shut down
- (d) Emergency procedure for non-scheduled shut down including emergency source(s)
- (e) Posting of any notice required for use of the emergency source.

7. Trouble Shooting Operation Problems

- (a) List typical causes of system problems
 - (1) Low water-pump shut off, line break, etc.
 - (2) Low disinfectant-chemical tank empty, etc.

NOTE: On a day to day basis, this section coupled with section 6 are the most important and critical; appropriate thought and time should be given to preparation of these sections.

8. Distribution

- (a) Key shut off points identified along with major line sizes.
- (b) System flushing:
 - (1) Method
 - (2) Frequency

Vermont Water Supply Rule

- (c) Special features (air relief valves, pressure reduction, backflow preventers, blow offs, etc.)
- (d) Fire protection (rated flow/hydrant, number of hydrants, pumper capacity, etc.)

9. Maintenance Program

- (a) Equipment list with recommended maintenance frequency.
- (b) Equipment/valve/control panel specifications sheets.
- (c) Tank information
- (d) Maintenance log procedure
- (e) Reference to "as-built" plans as needed.

10. Vendor List

- (a) Source of required chemicals.
- (b) Source of all mechanical equipment and valves.

11. Source Protection Plan

See requirements in Subchapter 16 (Source Water Protection) of this Rule.

12. Record Maintenance Procedures and Customer Notification

The manual shall identify the location of the records, identify the various files to be kept and the length of time to retain the records. Customer notification procedures for Consumer Confidence Reports and water quality data shall also be included.

13. Customer Complaint Procedures

The manual shall include a detailed procedure for addressing customer concerns, including identification of an appeal process if the customer does not obtain satisfaction from the operator. The procedure shall include the name and telephone number for the water system owner and operator, the Drinking Water and Groundwater Protection Division, Department of Health, and for privately owned systems, the number for the Consumer Affairs and Public Information Division in the Department of Public Service.

14. Water Conservation Program

The manual shall include a description of the system's water conservation measures, including where appropriate, public education, leak detection and repair, and metering.

15. Vermont Department of Environmental Conservation

The manual shall include a copy of this Water Supply Rule (Chapter 21). The copy of the manual submitted to the Secretary for approval does not need to contain a copy of the rule.



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: November 15, 2024, virtually via Microsoft Teams

Members Present: Chair Sean Brown, Jared Adler, Jennifer Mojo, John Kessler, Michael Obuchowski, Natalie Weill, Diane Sherman and Nicole Dubuque

Members Absent: None

Minutes By: Anna Reinold

- 1:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of [minutes](#) from the October 14, 2024 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-5 to follow.
 1. Guidelines for Distinguishing between Primary and Specialty Mental Health and Substance Abuse Services, Department Financial Regulation, page 2
 2. Vermont Water Supply Rule, Agency of Natural Resources, page 3
 3. Administrative Rules of the Board of Pharmacy, Secretary of State, Office of Professional Regulation, page 4
 4. Rules of the Vermont Employment Security Board, Department of Labor, page 5
- Next scheduled meeting is Monday, December 9, 2024 at 2:00 p.m.
- 2:12 p.m. meeting adjourned.

- 1) **Proposed Rule:** Guidelines for Distinguishing between Primary and Specialty Mental Health and Substance Abuse Services, Department of Financial Regulation

Presented By: Sebastian Arduengo

Motion made to accept the rule by Sean Brown, seconded by Mike Obuchowski, and passed unanimously except for Diane Sherman who abstained, with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #12: Correct the second sentence to include the word 'are'.
 - b. #14: Update hearing information date when filing.
 - c. #15: Update deadline for comment date when filing.
2. Adopting Page #4: Correct this section to include information that was cutoff in submission.
3. Public Input Maximization Plan:
 - a. #3: Clarify how the stakeholders are involved.
 - b. #4: Add the Vermont Department of Health (VDH) to the list of organizations.
4. Proposed Rule #5: Change 'Vermont Division of Alcohol & Substance Abuse Programs' to 'Vermont Department of Health's Division of Substance Use Programs'.

2) **Proposed Rule:** Vermont Water Supply Rule, Agency of Natural Resources

Presented By: Catherina Narigon and Ben Montross

Motion made to accept the rule by Sean Brown, seconded by Natalie Weill, and passed unanimously except for Jennifer Mojo who abstained, with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #7: Correct sentence stating 'citation'.
 - b. #8: The third sentence needs correction to read 'this rule incorporates'.
 - c. #8: The last sentence needs 'rule' added after 'state'.
 - d. #9: SWDA should be SDWA and define acronym.
 - e. #10: Omit comma after VSA.
 - f. #12: Include any other developments coming to help with cost.
2. Economic Impact Statement:
 - a. #3: The first sentence needs 'be' added to it.
 - b. #3: Consider changing 'significant cost' to something similar.
3. Public Input Maximization Plan:
 - a. #3: Clarify intention to reach out to groups/individuals referenced.
 - b. #4: List 'other stakeholders'.

3) **Proposed Rule:** Administrative Rules of the Board of Pharmacy, Secretary of State, Office of Professional Regulation

Presented By: Emily Tredeau and Carrie Phillips

Motion made to accept the rule by Sean Brown, seconded by Nicole Dubuque, and passed unanimously with the following recommendations:

1. Proposed Filing - Coversheet:
 - a. #8: Need to clarify the major changes of the proposed filing and describe the areas generally being regulated.
 - b. #8: Change 'dated or unnecessary' to 'outdated', 'obsolete' or similar phrasing.
2. Economic Impact Analysis: Add more detailed information and clarify any additional costs.

4) **Proposed Rule:** Rules of the Vermont Employment Security Board, Department of Labor

Presented By: Jared Adler

Motion made to accept the rule by Sean Brown, seconded by Mike Obuchowski, and passed unanimously except for Jared Adler who abstained, with the following recommendations:

1. Proposed Filing – Coversheet, #8: Clarify that this filing is about unemployment insurance.

From: Christine Dougherty <christine.dougherty@gmwea.org>
Sent: Friday, December 13, 2024 10:45 AM
To: Montross, Ben
Cc: Liz Royer
Subject: Re: Clarification on ability to use existing PFAS data

Categories: PFOA

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hey Ben,

Thanks for the outreach on this.

GMWEA previously expressed concerns about any expedition of timelines for compliance being codified, and, at face value, support for use of existing data could be perceived as GMWEA supporting an expedited timeline. If we could strike a balance that would allow facilities to choose to use existing data, or collect new data if they need more time, that would be a change GMWEA would most likely support.

Thanks,
Christine

From: Montross, Ben <Ben.Montross@vermont.gov>
Sent: Thursday, December 12, 2024 3:45 PM
To: Christine Dougherty <christine.dougherty@gmwea.org>; Liz Royer <lroyer@vtruralwater.org>
Subject: Clarification on ability to use existing PFAS data

Hi Christine and Liz,

I wanted to clarify some earlier statements about the draft Water Supply Rule update. I found out today that there is still one more hurdle for EPA to clear, which they are actively working on and have every expectation to address, before we can accept existing data to satisfy the initial sampling requirements under the PFAS rule.

It has to do with lab certification and analytic methods. The hope is that in the next month or so (fingers crossed) EPA will actually change the rule, at which point the memo that we link to online would be accurate. It seems a bit of the cart ahead of the horse on EPA's end, but when all is said and done, once they clarify the lab method aspect in the rule, we could pivot on the current draft of the Water Supply Rule that is out for review/comment and revise it to allow acceptance of existing data.

So, the same question I posed to you remains, but with a caveat (caveat in red)— **Once EPA clarifies the lab method process**, are you in support of our changing the current draft rule so that we will be able to accept and apply existing eligible data toward the initial sampling requirements?

That caveat is huge if not addressed, but I was assured today that they are working on it.

Ben Montross ([he/him](#)) | Drinking Water Program Manager
Vermont Agency of Natural Resources | Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division
Public Drinking Water Program
1 National Life Dr – Davis 4 | Montpelier, VT 05620
802-498-8981 office | 802-828-1541 fax
ben.montross@vermont.gov
dec.vermont.gov/water

The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am also available to connect in-person upon request.

Note: Written communications to and from state officials regarding state business are considered public records and will be available to the public for review.

From: Jen Fleckenstein <jen@clearwaterfiltration.com>
Sent: Wednesday, January 8, 2025 5:47 PM
To: Montross, Ben
Cc: Steve Parker
Subject: Comments: Draft Rule

Categories: PFOA

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Ben,

Please see our comments below -

Regarding PFAS Treatment Train, we recommend two options considering public health, operational, and economical perspectives:

1. Lead/Lag **without** redundancy, but with a midpoint sampling requirement quarterly - Once there is breakthrough from the lead tank, you would move the lag tank into the lead position and pursue rebedding the previously positioned lead tank.
2. Online and Stand-By Treatment System with required meter reading reporting during PFAS sampling and no redundancy - you would have only 1 tank/system online for treatment at all times and until break-through is detected. Once breakthrough occurs, the system would be required to valve-off the expired tank and valve-on their stand-by tank. The meter reading taken at the time of sampling would serve as a capacity measurement from when the first active tank went online to when it expired, and would assist in guiding how much time you have for treatment capacity on the stand-by tank. We consider this to be a similar model to UV disinfection - there is one treatment system online (required) to meet the flow rate and should that system go down (for whatever reason), the stand-by system would be turned on until the active system is repaired.

Our perspective is that we should be creating the least amount of waste for the ever-present disposal issue. I think we should be steering systems to have the least amount of tanks and media - choosing the highest capacity system and minimizing the footprint.

Thank you,
Jen

Jenneth Fleckenstein

Co-Owner | Operations

Class III Water Operator, OP#03519

Clear Water Filtration, Inc.

Direct: (802) 496-5543

Cell: (802) 578-9546

jen@clearwaterfiltration.com

[Facebook](#) | [Instagram](#) | [Website](#)

From: Jen Fleckenstein <jen@clearwaterfiltration.com>
Sent: Thursday, January 9, 2025 5:19 PM
To: Montross, Ben
Cc: Steve Parker
Subject: Re: Comments: Draft Rule

Categories: PFOA

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Got it, Ben! I didn't realize that nuance.

In that case, we think the 2nd option is the safest and most economical option.

Thank you for your email.

Jen

Jenneth Fleckenstein

Co-Owner | Operations

Class III Water Operator, OP#03519

Clear Water Filtration, Inc.

Direct: (802) 496-5543

Cell: (802) 578-9546

jen@clearwaterfiltration.com

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On Thu, Jan 9, 2025 at 12:06 PM Montross, Ben <Ben.Montross@vermont.gov> wrote:

Thanks, Jen.

I will respond formally and fully as part of the process, but I wanted to provide a bit of context for discussion for #1 to see if it changes anything.

Please note that I am not trying to convince you or change your mind, nor am I defending what we have proposed, but seeing if this information would result in a change in recommendation.

We cannot accept mid-point sampling for compliance purposes, because it is not what people are consuming. Requiring mid-point sampling would be in addition to entry point sampling.

Does that change anything?

Ben Montross ([he/him](#)) | Drinking Water Program Manager

Vermont Agency of Natural Resources | Vermont Department of Environmental Conservation

Drinking Water and Groundwater Protection Division

Public Drinking Water Program

1 National Life Dr – Davis 4 | Montpelier, VT 05620

802-498-8981 office | 802-828-1541 fax

ben.montross@vermont.gov

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The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by

phone and email. I am also available to connect in-person upon request.

Note: Written communications to and from state officials regarding state business are considered public records and will be available to the public for review.

From: Jen Fleckenstein <jen@clearwaterfiltration.com>

Sent: Wednesday, January 8, 2025 5:47 PM

To: Montross, Ben <Ben.Montross@vermont.gov>

Cc: Steve Parker <steve@clearwaterfiltration.com>

Subject: Comments: Draft Rule

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Ben,

Please see our comments below -

Regarding PFAS Treatment Train, we recommend two options considering public health, operational, and economical perspectives:

1. Lead/Lag **without** redundancy, but with a midpoint sampling requirement quarterly - Once there is breakthrough from the lead tank, you would move the lag tank into the lead position and pursue rebedding the previously positioned lead tank.
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Our perspective is that we should be creating the least amount of waste for the ever-present disposal issue. I think we should be steering systems to have the least amount of tanks and media - choosing the highest capacity system and minimizing the footprint.

Thank you,
Jen

Jenneth Fleckenstein

Co-Owner | Operations

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Clear Water Filtration, Inc.

Direct: (802) 496-5543

Cell: (802) 578-9546

jen@clearwaterfiltration.com

[Facebook](#) | [Instagram](#) | [Website](#)

From: Patrick Smart <psmart@mskeng.com>
Sent: Thursday, January 16, 2025 11:15 AM
To: Montross, Ben
Subject: Comments and questions regarding the Draft Vermont Water Supply Rule

Categories: PFOA

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Ben,

I'm writing to offer the following comments and questions related to the Draft Water Supply Rule posted on the Vermont Secretary of State's website. Unless otherwise noted, references to subchapters, sections, and parts refer to the draft rule.

1. Subchapter 21-6, Section 6.12 (1) *"Except where stated in this section, Public Community and Non-Transient Non-Community water systems shall comply with the provisions of 40 CFR § 141 Subpart Z – Control of Per- and Polyfluoroalkyl Substances (PFAS)."*

Section 6.12 (2) *"The Secretary may require Public Transient Non-Community water systems to conduct sampling for PFAS in accordance with this section when contamination is known or suspected of being present to ensure protection of public health and welfare."*

- a. 40 CFR Part 141 Subpart Z specifically applies to PCWS and NTNC Water systems, TNC Systems are not required to meet these federal standards.
- b. The proposed rule does not substantiate why applying rules that are more stringent than federal drinking water regulations will protect public health or welfare.
- c. VTDEC has not provided information showing that PFAS present in drinking water presents unacceptable public health risks from short-term exposures that would be associated with typical TNC Systems.
- d. From USEPA's response to comments on its proposed rulemaking for PFAS NPDWS, *"The EPA disagrees that this rule should apply to all public water systems, specifically TNCWSs. Forty CFR 141.2 defines a TNCWS as a "non-community water system that does not regularly serve at least 25 of the same persons over six months per year" (e.g., campgrounds, gas stations). TNCWSs are generally required to monitor for contaminants that exhibit an acute nature of exposure that results in immediate life-threatening health impacts, such as indicators for acute microbial contaminants like total coliforms (40 CFR Part 141.851) or nitrate and nitrite (40 CFR Part 141.23). Therefore, the EPA has determined that TNCWSs are to be excluded from this rulemaking, as exposure to the regulated PFAS in drinking water are not known to represent immediate acute health effects. This is consistent with the requirements under the Chemical Contaminants Phase II/V rules, (56 FR 3526 and 57 FR 31776, respectively), the Lead and Copper NPDWR (40 CFR Part 141 Subpart I), and most disinfection byproducts described in the Stage 2 Disinfectants and Disinfection Byproducts NPDWR (40 CFR Part 141 Subpart L), as examples. Importantly, the EPA allows primacy agencies (such as states or Tribes) to impose more stringent requirements than those described within NPDWRs. The EPA's NPDWR serves as the least stringent requirements and leaves room for primacy agencies to provide additional requirements for systems excluded by this rule, like for systems that are classified as transient but are serving schools or gas stations. Therefore, determination of system type can be done on a case-by-case basis. For additional discussion on why the six PFAS under this final regulation are determined to not represent immediately life-threatening health impacts, please see the section 9.2 of the EPA response in this Response to Comments document. For further discussion of the EPA's characterization of health effects from PFAS exposures, please see section 5.1.1 and 5.2.1 of the EPA response in this Response to Comments document for PFOA and PFOS, respectively; for health effects of the other PFAS subject to regulation under this rule, see section III.B of the preamble to the final rule. For comments that explicitly ask about protection for school systems and the EPA's response to those comments, please see the EPA response"*
- e. If the final rule includes provisions requiring TNC water systems to monitor for and meet standards related to PFAS in drinking water, DEC should also create similar conditions for other primary drinking water standards with health impacts related to long-term exposures, such as disinfection byproducts and lead to provide consistency in its approach to public health protection.

2. Section 6.12.2.3.1 requires *"Water systems that have completed compliance sampling for PFAS since July 1,*

2019 and have had a reported concentration of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS shall sample once per calendar quarter beginning July 1, 2025 (or the effective date of this rule, whichever is later).” Why isn’t quarterly monitoring requirement explicitly established for other contaminants with primary drinking water standards (ex: As, U, NO₃, Ra) in this rule, and why is this section necessary?

- a. 40 CFR Part 141.902 (a) (6) requires quarterly sampling to commence April 1, 2027. Why is Vermont accelerating its timeline for quarterly PFAS monitoring?
 - b. Quarterly monitoring requirements in 6.12.3.11 aren’t supported by federal regulation.
3. Why is the proposed addition to Section 8.1.1 of the necessary? “ *Air gaps installed for the purpose of backflow prevention shall be a minimum of 6 inches or twice the discharge pipe diameter, whichever is greater.*”
4. What is the rationale for Section 10.2.7, why is 24-hr public notification requirement necessary? Why is e. coli excepted from this requirement? The term first-time exceedance is not adequately defined in the Rule.
5. Appendix A, Part 4 .0 (b) – “*Public Community and Non-Transient Non-Community treatment facilities required to produce finished water meeting the primary MCLs and/or the Manganese health advisory must be capable of treating peak demand flows with the largest treatment unit offline except for non-backwashing treatment processes using single-use media not including slow-sand filters.*” If DEC wants to regulate manganese as a primary drinking water contaminant, they should exercise the authority established under Subchapter 21-6, section 6.15 (section 6.16 in the draft rule) and establish a MCL for manganese. It is inappropriate and inconsistent with the structure and philosophy of the Rule and federal drinking water regulations to use a health advisory established by a third party (the Vermont department of health) as a primary drinking water standard. The rigor and process for establishing a MCL are different from VDH’s considerations in establishing a health advisory level.
 - a. This standard may not actually be protective of public health. There are existing oxidation-filtration (greensand or similar) treatment systems at public community water systems in Vermont that do not meet this redundancy requirement but operate consistently and are compliant with applicable drinking water standards. Once-through, consumptive media treatment technologies can’t be backwashed to restore treatment efficacy / performance, media replacement timing will be subject to manufacturer/vendor availability, and replacement media may not be immediately available. Reducing or eliminating the redundancy requirements for this type of treatment is not protective of public health.
 - b. Also, cartridge filtration of GUIDI / surface waters meets the criteria of this standard, but I think most professionals would agree that it would be fundamentally bad practice to design a filtration treatment system without proper redundancy.
6. Part 4.5.4 (C) – It is inappropriate and inconsistent with the philosophy and structure of the Rule and federal drinking water standards to regulate manganese as if a primary drinking water standard exists without establishing a MCL.
7. Appendix A, Part 4.11 (I) – it is not appropriate to require an engineer’s report discuss anion exchange in every instance where granular activated carbon is proposed. There are multiple situations where Anion exchange is obviously ineffective/infeasible (such as removing DOC and regulated disinfection byproduct precursors from filtered surface water, removal of MTBE, removal of chlorinated ethenes), every report / application shouldn’t be forced to discuss anion exchange simply because anion exchange is possibly feasible to treat PFAS.
8. This part (Appendix A, Part 4.11) is out of character with respect to the rest of Appendix A of this rule, these requirements aren’t established for other treatment technologies. For example, if this approach is being taken, the rule’s disinfection standards could be viewed as deficient because they don’t specifically require discussion or evaluation of chloramination or UV disinfection treatment as well as free chlorine whenever disinfection treatment is proposed.
9. Appendix A, Part 4.12 “Anion Exchange for PFAS Treatment” It is out of the character of the rest of Appendix A of the Rule to establish design standards specifically for PFAS treatment when Anion exchange is used to remove other contaminants where primary drinking water standards have been established, such as uranium and nitrate. This part of the rule should be more broad in scope, establish standards that apply generally to anion exchange treatment. General comment on Part 4.12 – multiple times a standard states ‘designed per manufacturer recommendations.’ This isn’t really a design standard, and is out of character with the remaining portions of Appendix A of the Rule.
10. Appendix A, Part 4.12 Specific comments:
 - a. Part 4.12c. Prohibiting regenerative media is inappropriate and outside scope of the Water Supply Rule. Regenerative treatment media is capable of producing treated water that meets water quality standards established in the Rule.
 - b. Part 4.12g. If regenerative media is prohibited by rule, why would salt storage or a brine solution be required? Also, requiring storage of salt and brine in a separate room / space is impractical for small water systems common in Vermont. Many small water systems store bags of salt in the same space as other utilities, does

VTDEC have documentation of actual adverse effects related to the proximity of this storage?

- c. Part 4.12i. The reference to 'reviewing authority' is in error, obviously this standard was copied from elsewhere. The Secretary is the authority by statute. This standard is subjective and not quantifiable or enforceable.
 - d. Part 4.12l. Resin manufacturers aren't necessarily specifying minimum required empty bed contact times, often times they are sizing reactors based on linear velocities and effective bed volumes. It isn't appropriate to have a technical design standard that simply defaults to an equipment manufacturer's recommendations. If VTDEC intends to just review and approve whatever a manufacturer suggests, Appendix A could be significantly reduced in volume.
 - e. Part 4.12m. this standard is not quantifiable or enforceable, and is inappropriate to include in the Rule. The Rule should establish a minimum bed depth in units of centimeters, feet, or inches, or stay silent on bed depth. The draft Rule already contains a provision requiring estimates of media life to be provided with designs. The Rule requires a minimum bed depth for cation exchange units treating aesthetic (non health-related) water quality constituents, and should establish standards that are at least as stringent for similar treatment technologies designed to protect public health.
 - f. Part 4.12n. The term 'confined space' is not adequately defined in the Rule. VTDEC should reconsider the blanket prohibition on locating new treatment in a confined space, some existing utilities rely on confined spaces for treatment and pumping facilities, which are being operated and maintained in accordance with federal and state drinking water regulations. This proposed prohibition would unnecessarily eliminate retrofits of adding treatment to these existing spaces, which will create additional cost increases for PFAS mitigation projects, which are already very expensive, especially for small utilities.
 - g. Part 4.12o. What is the basis or rationale for this prohibition? Why doesn't VTDEC defer to manufacturer recommendations? Why does it represent expertise about anion exchange media for drinking water specifically for this but not elsewhere in this part?
 - h. Part 4.12r. Startup is an operational concern, regulated by Subchapter 21-7 of the WSR, not a design / construction permitting concern. This standard is unnecessary, water systems are already required to operate in accordance with an approved operations and maintenance manual.
 - i. Part 4.12s. This standard is ill defined and not enforceable. VTDEC should define what 'suitable disposal methods' entails or otherwise strike this requirement from the Rule. Notably, this language is inconsistent with Appendix A, Part 4.10.1.
 - j. This Part is missing standards for filter to waste provisions, which are required to be included per Part 4.12.1
11. Part 4.11 – GAC design
- a. Same comments as for AIX related to confined space, suitable disposal methods, etc.
12. Overall comments
- a. Redundancy – Appendix A of the revised rule is significantly reducing the redundancy requirements for GAC treatment and anion exchange. This is a clear departure from standard engineering practices and inappropriate for emerging contaminants where existing treatment performance data is limited.
 - b. It is not protective of public health to have redundancy requirements for treatment systems removing PFAS be at a lesser standard than redundancy for treatment required for other contaminants with established primary drinking water standards, such as arsenic, uranium, and nitrate. PFAS treatment is still an emerging practice, and the redundancy requirements established in the Rule should be as robust as the requirements for more traditional treatment technologies with established performance track records.
 - c. The GAC system design to remove disinfection byproduct precursors at Grand Isle Consolidated Water District was designed to include a total of four vessels (two parallel trains of two vessels in series). Under the proposed draft rule, only two vessels would be required. How is this backsliding of redundancy requirements protective of public health and the intent of the Rule?
 - d. Existing GAC treatment systems for PFAS removal in Vermont have experienced premature breakthrough, and situations where media replacement was required much sooner than initially anticipated during design. In these instances, wasn't the redundant treatment train operated to provide safe drinking water while a media replacement event was coordinated?
 - i. If the redundant treatment train requirement is eliminated, how will water systems produce safe drinking water when unanticipated breakthrough or operational upset conditions happen?
 - ii. If the Division has concerns about how PFAS treatment vessels are being operated, and whether operational redundancy truly exists for these systems, the Division should exercise existing authority in Subchapter 21-7 of the Water Supply Rule and establish clear conditions in the public water system

permit to operate. The Division also has existing authority in Subchapter 21-7 to require approved operations and maintenance manuals be followed by water systems, the Division should update its practices for reviewing O&M Manuals to require standard operational procedures for PFAS treatment maintain operational redundancy, and should update sanitary survey practices to review whether these required procedures are being followed.

- iii. The federal MCLs (generally 4 ng/L) are significantly less than the state MCLs in the effective WSR (generally 20 ng/L), and there isn't sufficient data available to predict PFAS concentrations with respect to time during and after breakthrough GAC or anion exchange media. How does VTDEC expect water systems to monitor, schedule, and execute media replacement while maintaining compliance with MCLs without redundant treatment trains?
- e. The draft rule's changes in redundancy requirements are not consistent with similar rules established by other states, nor are they consistent with established design practices for these treatment systems. ITRC's PFAS guidance document ([link here](#)) includes treatment vessels installed in parallel as standard practice for anion exchange and granular activated carbon treatment. I believe this standard design configuration is also included in 10 State Standards for Waterworks, which portions of the Vermont Water Supply Rule were modeled from.

I am available to clarify these comments or provide additional explanation if you'd like.

Best,

Pat

Patrick Smart, PE

Senior Engineer | MSK Engineers

M: 802-461-3206

P: 802-613-7445

E: psmart@mskeng.com

www.mskeng.com

From: Katherine Boyk <kboyk@vtruralwater.org>
Sent: Thursday, January 16, 2025 2:36 PM
To: Montross, Ben
Subject: Water Supply Rule Comments
Attachments: Proposed WSR Updates - VRWA Comments - signed.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Ben,

Please see the attached comments from the Vermont Rural Water Association on the draft Water Supply Rule.

Best,
Katherine



KATHERINE BOYK (she/her)
Communication & Association Coordinator
802.660.4988 ext.305
vtruralwater.org



20 Susie Wilson Rd, Suite B
Essex Junction, VT 05452

vtruralwater.org
802.660.4988

Ben Montross
Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division
1 National Life Drive, Davis Building
Montpelier, VT 05620

January 16, 2025

Dear Ben,

As representatives of public water systems, the Vermont Rural Water is providing feedback on the updated Vermont Water Supply Rule.

Based on our experience providing technical assistance to public water systems, we feel it would be beneficial to water systems if PFAS data from state-required monitoring and/or UCMR 5 could be applied toward some or all of the initial compliance monitoring now required by EPA. The laboratory fees for PFAS analysis are expensive and small, rural water systems in Vermont operate on tight budgets. Using existing data would reduce the expense of additional sampling for many systems while allowing them to be in compliance with the new requirements. If EPA allows previously collected PFAS data to be applied, we would fully support the State of Vermont in doing so.

Thank you for your efforts to update the Water Supply Rule. Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Royer".

Liz Royer
Executive Director

From: Jen Fleckenstein <jen@clearwaterfiltration.com>
Sent: Friday, April 4, 2025 3:09 PM
To: Montross, Ben
Subject: Re: Draft Water Supply Rule - isolated proposed changes

Categories: PFOA

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Ben,

I am writing to share a comment on sections 4.11.2 b and 4.12.2 b of the draft Water Supply Rule, regarding the piping and valve configurations for GAC filters and anion exchange units.

In my opinion, requiring these systems to be set up for both series and parallel operation, in addition to having an online/offline option, creates an operationally complex situation for water system operators. This setup could compromise the purpose of segregating the online and offline systems, potentially leading to unclear capacity levels for operators.

I believe a simpler approach would be more effective. I suggest using a single system that meets the design flow and remains online continuously. Regular quarterly meter readings and PFAS testing of the finished water would be required. Upon breakthrough, the operator would switch to a fully operational offline (standby) system. This allows the operator to understand the capacity of their system based on their specific water quality and better anticipate when their offline system will be at capacity while preparing to rebed the primary system.

Thank you for considering my comments.

Best regards,
Jen



Jenneth Fleckenstein

Owner, Class 3 Water Operator #OP03519, Clear Water Filtration

☎ (802) 496-5543 📠 (802) 578-9546

✉ jen@clearwaterfiltration.com

🌐 www.clearwaterfiltration.com

📍 [264 Mad River Park, Waitsfield, VT 05673](#)



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On Fri, Mar 28, 2025 at 11:05 AM Montross, Ben <Ben.Montross@vermont.gov> wrote:

Thank you for your engagement in the process to update the Vermont Water Supply Rule and/or comments on the draft Rule as filed with the Secretary of State in November of 2024.

Following comments received, we have made updates to select sections and are putting those isolated sections back out for public review and comment.

The isolated sections may be found online here in two forms, annotated and without any markup:

<https://dec.vermont.gov/drinking-water-and-groundwater-protection/laws-and-regulations>

Please note that these sections do not directly apply to the adoption of the federal PFAS MCL, that content is being managed separately.

Should you have them, please provide comments via email to me directly no later than April 11. Only comments on the specific topics under the “Update March 2025” isolated changes sections will be considered.

Ben Montross ([he/him](#)) | Drinking Water Program Manager
Vermont Agency of Natural Resources | Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division
Public Drinking Water Program
1 National Life Dr – Davis 4 | Montpelier, VT 05620
802-498-8981 office | 802-828-1541 fax
ben.montross@vermont.gov
dec.vermont.gov/water

The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am also available to connect in-person upon request.

Note: Written communications to and from state officials regarding state business are considered public records and will be available to the public for review.

From: jeffnichol@comcast.net
Sent: Friday, August 8, 2025 11:55 AM
To: ANR - DWGWP Info; Montross, Ben
Cc: Kirtan Carr ; Austin.Sheffer@va.gov
Subject: RE: Notice of proposed Vermont Water Supply Rule changes

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Ben – how about creating a version with just the pages of the rule which have changes – so we do not have to wade through 269 pages to see where the annotations are located. Thank you – Jeff Nichol; WSID 5221 and WSID 21037

From: ANR - DWGWP Info <ANR.DWGWPInfo@vermont.gov>
Sent: Friday, August 8, 2025 11:05 AM
To: jeffnichol@comcast.net
Subject: Notice of proposed Vermont Water Supply Rule changes

This outreach from the Drinking Water and Groundwater Protection Division (Division) is intended to provide an update on the proposed Water Supply Rule (Rule) and notify you of additional changes to the proposed Rule and what those changes mean.

In late 2024, the Division initially filed, and provided public notice of, a proposed revision of the Rule. A second round of public notice was provided earlier in 2025 to address additional updates to the Rule regarding PFAS treatment specifications.

The Division is making additional changes to the proposed Rule to incorporate the text of the federal PFAS standards recently published in the Code of Federal Regulations (CFR) and in response to technical comments received on treatment specifications. The previous versions of the proposed Rule relied on references to the CFR citations instead of including it directly in the text of the Rule. These changes are being made in light of the unprecedented uncertainty created by the federal administration's recent announcements forecasting changes in its approach to addressing PFAS standards and will help clarify the specific State requirements if changes are made to the federal standards. While this draft may look different from previous versions because of writing out of the federal requirements, the *approach* to Vermont's regulation of PFAS is very close to the initial draft proposed in 2024.

There are minor changes pertaining to the timeline of sampling and compliance and more substantive changes from the previous draft of the design specifications for granular activated carbon (GAC) and anion exchange resin (AIX) treatment to treat PFAS. There are also new requirements for the operation of PFAS treatment and treatment equipment redundancy for some systems.

Division staff have spent considerable time consulting with other states and treatment experts to assess the best approach for Vermont's small public drinking water systems. The progress of this Rule from the proposed changes in late 2024 to minor changes in early 2025 sparked very valuable discussions. These discussions led the Division to where it is today in the current proposed draft which we feel is the best approach currently to protect the health of water system users when balanced with ease in operation and streamlining the process by which filters are changed.

This message is not an exhaustive overview of the changes, however, and you are encouraged to review the Rule to understand the entirety of the changes. Among the substantive changes, there are many minor and non-substantive formatting and typographical revisions.

The State of Vermont takes the health of its citizens and visitors very seriously and is striving to ensure protection from PFAS in drinking water and public drinking water systems.

Once the Rule is finalized, the Division will hold trainings through the Vermont Rural Water Association to discuss all the changes and how the Rule will be implemented.

There are two version of the draft Rule posted on the Division website, a "clean version" without any edits marked up and an annotated version which shows the additions and deletions. In the annotated version, the sections that are being added or changed

have been underlined. Those sections that have been removed have been struck through.

The two versions of the proposed draft Rule are available online here: <https://dec.vermont.gov/drinking-water-and-groundwater-protection/laws-and-regulations>

This proposed draft Rule is being posted for public review and comment **for 14 days**. Should you have comments, please provide them via email to Ben Montross at ben.montross@vermont.gov **no later than August 22, 2025**.

Do not reply to this email.



From: Liz Royer <lroyer@vtruralwater.org>
Sent: Friday, August 22, 2025 9:58 AM
To: Montross, Ben
Subject: VRWA Comments on proposed WSR
Attachments: 08.22.25 VRWA Comments on WSR.pdf

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Ben,
Our comments are attached – please let me know if you have any questions.

Thank you,
Liz



LIZ ROYER (she/her)
Executive Director
802.660.4988 ext.336
vtruralwater.org



20 Susie Wilson Rd, Suite B
Essex Junction, VT 05452

vtruralwater.org
802.660.4988

Ben Montross
Vermont Drinking Water and Groundwater Protection Division
1 National Life Dr, Davis 4
Montpelier, VT 05602

August 22, 2025

Dear Ben,

As representatives of public water systems, the Vermont Rural Water Association is providing feedback on the updated proposed draft Water Supply Rule published on August 8, 2025.

Vermont Rural Water certainly understands that the current federal administration is causing great uncertainty for state-level regulators, and that in many cases it is beneficial to be proactive rather than reactive. However, in the case of PFAS standards in drinking water, we do not feel that codifying current EPA standards in the Vermont Water Supply Rule through the insertion of text rather than CFR citations is in the best interests of Vermont's water systems and residents.

The current EPA standards are stricter in some regards than Vermont's previous standards that were established by Act 21 of 2019. The current EPA standards also introduce a complicated calculation, the Hazard Index. Since the compliance deadline for the current EPA standards isn't until 2029, it is not yet known whether the increased sampling requirements and new Hazard Index will cause additional burden on Vermont's small water systems or will provide any additional protection to consumers against the harms of PFAS exposure.

Rather than requiring Vermont water systems to comply with current EPA standards—even if these standards are changed in the future—by inserting text from the Code of Federal Regulations into the Water Supply Rule, Vermont Rural Water encourages a wait-and-see approach. It is possible that future federal standards could be less complicated and burdensome to water systems while still protecting consumers from PFAS. And if the EPA's standards are changed in the future in a way that does not provide enough protection against PFAS exposure, Vermont could then enact stricter standards in its Water Supply Rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Royer".

Liz Royer
Executive Director

From: Al Lear <ALear@bottledwater.org>
Sent: Friday, August 22, 2025 11:10 AM
To: Montross, Ben
Subject: RE: Comments on proposed Vermont Water Supply Rule changes (PFAS)
Attachments: IBWA Comments to Vermont Water Supply Rule Update 082225.pdf

You don't often get email from alear@bottledwater.org. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Mr. Montross,

The International Bottled Water Association (IBWA) appreciates this opportunity to submit the attached comments regarding the proposed Vermont Water Supply Rule changes. IBWA is the trade association representing all segments of the bottled water industry, including spring, artesian, mineral, sparkling, well, groundwater and purified bottled waters. IBWA members include bottlers, distributors, and suppliers throughout the United States, including several small, medium, and large size companies doing business in Vermont.

Best Regards,

Albert Lear

Vice President – Science, Education and Technical Relations
International Bottled Water Association (IBWA)

Direct: [703.647.4614](tel:703.647.4614)

Email: alear@bottledwater.org
www.bottledwater.org



1800 Diagonal Road, Ste. 600
Alexandria, VA 22314
Ph: 703-647-4614
Web: www.bottledwater.org

August 22, 2025

Mr. Ben Montross
Vermont Department of Environmental Conservation
Drinking Water & Groundwater Protection Division
1 National Life Drive, Main 2
Montpelier VT 05620-3521

Ben.montross@vermont.gov

Re: Comments on proposed Vermont Water Supply Rule changes

Dear Mr. Montross,

The International Bottled Water Association (IBWA) appreciates this opportunity to submit comments regarding proposed Vermont Water Supply Rule changes. IBWA is the trade association representing all segments of the bottled water industry, including spring, artesian, mineral, sparkling, well, groundwater and purified bottled waters. IBWA members include bottlers, distributors, and suppliers throughout the United States, including several small, medium, and large size companies doing business in Vermont.

IBWA and its members support the policy objective of VT Agency for Natural Resources (ANR) for appropriate testing for PFAS in bottled water and public water systems. IBWA has already adopted a Standard of Quality (SOQ) for PFAS, and our members have proactively been testing their products for PFAS since 2019. The IBWA Standard of Quality incorporate the six PFAS compounds and regulatory limits included in the EPA final PFAS rule. In addition, IBWA members must continue to monitor and comply with IBWA SOQs for an additional twelve unregulated PFAS compounds that are included in EPA Method 537.1.

Uniformity in Standard of Quality requirements for Bottled Water

IBWA opposes any state laws or regulations for bottled water that are different from what is required by the United States Food and Drug Administration (FDA). The current FDA regulations protect the public health of Vermont citizens and permit bottled water companies to sell their products in an efficient and cost-effective manner in interstate commerce. Dissimilar state labeling laws and regulations would create a patchwork of requirements that would interfere with interstate commerce. It would be very difficult, if not impossible, to make sure that products labeled to comply with the law of one state are not sold in another state with a different requirement. It would also make it difficult for companies to provide needed bottled water products during emergencies or natural disasters in a state with regulations that are different from those required by FDA.

In November of 2019, IBWA sent a letter to FDA asking them to establish a standard of quality (SOQ) for PFAS in bottled water. FDA responded to IBWA's request stating that "establishing an SOQ for PFAS in bottled water at this time would not significantly enhance FDA's mission of public health protection." FDA's response to IBWA's request went on to detail their views on state laws or regulations that are different from FDA requirements. Citing section 403A(a) of the Federal Food, Drug, and Cosmetic Act, FDA noted that:

"no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce – (1) Any requirement for a food which is the subject of a standard of identity established under Section 401 that is not identical to such standard of identity of that is not identical to the requirement of section 403(g)... FDA has interpreted this provision to apply to standards of quality (21 CFR 100.1(c)(4))."

As mandated by federal law, FDA's bottled water standards and treatment requirements must be no less stringent and no less protective of the public health than Environmental Protection Agency's (EPA) regulations for public drinking water. Once EPA issues a regulation regarding tap water, FDA has 180 days to either issue a corresponding regulation for bottled water or publish a rationale for why the EPA's regulation is not applicable to bottled water. If FDA does not do either within the prescribed time frame, then the EPA regulation automatically becomes applicable to bottled water by operation of law. Thus, the statute assures parity in the regulation of bottled water and tap water, either through required FDA action or, in the absence of such action, by operation of law.

EPA will also be revisiting the April 2024 PFAS Final rule for drinking water. On May 14, 2025, U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin announced the agency will keep the current National Primary Drinking Water Regulations (NPDWR) for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS). EPA also announced its intent to rescind and reconsider the regulatory determinations for PFHxS, PFNA, HFPO-DA (commonly known as GenX), and the Hazard Index mixture of these three plus PFBS to ensure that the determinations and any resulting drinking water regulation follow the legal process laid out in the Safe Drinking Water Act.

1. PFAS Monitoring and Compliance

IBWA supports PFAS testing of source and each product type on a three-year cycle and agrees that PFAS Product testing by package size is not needed. However, we oppose having different monitoring and compliance requirements for PFAS in Domestic Bottled Water Systems (i.e., companies within Vermont) and Imported Bottled Water Systems (i.e., companies in other states and countries).

Section 6.12.2.2 a. ii. 6. sets forth the following Initial Monitoring Requirements for domestic bottled water systems:

***Domestic Bottled** water systems shall collect a PFAS sample for each product type produced no later than April 1, 2027. If those sample results are below the trigger level as established in table 6-1, subsequent sampling shall be conducted under the schedule identified in Section 6.12.2.2(b)(iv). If PFAS chemicals identified in Table 6-5 are found in the product(s), the*

Domestic Bottled water system shall conduct sampling and comply with the PFAS MCLs as a groundwater Public Community water system under 10,000 in population would under this section.

However, under 11.1.2 (d) (3), Imported Bottled water systems must comply with trigger levels or risk having its authorization to sell bottled water in Vermont. That provision reads as follows:

Regulation of PFAS at Imported Bottled Water Systems: Bottled Water Systems shall submit PFAS sample results for each bottled water product type upon initial approval application and no less frequently than once every three years. Sample results shall be submitted no later than January 1, 2027. If a sample documents a reported level at or above the trigger level for PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS as defined above, the system shall re-sample that product type within 10 days and submit the results to the Secretary. If it is confirmed that the follow-up sample results document confirmed presence of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS at or above the trigger level, the Secretary shall revoke the authorization to sell bottled water in Vermont following notice and opportunity for a hearing.

Recommendation

To provide consistency of regulations for both Domestic and Imported bottled water facilities, IBWA recommends a change to 11.1.2 (d) (3) to read:

Imported Bottled water systems shall collect a PFAS sample for each product type produced no later than April 1, 2027. If those sample results are below the trigger level as established in table 6-1, subsequent sampling shall be conducted under the schedule identified in Section 6.12.2.2(b)(iv). If PFAS chemicals identified in Table 6-5 are found in the product(s), the ***Imported Bottled*** water system shall conduct sampling and comply with the PFAS MCLs as a groundwater Public Community water system under 10,000 in population would under this section.

2. Labeling of Domestic and Imported Bottled Water

Under the proposed rule, water sourced from private springs and wells would be required to display the type and location of the source, which is not required by federal law.

Section 11.1.1 provides as follows:

- (d) All bottled water labels shall contain the following information:*
 - (3.) For water sourced from private springs and/or wells:*
 - (a.) The type of source (i.e. private spring, private well); and*
 - (b.) The location of the source*

Recommendation

FDA regulations for bottled water do not require that the type and location of the source appear on the label except when the bottled water comes from a community water system and does meet the Standard of Identity for Purified Water or Sterile Water.

IBWA recommends that 11.1.1 (d) (3) be deleted from the proposed Water Supply Rule.

IBWA appreciates your consideration of these suggested changes to the proposed Vermont Water Supply Rule. Please let me know if you have any questions concerning this matter.

Sincerely,

A handwritten signature in brown ink that reads "Albert Lear". The signature is written in a cursive style with a large, stylized "A" and "L".

Albert Lear
Vice President – Science, Education and Technical Relations
International Bottled Water Association

Responsiveness Summary

#	Date	Commenter		
1	12/13/2024	Chistine Dougherty, Green Mountain Water Environment Association	Topic	Use of existing data/MCL Timeline
			Comment	GMWEA previously expressed concerns about any expedition of timelines for compliance being codified, and, at face value, support for use of existing data could be perceived as GMWEA supporting an expedited timeline. If we could strike a balance that would allow facilities to choose to use existing data, or collect new data if they need more time, that would be a change GMWEA would most likely support.
			Response	The federal regulation as posted in the CFR prior to the Proposed Filing with ICAR allowed use of existing data for state programs collected after January 1, 2019 so long as it met certain laboratory criteria. Unfortunately, there was a conflict in the rule that was later clarified by EPA and the CFR was updated to address it. Following this change, the Proposed Rule was revised to incorporate the change in the federal regulations regarding use of existing data. The Agency cannot allow more time to collect PFOA or PFOS data than is allowed by the federal requirements. The Agency can be no less stringent than the federal regulations. As part of this comment and in pre-rulemaking discussions, GMWEA requested that systems have more time to meet monitoring deadlines and MCL compliance. In response to the request for more time for MCL compliance, the Agency included a Capital Improvement Extension that allows the Secretary to extend the compliance date to address PFAS contamination to no later than 2031 (which is expected to be

				the deadline set in forthcoming federal regulation as stated in recent EPA news releases and communication) if a system can meet specific requirements. Given the low levels of PFAS at which negative health effects occur, the Agency is requiring implementation of the PFAS MCLs upon the effective date of the proposed Rule.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. Following the May 14, 2025 press release from the EPA stating an intention to extend the compliance deadline from 2029 to 2031, the Agency maintained the eligibility criteria in the Proposed Rule but extended the 2029 compliance date to 2031. The Rule also permits the acceptance of existing PFAS data to satisfy the sampling compliance requirements.

#	Date	Commenter		
2	1/8/2025	Jen Fleckenstein, co-owner – Clearwater Filtration	Topic	Treatment specifications – filter layout
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Lead/Lag without redundancy, but with a midpoint sampling requirement quarterly - Once there is breakthrough from the lead tank, you would move the lag tank into the lead position and pursue rebedding the previously positioned lead tank.
			Response	Ben Montross reached out to Commenter to explain that mid-point samples cannot be used for compliance and requiring mid-point samples would be in addition to those samples required for compliance at the entry point to distribution. Response to Ben Montross from Commenter “ <i>I didn’t realize that nuance. In that case, we think the 2nd option is the safest and most economical option.</i> ”
			Were changes made and reflected in the Final Proposed	No. Based on the comments the Agency received, and acknowledging that midpoint sampling is not required for

			Rule in response to the comment?	Public Water Systems in Vermont, the Agency will keep the lead/lag train configuration plus redundancy (standby train) that was proposed in the Proposed Rule filing with ICAR to ensure that Public Water Systems have the capability to swap from one train to the standby train upon entry point detection of PFAS (assuming mid-point sampling is not used to guide media change out).

#	Date	Commenter		
3	1/8/2025	Jen Fleckenstein, co-owner – Clearwater Filtration	Topic	Treatment specifications – filter layout
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Online and Stand-By Treatment System with required meter reading reporting during PFAS sampling and no redundancy - you would have only 1 tank/system online for treatment at all times and until break-through is detected. Once breakthrough occurs, the system would be required to valve-off the expired tank and valve-on their stand-by tank. The meter reading taken at the time of sampling would serve as a capacity measurement from when the first active tank went online to when it expired, and would assist in guiding how much time you have for treatment capacity on the stand-by tank. We consider this to be a similar model to UV disinfection - there is one treatment system online (required) to meet the flow rate and should that system go down (for whatever reason), the stand-by system would be turned on until the active system is repaired.
			Response	The Agency agrees that stand-by treatment offers an added layer of protection when midpoint sampling is not required or used to guide media change out of the lead/lag filter train.
			Were changes made and reflected in the Final Proposed	No. Based on the comments the Agency received, and acknowledging that midpoint sampling is not required for

			Rule in response to the comment?	Public Water Systems in Vermont, the Agency will keep the lead/lag train configuration plus redundancy (standby train) that was proposed in the Proposed Rule filing with ICAR to ensure that Public Water Systems have the capability to swap from one train to the standby train upon entry point detection of PFAS (assuming mid-point sampling is not used to guide media change out). See Appendix A Sections 4.11 and 4.12.

#	Date	Commenter		
4	1/8/2025	Jen Fleckenstein, co-owner – Clearwater Filtration	Topic	Treatment specifications – filter layout
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Our perspective is that we should be creating the least amount of waste for the ever-present disposal issue. I think we should be steering systems to have the least amount of tanks and media - choosing the highest capacity system and minimizing the footprint.
			Response	When drafting the Proposed Rule, the Agency considered reducing the number of filters by eliminating redundancy. The Agency revised this approach in its draft Rules that were put out for comment in March of 2025 to reduce the number of filters by requiring two units that could be operated in series or in parallel. However, after further discussion with other states through the Association of State Drinking Water Administrators and VT Engineering Consultants, the Agency identified the following issues/considerations: 1) Single column filtration is not industry standard for PFAS treatment. 2) Single column filtration does not offer the flexibility of midpoint sampling and change out if a water system chooses to do so. Midpoint sampling may become less expensive and more desired as a way to guide

				media change out due to future changes to the industry. 3) The volume of media spent is the same whether or not a standby train is available, as long as the media in the standby train remains useable and available prior to being valved on.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Ultimately, the Agency decided to keep the lead/lag configuration as the industry standard option to treat PFAS and include standby train(s) for CWS and NTNCs to allow media changeout to occur over a longer period of time, which makes the systems less vulnerable to lack of vendor availability.

#	Date	Commenter		
5	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Sampling at Transient Non-Community Water Systems (TNCs)
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Subchapter 21-6, Section 6.12 (1) “ <i>Except where stated in this section, Public Community and Non-Transient Non-Community water systems shall comply with the provisions of 40 CFR § 141 Subpart Z – Control of Per- and Polyfluoroalkyl Substances (PFAS).</i> ” Section 6.12 (2) “ <i>The Secretary may require Public Transient Non-Community water systems to conduct sampling for PFAS in accordance with this section when contamination is known or suspected of being present to ensure protection of public health and welfare.</i> ”

				a. 40 CFR Part 141 Subpart Z specifically applies to PCWS and NTNC Water systems, TNC Systems are not required to meet these federal standards. b. The proposed rule does not substantiate why applying rules that are more stringent than federal drinking water regulations will protect public health or welfare. c. VTDEC has not provided information showing that PFAS present in drinking water presents unacceptable public health risks from short-term exposures that would be associated with typical TNC Systems. d. From USEPA’s response to comments on its proposed rulemaking for PFAS NPDWS, <i>“The EPA disagrees that this rule should apply to all public water systems, specifically TNCWSs. Forty CFR 141.2 defines a TNCWS as a “non-community water system that does not regularly serve at least 25 of the same persons over six months per year” (e.g., campgrounds, gas stations). TNCWSs are generally required to monitor for contaminants that exhibit an acute nature of exposure that results in immediate life-threatening health impacts, such as indicators for acute microbial contaminants like total coliforms (40 CFR Part 141.851) or nitrate and nitrite (40 CFR Part 141.23). Therefore, the EPA has determined that TNCWSs are to be excluded from this rulemaking, as exposure to the regulated PFAS in drinking water are not known to represent immediate acute health effects. This is consistent with the requirements under the Chemical Contaminants Phase II/V rules, (56 FR 3526 and 57 FR 31776, respectively), the Lead and Copper NPDWR (40 CFR Part 141 Subpart I), and most disinfection byproducts described in the Stage 2 Disinfectants and Disinfection Byproducts NPDWR (40 CFR Part 141</i>

				<i>Subpart L), as examples. Importantly, the EPA allows primacy agencies (such as states or Tribes) to impose more stringent requirements than those described within NPDWRs. The EPA’s NPDWR serves as the least stringent requirements and leaves room for primacy agencies to provide additional requirements for systems excluded by this rule, like for systems that are classified as transient but are serving schools or gas stations. Therefore, determination of system type can be done on a case-by-case basis. For additional discussion on why the six PFAS under this final regulation are determined to not represent immediately life-threatening health impacts, please see the section 9.2 of the EPA response in this Response to Comments document. For further discussion of the EPA’s characterization of health effects from PFAS exposures, please see section 5.1.1 and 5.2.1 of the EPA response in this Response to Comments document for PFOA and PFOS, respectively; for health effects of the other PFAS subject to regulation under this rule, see section III.B of the preamble to the final rule. For comments that explicitly ask about protection for school systems and the EPA’s response to those comments, please see the EPA response”</i> e. If the final rule includes provisions requiring TNC water systems to monitor for and meet standards related to PFAS in drinking water, DEC should also create similar conditions for other primary drinking water standards with health impacts related to long-term exposures, such as disinfection byproducts and lead to provide consistency in its approach to public health protection.

			Response	PFAS has been regulated at TNC Water Systems in Vermont under the Water Supply Rule since 2020. The regulation applies when directed by the Secretary, based on the system's geographic location and documented area of contamination based on other sampling or knowledge of contamination. The Agency will continue to regulate TNC Water Systems where appropriate and given the following considerations: (1) many TNC systems have employees who regularly consume the water; (2) the systems may serve the same people every seasons such as through an RV park or campground; (3) some systems serve a smaller number of permanent residents (i.e. a town hall, with the town library and a handful of apartments connected).
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. The Agency will continue to require TNCs to sample for and comply with PFAS standards when they are in documented areas of contamination. This effort protects Vermonters from exposure to PFAS.

#	Date	Commenter		
6	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Monitoring post-treatment
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Section 6.12.2.3.1 requires “ <i>Water systems that have completed compliance sampling for PFAS since July 1, 2019 and have had a reported concentration of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS shall sample once per calendar quarter beginning July 1, 2025 (or the effective date of this rule, whichever is later).</i> ” Why isn’t quarterly monitoring requirement explicitly established for other

				contaminants with primary drinking water standards (ex: As, U, NO₃, Ra) in this rule, and why is this section necessary? a. 40 CFR Part 141.902 (a) (6) requires quarterly sampling to commence April 1, 2027. Why is Vermont accelerating its timeline for quarterly PFAS monitoring? Quarterly monitoring requirements in 6.12.3.1.1 aren't supported by federal regulation.
			Response	6.12.3.1 of the Proposed Rule stated that systems shall follow the sampling framework in the Code of Federal Regulations (CFR) except in 6.12.3.1.1 below. 6.12.3.1.1 of the Proposed Rule stated that those systems that treat for PFAS shall collect quarterly samples post-treatment. At the time of the filing of the Proposed Rule with ICAR, the incorporation of the CFR content by reference required adherence to that sampling framework. It has been Agency policy for at least 15 years to require systems that treat for a contaminant to sample for that contaminant on a quarterly basis to ensure efficacy of treatment and adequate public health protection. This has been a long-standing practice and policy for all applicable entry point water quality monitoring as it is necessary to ensure the on-going efficacy of treatment equipment or other operational changes that may be in place and could fail. The users of the system have an expectation that if treatment is installed it is operational and successfully treating. Sampling on a 3-year frequency, for example, could mean that treatment fails and no one knows for multiple years.

				In the preamble of the 2024 federal PFAS regulation, the EPA stated that it would be up to the discretion of the State(s) to require more stringent post-treatment sampling, which is what the Agency is seeking to do with this section of the Rules.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. The Agency revised section 6.1.11 which clarifies that when systems install treatment to address an MCL for any compound in Section 6 or Table A11-6 post-treatment sampling shall be quarterly or as otherwise established by the Secretary with a few exceptions for compounds that have monitoring schedules that are not quarterly based on other federal mandates.

#	Date	Commenter		
7	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Air gap specification
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Why is the proposed addition to Section 8.1.1 of the necessary? <i>“Air gaps installed for the purpose of backflow prevention shall be a minimum of 6 inches or twice the discharge pipe diameter, whichever is greater.”</i>
			Response	The proposed language removes ambiguity and describes how the Agency currently enforces the standard.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No.

#	Date	Commenter		

8	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Public Notice Requirements
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	What is the rationale for Section 10.2.7, why is 24-hr public notification requirement necessary? Why is <i>e. coli</i> excepted from this requirement? The term first-time exceedance is not adequately defined in the Rule.
			Response	The rationale is to promote and require transparency of system compliance when chemical MCLs are experienced for the first time at the water system. This requirement has been long-standing practice by the Agency for at least 10 years. Other provisions in Section 10 provide the authority to require public notice when necessary to adequately protect public health. However, the Agency is seeking to clearly and directly require this notice. The reason <i>E. coli</i> is exempted from this requirement is because every <i>E. coli</i> MCL requires 24-hour notice under 6.6.2.2(a), which is based on a federal requirement. Thus, the distinction between first time and on-going MCL exceedances does not apply to <i>E. coli</i> . The Agency is using the common understanding of “first time”.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. The Agency expanded the separation between contaminants in Table 6-5 and <i>E. coli</i> , and directly cites the requirements for <i>E. coli</i> public notice as required in 40 CFR 141 Subpart Y. See, Section 10.2.7.

#	Date	Commenter		
9	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Manganese Health Advisory
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Appendix A, Part 4 .0 (b) – “ <i>Public Community and Non-Transient Non-Community treatment facilities required to</i>

				<i>produce finished water meeting the primary MCLs and/or the Manganese health advisory must be capable of treating peak demand flows with the largest treatment unit offline except for non-backwashing treatment processes using single-use media not including slow-sand filters.”</i> If DEC wants to regulate manganese as a primary drinking water contaminant, they should exercise the authority established under Subchapter 21-6, section 6.15 (section 6.16 in the draft rule) and establish a MCL for manganese. It is inappropriate and inconsistent with the structure and philosophy of the Rule and federal drinking water regulations to use a health advisory established by a third party (the Vermont department of health) as a primary drinking water standard. The rigor and process for establishing an MCL are different from VDH’s considerations in establishing a health advisory level.
			Response	The Agency is not seeking to regulate manganese as a primary drinking water contaminant. This is an incorrect interpretation of the requirements. This Rule language is not a requirement to adhere to the health advisory. The proposed language in Section 4.0(b) pertains to systems treating to the manganese health advisory. This language sets a technical standard for those systems in terms of treatment equipment specifications, not requiring compliance with the health advisory. The manganese health advisory requires distribution of public notice to users when the water has manganese above the health advisory level. If systems opt to treat manganese levels above the health advisory level, the treatment must meet the specifications in the Rule.
			Were changes made and reflected in the Final Proposed	Yes. Section 4.0(b) of the August 2025 draft was updated to state: Public Community and Non-Transient Non-

			Rule in response to the comment?	Community treatment facilities required to produce finished water meeting the primary MCLs and/or <i>systems treating to address the Manganese health advisory</i> must be capable of treating peak demand flows with the largest treatment unit offline, except for when specifically approved by the Secretary. (Emphasis added).

#	Date	Commenter		
10	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	4.0(b) – continued (manganese)
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	<i>a.</i> This standard may not actually be protective of public health. There are existing oxidation-filtration (greensand or similar) treatment systems at public community water systems in Vermont that do not meet this redundancy requirement but operate consistently and are compliant with applicable drinking water standards. Once-through, consumptive media treatment technologies can't be backwashed to restore treatment efficacy / performance, media replacement timing will be subject to manufacturer/vendor availability, and replacement media may not be immediately available. Reducing or eliminating the redundancy requirements for this type of treatment is not protective of public health. <i>b.</i> Also, cartridge filtration of GUIDI / surface waters meets the criteria of this standard, but I think most professionals would agree that it would be fundamentally bad practice to design a filtration treatment system without proper redundancy.

			Response	The proposed language was intended to remove ambiguity about redundancy pertaining to CWS and NTNCs while acknowledging the intent of redundancy is to solve unforeseen mechanical failures. It is not considered an unforeseen mechanical failure when passive treatment media, such as GAC for PFAS, reaches its end of life.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. The Agency revised Section 4.0(b) to require redundant filtration equipment. This approach to PFAS treatment is a standard approach for other types of treatment currently regulated and required by the Agency. Requiring redundant filtration equipment for PFAS means that if there is an issue with the filters, or once the filters have reached their useful life, it will easily switch to the “standby” equipment that is ready and waiting.

#	Date	Commenter		
11	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Manganese
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Part 4.5.4 (C) – It is inappropriate and inconsistent with the philosophy and structure of the Rule and federal drinking water standards to regulate manganese as if a primary drinking water standard exists without establishing a MCL.
			Response	This is a misinterpretation of the rule. This section applies solely to water systems seeking to implement sequestration by polyphosphates. When read in combination with the heading of that section, it is essentially saying: Sequestration process will only be considered as a viable option for use in Vermont if the manganese level is below the health advisory

				level. Because sequestration does not physically remove manganese, sequestration is not recognized as a means by which systems can opt to address the manganese health advisory since users will continue to consume water with manganese above the health advisory. When a system opts to remove manganese to below the health advisory level, they must physically remove manganese.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. The Agency seeks to continue this requirement that systems may not sequester for manganese if the manganese levels are above the health advisory level.
			Final response	No changes were made to the Rules in response to this comment for the reasons explained above.

#	Date	Commenter		
12	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Engineers Report for PFAS treatment
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Appendix A, Part 4.11 (l) – it is not appropriate to require an engineer’s report discuss anion exchange in every instance where granular activated carbon is proposed. There are multiple situations where Anion exchange is obviously ineffective/infeasible (such as removing DOC and regulated disinfection byproduct precursors from filtered surface water, removal of MTBE, removal of chlorinated ethenes), every report / application shouldn’t be forced to discuss anion exchange simply because anion exchange is possibly feasible to treat PFAS.
			Response	The Agency agrees and has updated the rule language to be a requirement specific to PFAS treatment: Appendix A, Section

				4.11“(k) When treatment is proposed for removal of PFAS, discussion of treatment alternatives, including anion exchange.”
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. Please see Response above.

#	Date	Commenter		
13	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Treatment Specifications
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	This part (Appendix A, Part 4.11) is out of character with respect to the rest of Appendix A of this rule, these requirements aren’t established for other treatment technologies. For example, if this approach is being taken, the rule’s disinfection standards could be viewed as deficient because they don’t specifically require discussion or evaluation of chloramination or UV disinfection treatment as well as free chlorine whenever disinfection treatment is proposed.
			Response	This part is in character with the rest of Appendix A of the Rule, Specifically Subpart 1.2.3, which requires discussion of alternative plans when two or more feasible solutions exist.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Please see Response above.

#	Date	Commenter		
14	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Treatment specifications
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Appendix A, Part 4.12 “Anion Exchange for PFAS Treatment” It is out of the character of the rest of Appendix A of the Rule to establish design standards specifically for PFAS treatment when Anion exchange is used to remove other contaminants where primary drinking water standards have ben established, such as uranium and nitrate. This part of the rule should be more broad in scope, establish standards that apply generally to anion exchange treatment. General comment on Part 4.12 – multiple times a standard states designed per manufacturer recommendations.’ This isn’t really a design standard, and is out of character with the remaining portions of Appendix A of the Rule.
			Response	The Agency considered whether Appendix A, Section 4.12 should be specific to PFAS. This subpart could be made broader in scope. However, anion exchange for PFAS is fundamentally different in nature than other anion exchange currently in use (no regeneration).
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. The Agency updated Appendix A, Section 4.12 to include PFAS-specific design standards.

#	Date	Commenter		
15	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Anion Exchange Treatment Specifications
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	2. Appendix A, Part 4.12 Specific comments: a. Part 4.12c. Prohibiting regenerative media is inappropriate and outside scope of the Water Supply Rule. Regenerative treatment media is capable of producing treated water that meets water quality standards established in the Rule. b. Part 4.12g. If regenerative media is prohibited by rule, why would salt storage or a brine solution be required? Also, requiring storage of salt and brine in a separate room / space is impractical for small water systems common in Vermont. Many small water systems store bags of salt in the same space as other utilities, does VTDEC have documentation of actual adverse effects related to the proximity of this storage? c. Part 4.12i. The reference to ‘reviewing authority’ is in error, obviously this standard was copied from elsewhere. The Secretary is the authority by statute. This standard is subjective and not quantifiable or enforceable. d. Part 4.12l. Resin manufacturers aren’t necessarily specifying minimum required empty bed contact times, often times they are sizing reactors based on linear velocities and effective bed volumes. It isn’t appropriate to have a technical design standard that simply defaults to an equipment manufacturer’s recommendations. If VTDEC intends to just review and approve whatever a manufacturer suggests, Appendix A could be significantly reduced in volume.

				e. Part 4.12M. this standard is not quantifiable or enforceable, and is inappropriate to include in the Rule. The Rule should establish a minimum bed depth in units of centimeters, feet, or inches, or stay silent on bed depth. The draft Rule already contains a provision requiring estimates of media life to be provided with designs. The Rule requires a minimum bed depth for cation exchange units treating aesthetic (non health-related) water quality constituents, and should establish standards that are at least as stringent for similar treatment technologies designed to protect public health. f. Part 4.12n. The term ‘confined space’ is not adequately defined in the Rule. VTDEC should reconsider the blanket prohibition on locating new treatment in a confined space, some existing utilities rely on confined spaces for treatment and pumping facilities, which are being operated and maintained in accordance with federal and state drinking water regulations. This proposed prohibition would unnecessarily eliminate retrofits of adding treatment to these existing spaces, which will create additional cost increases for PFAS mitigation projects, which are already very expensive, especially for small utilities. g. Part 4.12o. What is the basis or rationale for this prohibition? Why doesn’t VTDEC defer to manufacturer recommendations? Why does it represent expertise about anion exchange media for drinking water specifically for this but not elsewhere in this part? h. Part 4.12r. Startup is an operational concern, regulated by Subchapter 21-7 of the WSR, not a design / construction permitting concern. This standard is

				unnecessary, water systems are already required to operate in accordance with an approved operations and maintenance manual. i. Part 4.12s. This standard is ill defined and not enforceable. VTDEC should define what ‘suitable disposal methods’ entails or otherwise strike this requirement from the Rule. Notably, this language is inconsistent with Appendix A, Part 4.10.1. j. This Part is missing standards for filter to waste provisions, which are required to be included per Part 4.12.1
			Response	a: 4.12.2.c prohibits automatic regeneration, not regenerative media. If the technology changes, then this section will be reconsidered. b: Regenerative media is not prohibited by rule. The language as currently proposed is generally consistent with Appendix A, Section 4.4.2.19, but has been revised to be a recommendation instead of a requirement. c: The Agency agrees. The language has been revised to remove the reference to a “reviewing authority” and to be more enforceable. d: The Agency agrees and has revised this language. e: Section 4.12m has been removed. f: The proposed language is similar to existing language in Appendix A, Section 4.11(l), and there is no need to make any changes.

				g: Language in Section 4.12.2(o) has been updated to “No oxidant shall be applied to the anion exchange resin, unless technically justified by the resin manufacturer or by a pilot study.” h: Requirements for startup need to be understood and accounted for during design and construction. No changes will be made in response to this part of the comment. i: The Agency disagrees that this language is inconsistent. This requirement is broader and covers different waste streams than Section 4.10.1. j: Language in this section has been revised to clarify the need for filter to waste provisions.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. The Agency made changes throughout Appendix A, Section 4.12 relating to the required number of individual filters and filter trains, hydraulic loading rate and Empty Bed Contact Time. See Section 4.12 for all changes.

#	Date	Commenter		
16	1/8/2025	Patrick Smart. P.E., MSK Engineering	Topic	Treatment Specifications
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Part 4.11 – GAC design a. Same comments as for AIX related to confined space, suitable disposal methods, etc.
			Response	Please see responses to Comment 14 above.
			Were changes made and reflected in the Final Proposed	Yes. The Agency made changes to Appendix A; Section 4.11 relating to the required number of individual filters and filter

			Rule in response to the comment?	trains, empty bed contact time and bed depth. Of particular note is the reduction of empty bed contact time from a total of 20 minutes to a total of 10 minutes. Data collected since 2019 on GAC treatment illustrate that low empty bed contact times <10 minutes are sufficient to allow multiple years of media use without PFAS break through when no co-contaminants are present in the influent. See Section 4.11 for all changes.

#	Date	Commenter		
17	1/16/2025	Patrick Smart. P.E., MSK Engineering	Topic	Technical Specifications - Redundancy
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	3. Overall comments a. Redundancy – Appendix A of the revised rule is significantly reducing the redundancy requirements for GAC treatment and anion exchange. This is a clear departure from standard engineering practices and inappropriate for emerging contaminants where existing treatment performance data is limited. b. It is not protective of public health to have redundancy requirements for treatment systems removing PFAS be at a lesser standard than redundancy for treatment required for other contaminants with established primary drinking water standards, such as arsenic, uranium, and nitrate. PFAS treatment is still an emerging practice, and the redundancy requirements established in the Rule should be as robust as the requirements for more traditional treatment technologies with established performance track records. c. The GAC system design to remove disinfection byproduct precursors at Grand Isle Consolidated Water

				District was designed to include a total of four vessels (two parallel trains of two vessels in series). Under the proposed draft rule, only two vessels would be required. How is this backsliding of redundancy requirements protective of public health and the intent of the Rule? d. Existing GAC treatment systems for PFAS removal in Vermont have experienced premature breakthrough, and situations where media replacement was required much sooner than initially anticipated during design. In these instances, wasn't the redundant treatment train operated to provide safe drinking water while a media replacement event was coordinated? i. If the redundant treatment train requirement is eliminated, how will water systems produce safe drinking water when unanticipated breakthrough or operational upset conditions happen? ii. If the Division has concerns about how PFAS treatment vessels are being operated, and whether operational redundancy truly exists for these systems, the Division should exercise existing authority in Subchapter 21-7 of the Water Supply Rule and establish clear conditions in the public water system permit to operate. The Division also has existing authority in Subchapter 21-7 to require approved operations and maintenance manuals be followed by water systems, the Division should update its practices for reviewing O&M Manuals to require standard operational procedures for PFAS treatment maintain operational redundancy, and should update sanitary survey practices to review

				whether these required procedures are being followed. iii. The federal MCLs (generally 4 ng/L) are significantly less than the state MCLs in the effective WSR (generally 20 ng/L), and there isn't sufficient data available to predict PFAS concentrations with respect to time during and after breakthrough GAC or anion exchange media. How does VTDEC expect water systems to monitor, schedule, and execute media replacement while maintaining compliance with MCLs without redundant treatment trains? e. The draft rule's changes in redundancy requirements are not consistent with similar rules established by other states, nor are they consistent with established design practices for these treatment systems. ITRC's PFAS guidance document (link here) includes treatment vessels installed in parallel as standard practice for anion exchange and granular activated carbon treatment. I believe this standard design configuration is also included in 10 State Standards for Waterworks, which portions of the Vermont Water Supply Rule were modeled from.
			Response	a: Based on the comments the Agency received on the first and second draft, and acknowledging that midpoint sampling is not required for Water Systems in Vermont, the Agency has decided to keep the lead/lag train configuration plus redundancy (standby train) to ensure water systems have the capability to swap from one train to the standby train upon entry point detection of PFAS (assuming mid-point sampling is not used to guide media change out).

				b: The proposed design standards have been revised to require redundant trains at Community Systems and NTNCs. c: The Grand Isle Consolidated Water District (GICWD) has two GAC filters, designed to remove precursors of regulated disinfection byproducts. They are installed with piping and valves to allow for them to be operated in parallel, in series, or individually; they are currently being operated in series. d: No. Per the current WSR, only CWSs are required redundancy in terms of a second train consisting of a lead and lag filter. In Vermont, there is one CWS treating for PFAS. They operate all four vessels simultaneously but use midpoint samples to guide the lead/lag filter swap. d-i: The proposed design standards have been revised to require redundant trains at Community Systems and NTNCs and operational requirements have been included in Subchapter 21-7. d-ii: Changes to Subchapter 21-7 are now included. d-iii: The proposed design standards have been revised to require redundant trains at Community Systems and NTNCs, and operational requirements have been included in Subchapter 21-7. The PFAS MCL is proposed to be based on an annual running average, which will allow TNCs to execute media replacement, while maintaining compliance with MCLs. e: The proposed design standards have been revised to require redundant trains at Community Systems and NTNCs.

			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. Please see changes to Subchapter 21-7 and corresponding rationale in the Response section above.

#	Date	Commenter		
18	1/16/2025	Vermont Rural Water Association	Topic	Use of existing PFAS data
			Draft being commented on	November 2024 draft Rules submitted to ICAR
			Comment	Based on our experience providing technical assistance to public water systems, we feel it would be beneficial to water systems if PFAS data from state-required monitoring and/or UCMR 5 could be applied toward some or all of the initial compliance monitoring now required by EPA. The laboratory fees for PFAS analysis are expensive and small, rural water systems in Vermont operate on tight budgets. Using existing data would reduce the expense of additional sampling for many systems while allowing them to be in compliance with the new requirements. If EPA allows previously collected PFAS data to be applied, we would fully support the State of Vermont in doing so.
			Response	The November 2024 Proposed Rule was based off the CFR published at that time, which subsequently was corrected to clarify conflicting text pertaining to the acceptance of existing data. This will allow the existing sampling for many water systems to “count” toward compliance with the federal initial sampling requirements. Because Vermont has regulated PFAS since 2019, it has a “head start” in the process from many other states.

			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. Section 6.12.2.2(a) was revised to allow existing PFAS sampling data to count toward satisfaction of the initial monitoring requirements.

#	Date	Commenter		
19	4/4/2025	Jen Fleckenstein, co-owner – Clearwater Filtration	Topic	PFAS Treatment Specifications
			Draft being commented on	March 2025
			Comment	I am writing to share a comment on sections 4.11.2 b and 4.12.2 b of the draft Water Supply Rule, regarding the piping and valve configurations for GAC filters and anion exchange units. In my opinion, requiring these systems to be set up for both series and parallel operation, in addition to having an online/offline option, creates an operationally complex situation for water system operators. This setup could compromise the purpose of segregating the online and offline systems, potentially leading to unclear capacity levels for operators. I believe a simpler approach would be more effective. I suggest using a single system that meets the design flow and remains online continuously. Regular quarterly meter readings and PFAS testing of the finished water would be required. Upon breakthrough, the operator would switch to a fully operational offline (standby) system. This allows the operator to understand the capacity of their system based on their specific water quality and better anticipate when their offline system will be at capacity while preparing to rebed the primary system.

			Response	The Agency engaged with other state programs and experts nation-wide for clarity and support on this topic following the proposed approach in both the Proposed Rule and the March 2025 revised Rule that was put out for public comment. Cost, ease of operation, and future sampling needs were all considered and valid arguments can be made for both sides. The Agency agrees that the initial proposal to allow a system flexibility in the way it operated its filters could lead to confusion and errors by water system operators. Between the March 2025 and August 2025 drafts that were put out for public comment, the approach reverted back to the industry normal approach of 2 filters with 2 redundant filters (essentially as “backup”) to be utilized upon breakthrough of the operating filters. While this is not the recommended “single system” as provided in the comments, the treatment requirements in the Final Proposed Rule allows for sampling between filters if/when there comes a time when treatment efficacy can be sampled easily and cheaply (and not at \$500-\$1,000 per sample as PFAS currently costs).
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. The August 2025 draft incorporated specifications requiring two trains of two units each for Community and NTNC systems. See Sections 4.11 and 4.12.

#	Date	Commenter		
20	8/8/2025	Jeff Nichol, water system operator	Topic	Draft regulation review process
			Draft being commented on	August 2025
			Comment	how about creating a version with just the pages of the rule which have changes – so we do not have to wade through 269 pages to see where the annotations are located.

			Response	It is acknowledged that the Agency has provided documents with limited/isolated changes in the past. However, given the extensive typographic, formatting, and administrative updates to the regulation and breadth of the substantive changes proposed, the Agency felt that it was more transparent to provide the full annotated version with the updates clearly marked for public comment. The Agency is required to provide a complete annotated version as part of the rulemaking process.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No changes or action taken in response to this comment.

#	Date	Commenter		
21	8/22/2025	Vermont Rural Water Association	Topic	Regulation of HI/PFHxS, PFNA, PFBS, GenX
			Draft being commented on	August 2025
			Comment	Vermont Rural Water certainly understands that the current federal administration is causing great uncertainty for state-level regulators, and that in many cases it is beneficial to be proactive rather than reactive. However, in the case of PFAS standards in drinking water, we do not feel that codifying current EPA standards in the Vermont Water Supply Rule through the insertion of text rather than CFR citations is in the best interests of Vermont's water systems and residents. The current EPA standards are stricter in some regards than Vermont's previous standards that were established by Act 21 of 2019. The current EPA standards also introduce a complicated calculation, the Hazard Index. Since the compliance deadline for the current EPA standards isn't until

				2029, it is not yet known whether the increased sampling requirements and new Hazard Index will cause additional burden on Vermont’s small water systems or will provide any additional protection to consumers against the harms of PFAS exposure. Rather than requiring Vermont water systems to comply with current EPA standards—even if these standards are changed in the future—by inserting text from the Code of Federal Regulations into the Water Supply Rule, Vermont Rural Water encourages a wait-and-see approach. It is possible that future federal standards could be less complicated and burdensome to water systems while still protecting consumers from PFAS. And if the EPA’s standards are changed in the future in a way that does not provide enough protection against PFAS exposure, Vermont could then enact stricter standards in its Water Supply Rule.
			Response	The Agency disagrees and views a “wait and see” approach as being less protective of public health. The Agency agrees that the Hazard Index calculation is new and may be confusing to water systems. However, the Agency’s Drinking Water Program will be performing the Hazard Index calculation for the water systems the way it already does the calculation for the 90th percentile for lead/copper under the Lead and Copper Rule. The Agency is also looking into options for a public tool so that the water systems can enter their sample data and have it calculated for them. The Agency agrees with the underlying science and studies from authoritative agencies for the underlying rationale for the MCLs for PFHxS, PFNA, HFPO-DA (GenX), and PFBS and associated Hazard Index. The Agency agrees with the validity

				of these studies and the methods they used. At this time, the Agency does not agree with the "wait and see" approach as proposed regarding the potential for changes with the federal regulations. Because of the updated studies and health effects information concerning PFAS exposure that were published as part of the federal regulation, the Agency cannot maintain the current approach as it does not feel it is most protective of the environment and public health. The Agency currently regulates five PFAS compounds. The Final Proposed Rule was revised to regulate 6 PFAS compounds (two new compounds are being regulated and one will no longer be regulated). The proposed approach also provides consistency in how Vermont addresses PFAS in private water supplies and sets a protective discharge standard to hold those who discharge PFAS into groundwater accountable to maximize public health protection and environmental cleanup. The Agency appreciates this comment and has thoughtfully considered the complexity of the Hazard Index as part of the rulemaking process. However, for the reasons explained above, the Agency will regulate the Hazard Index chemicals which maximizes protection of health for those users exposed to PFAS and sets discharge standards to maximize its ability to hold dischargers accountable.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Please see response above.

#	Date	Commenter		
22	8/22/2025	Al Lear, IBWA	Topic	Uniformity in Standard of Quality requirements for Bottled Water
			Draft being commented on	August 2025
			Comment	IBWA opposes any state laws or regulations for bottled water that are different from what is required by the United States Food and Drug Administration (FDA). The current FDA regulations protect the public health of Vermont citizens and permit bottled water companies to sell their products in an efficient and cost-effective manner in interstate commerce.
			Response	The Agency appreciates this comment. The Agency has regulated PFAS in bottled water under the Rule since 2020.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Please see additional discussion pertaining to regulation of PFAS below.

#	Date	Commenter		
23	8/22/2025	Al Lear, IBWA	Topic	Bottled Water Labeling
			Draft being commented on	August 2025
			Comment	Dissimilar state labeling laws and regulations would create a patchwork of requirements that would interfere with interstate commerce. It would be very difficult, if not impossible, to make sure that products labeled to comply with the law of one state are not sold in another state with a different requirement. It would also make it difficult for companies to provide needed bottled water products during emergencies or natural disasters in a state with regulations that are different from those required by FDA.

			Response	Agency staff compared the labeling requirements of neighboring states and the FDA and to the requirements it added as reflect in the Initial Proposed Rule. The Agency believes its approach closely aligns with Massachusetts’s approach. This change is necessary as the current version of the Rules contain burdensome requirements that may create hardship and greater disparity among different states. The Agency seeks to ease some of the more rigorous requirements without compromising public health protections and transparency. The proposed changes make it easier to approve applications for companies seeking to sell bottled water in Vermont. For example, the existing 2024 Rule states that bottled water providers must collect water quality samples from each product. If a facility provides purified water in 20 oz bottles, 20 oz sport top bottles, 1-liter bottles and 5-liter bottles, even though the water going into each bottle is the same, each product (or bottle type) would need to be sampled. The Final Proposed Rule seeks to require sampling only for purified water, regardless of which bottle it goes in to. The Rule revisions also relax requirements pertaining to the company information such as locational information for where bottling occurred which in the final proposed rule only requires the location of the company responsible for the bottling. Since many large companies have multiple bottling facilities, requiring labels for each facility was overly burdensome and did not provide any benefit to the consumer.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Please see the Response above.

#	Date	Commenter		
24	8/22/2025	Al Lear, IBWA	Topic	PFAS in bottled water
			Draft being commented on	August 2025
			Comment	In November of 2019, IBWA sent a letter to FDA asking them to establish a standard of quality (SOQ) for PFAS in bottled water. FDA responded to IBWA's request stating that "establishing an SOQ for PFAS in bottled water at this time would not significantly enhance FDA's mission of public health protection." FDA's response to IBWA's request went on to detail their views on state laws or regulations that are different from FDA requirements. Citing section 403A(a) of the Federal Food, Drug, and Cosmetic Act, FDA noted that: <i>"no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce – (1) Any requirement for a food which is the subject of a standard of identity established under Section 401 that is not identical to such standard of identity of that is not identical to the requirement of section 403(g)... FDA has interpreted this provision to apply to standards of quality (21 CFR 100.1(c)(4))."</i>
			Response	The Agency has regulated PFAS in bottled water since 2020. EPA's response to the IBWA in November of 2019 is not inconsistent with the applicable provisions in the Rules. The PFAS regulations in the Rules pertaining to bottled water is based on the expansion of peer-reviewed studies from authoritative agencies documenting health risks of additional PFAS compounds at lower levels than previously understood. The general public assumes that bottled water is safe. If a water system exceeds a PFAS or other MCL, the public notice

				document will recommend bottled water as a possible alternate source of water. Bottled water cannot be a safe option without oversight and regulation, including the regulation of PFAS. For the reasons stated above, the Agency will continue to regulate PFAS in bottled water.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Please see the Response above.

#	Date	Commenter		
25	8/22/2025	Al Lear, IBWA	Topic	PFAS in Bottled water
			Draft being commented on	August 2025
			Comment	As mandated by federal law, FDA's bottled water standards and treatment requirements must be no less stringent and no less protective of the public health than Environmental Protection Agency's (EPA) regulations for public drinking water. Once EPA issues a regulation regarding tap water, FDA has 180 days to either issue a corresponding regulation for bottled water or publish a rationale for why the EPA's regulation is not applicable to bottled water. If FDA does not do either within the prescribed time frame, then the EPA regulation automatically becomes applicable to bottled water by operation of law. Thus, the statute assures parity in the regulation of bottled water and tap water, either through required FDA action or, in the absence of such action, by operation of law. EPA will also be revisiting the April 2024 PFAS Final rule for drinking water. On May 14, 2025, U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin announced the agency will keep the current National Primary Drinking

				Water Regulations (NPDWR) for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS). EPA also announced its intent to rescind and reconsider the regulatory determinations for PFHxS, PFNA, HFPO-DA (commonly known as GenX), and the Hazard Index mixture of these three plus PFBS to ensure that the determinations and any resulting drinking water regulation follow the legal process laid out in the Safe Drinking Water Act.
			Response	At this time, the Agency does not agree with the "wait and see" approach as proposed regarding the potential for changes with the federal regulations. The Rule incorporates the new PFAS MCLs in the 2024 federal rule and underlying health advisories published by EPA, which showed adverse health effects from certain PFAS at very low concentrations. These advisories were made on new peer reviewed studies from authoritative agencies (federal, state, and international health agencies) and examined the practical quantitation limit and the economic impacts of the MCL.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. Please see the Response above.

#	Date	Commenter		
26	8/22/2025	Al Lear, IBWA	Topic	PFAS Testing and Compliance
			Draft being commented on	August 2025

			Comment IBWA supports PFAS testing of source and each product type on a three-year cycle and agrees that PFAS Product testing by package size is not needed. However, we oppose having different monitoring and compliance requirements for PFAS in Domestic Bottled Water Systems (i.e., companies within Vermont) and Imported Bottled Water Systems (i.e., companies in other states and countries). Section 6.12.2.2 a. ii. 6. sets forth the following Initial Monitoring Requirements for domestic bottled water systems: <i>Domestic Bottled</i> water systems shall collect a PFAS sample for each product type produced no later than April 1, 2027. If those sample results are below the trigger level as established in table 6-1, subsequent sampling shall be conducted under the schedule identified in Section 6.12.2.2(b)(iv). If PFAS chemicals identified in Table 6-5 are found in the product(s), the <i>Domestic Bottled</i> water system shall conduct sampling and comply with the PFAS MCLs as a groundwater Public Community water system under 10,000 in population would under this section. However, under 11.1.2 (d) (3), Imported Bottled water systems must comply with trigger levels or risk having its authorization to sell bottled water in Vermont. That provision reads as follows: <i>Regulation of PFAS at Imported Bottled Water Systems:</i> Bottled Water Systems shall submit PFAS sample results for each bottled water product type upon initial approval application and no less frequently than once every three years. Sample results shall be submitted no later than January 1, 2027. If a sample documents a reported level at or above the trigger level for PFOA, PFOS, PFHxS, PFNA, HFPO-

			<i>DA, or PFBS as defined above, the system shall re-sample that product type within 10 days and submit the results to the Secretary. If it is confirmed that the follow-up sample results document confirmed presence of PFOA, PFOS, PFHxS, PFNA, HFPO-DA, or PFBS at or above the trigger level, the Secretary shall revoke the authorization to sell bottled water in Vermont following notice and opportunity for a hearing.</i> Recommendation To provide consistency of regulations for both Domestic and Imported bottled water facilities, IBWA recommends a change to 11.1.2 (d) (3) to read: Imported Bottled water systems shall collect a PFAS sample for each product type produced no later than April 1, 2027. If those sample results are below the trigger level as established in table 6-1, subsequent sampling shall be conducted under the schedule identified in Section 6.12.2.2(b)(iv). If PFAS chemicals identified in Table 6-5 are found in the product(s), the Imported Bottled water system shall conduct sampling and comply with the PFAS MCLs as a groundwater Public Community water system under 10,000 in population would under this section.
		Response	Following receipt of this comment, the Agency reviewed its proposed regulation pertaining to PFAS in bottled water systems and is making changes (see below). Bottled water systems do not provide public notice to users or otherwise convey information about what the water contains, therefore there is not an avenue to alert consumers that there may be elevated PFAS but that they are taking more samples to identify whether the results remain elevated, the way a community or NTNC water system could do, thereby impacting a consumers ability to make an informed decision

				when purchasing bottled water. Due to this, the Agency proposed a more direct way to regulate imported bottled water systems. Because of the role bottled water plays, being an alternate option for those customers served by a water system that may have elevated PFAS, the Agency is striving to ensure what is on the shelves is a compliant product.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	Yes. Imported bottled water systems must comply with the MCLs as they apply to all other public drinking water systems in Vermont, however the sampling framework to potentially arrive at a violation of the MCL will be different than other public drinking water systems. Section 11.1.3 was added for the specific purpose of regulating PFAS in Domestic Bottled Water Systems. Historically domestic systems were regulated the same as community water systems, but for the reasons explained above, the reference to domestic bottled water systems was removed from Section 6.12 and inserted as new content in Section 11.1.3. Domestic bottled and Imported bottled water systems are now regulated the same way, to the same MCLs as Community and NTNC systems, however instead of on-going monitoring and the Running Annual Average being used to assess compliance, the Agency is expediting that timeline and requires a confirmation sample to assess whether the water is above the MCL or not. Should either system exceed the MCL based on the average of the compliance sample and the confirmation sample, the Agency will rely on its existing authority to require the system to cease distribution and sale of the affected products and make all efforts to remove the products from distribution and sale in Vermont. On-going monitoring for either type of bottled water system with PFAS detections below the MCL was established in the Rules to be similar to what the comment suggested. This is to ensure

				systems with low levels of PFAS are required to sample more often than every three years.

#	Date	Commenter		
27	8/22/2025	Al Lear, IBWA	Topic	Labeling of Domestic and Imported Bottled Water
			Draft being commented on	August 2025
			Comment	Under the proposed rule, water sourced from private springs and wells would be required to display the type and location of the source, which is not required by federal law. Section 11.1.1 provides as follows: <i>(d) All bottled water labels shall contain the following information:</i> <i>(3.) For water sourced from private springs and/or wells:</i> <i>(a.) The type of source (i.e. private spring, private well); and</i> <i>(b.) The location of the source</i> Recommendation FDA regulations for bottled water do not require that the type and location of the source appear on the label except when the bottled water comes from a community water system and does meet the Standard of Identity for Purified Water or Sterile Water. IBWA recommends that 11.1.1 (d) (3) be deleted from the proposed Water Supply Rule.
			Response	Section 11.1.1(d) of the current version of the Rule requires the following: <i>All bottled water labels shall contain the following information:</i> <i>(1) The name of the person or company bottling the water;</i> <i>(2) Town and state in which the water is bottled;</i> <i>(3) Town and state where the source is situated; and</i>

				<i>(4) Source, i.e. private spring, private well or the name of the Public water system supplying the water</i> The Agency agrees that the existing Rule requirements could lead to supply issues. The revisions in the Proposed Rule to Section 11.1.1(d) relax the labeling requirements for bottled water that is already regulated in another capacity (community water systems) which is consistent with statutory labeling requirement found in 10 V.S.A. § 1673(f)(3). The revised language in the Proposed Rule also maintains specificity for sources that: (a) are most associated with misleading labeling language; (b) are not regulated in other capacities; and/or (c) may warrant further investigation of water treatment standards by a consumer. This is consistent with Massachusetts' current labeling requirements and provides transparency for the consumer regarding the source of the bottled water they are consuming.
			Were changes made and reflected in the Final Proposed Rule in response to the comment?	No. The Proposed Rule already contained a thoughtful relaxation to existing Section 11.1.1(d) to avoid supply chain issues while still providing critical information for consumers.

C/O LEGISLATIVE OPERATIONS
115 STATE STREET
MONTPELIER, VT 05633-5301

SEN. SETH BONGARTZ, VICE CHAIR
SEN. SCOTT BECK
SEN. ROBERT PLUNKETT
SEN. DAVID WEEKS

TEL: (802) 828-2231



REP. TREVOR SQUIRRELL, CHAIR
REP. MARK HIGLEY
REP. CAROL ODE
REP. LARRY SATCOWITZ

STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

June 27, 2025

Louise Corliss, APA Clerk
Vermont State Archives & Records Administration
1078 U.S. Route 2, Middlesex
Montpelier, VT 05633-7701

Dear Ms. Corliss:

The Legislative Committee on Administrative Rules considered 24-P47 from the Department of Environmental Conservation relating to Vermont Water Supply Rule at its meeting on June 26, 2025. Pursuant to 3 V.S.A § 843(c). The committee voted to extend the deadline for adoption and the Department of Environmental Conservation has until October 20, 2025 to complete the adoption process by filing with the Secretary of State and the Legislative Committee on Administrative Rules.

Sincerely,

Emery Mattheis,
Committee Assistant

cc: Kassandra Diederich, Department of Environmental Conservation

The Vermont Statutes Online

The Statutes below include the actions of the 2024 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 10 : Conservation and Development

Chapter 056 : Public Water Supply

(Cite as: 10 V.S.A. § 1672)

§ 1672. Authority of the Agency of Natural Resources

(a) Except as provided in subsections (c) through (f) of this section, to prevent and minimize public health hazards, the Secretary shall have authority over and shall regulate the purity of drinking water; the adequacy, construction, and operation of public water systems; public water sources; and public water source protection areas.

(b) The Secretary may establish by rule standards or requirements for:

(1) Drinking water quality. Such standards or requirements shall be at least as stringent as the most recent national primary drinking water regulations, issued or promulgated by the U.S. Environmental Protection Agency pursuant to the Safe Drinking Water Act, 42 U.S.C. section 300f et seq.

(2) The construction, protection, testing, and monitoring of public water sources.

(3) The design, flows, construction, installation, operation, and maintenance of new public water systems.

(4) The design, flows, construction, operation, maintenance and alteration, repair, or extension to an existing public water system.

(5) The approval or denial of connections by public water systems.

(6) The ongoing monitoring and testing of drinking water and public water systems to be performed by a laboratory certified pursuant to 18 V.S.A. § 501b.

(7) Public water source protection areas.

(8) The mitigation or prevention of public health risks arising from public water sources, public water systems, and public water source protection areas.

(9) [Repealed.]

(10) Obtaining a construction permit for a new water system. At a minimum, the

water system shall demonstrate that it possesses the long-term financial, managerial, and technical capability to operate and maintain a water system in conformance with federal and State regulatory requirements.

(c) Nothing in this chapter is intended to limit the authority of the Agency of Human Services or the Commissioner of Health to manage the public health of the State of Vermont. In adopting rules pursuant to this section, the Secretary shall submit the proposed rules to the Secretary of Human Services at least 30 days before filing them with the Secretary of State under 3 V.S.A. chapter 25.

(d) Nothing in this chapter is intended to limit or supersede the authority of the Secretary of Agriculture, Food and Markets under the provisions of Title 6 and this title. The Secretary shall not manage or restrict agricultural activities or other activities regulated by the Secretary of Agriculture, Food and Markets without his or her consent. When adopting rules under this section, the Secretary shall consult with the Secretary of Agriculture, Food and Markets to minimize any conflicts with that Agency.

(e) Nothing in this chapter is intended to limit or supersede the authority of the Commissioner of Health, or local health officers under Title 18.

(f) Nothing in this chapter is intended to limit the authority of the Public Utility Commission under the provisions of Title 30.

(g) If the Public Utility Commission does not concur with the rules proposed by the Secretary, the Secretary shall publicize the comments submitted by the Public Utility Commission, at each step specified in 3 V.S.A. § 836, and the Legislative Committee on Administrative Rules shall consider those comments. (Added 1991, No. 71, § 2; amended 1993, No. 2, § 1, eff. April 9, 1993; 1995, No. 103 (Adj. Sess.), § 7; 1997, No. 134 (Adj. Sess.), § 9; 2003, No. 42, § 2, eff. May 27, 2003; 2003, No. 163 (Adj. Sess.), § 22; 2009, No. 56, § 27; 2023, No. 53, § 14, eff. June 8, 2023.)

OFFICE OF THE SECRETARY OF STATE
VERMONT STATE ARCHIVES & RECORDS ADMINISTRATION (VSARA)
(802) 828-2863

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	The Islander (islander@vermontislander.com)	Tel: 802-372-5600 FAX: 802-372-3025
	Vermont Lawyer (hunter.press.vermont@gmail.com)	Attn: Will Hunter

FROM: APA Coordinator, VSARA

Date of Fax: October 2, 2025

RE: The "Proposed State Rules " ad copy to run on

December 5, 2024

PAGES INCLUDING THIS COVER MEMO:

2

***NOTE* 8-pt font in body. 12-pt font max. for headings - single space body. Please include dashed lines where they appear in ad copy. Otherwise minimize the use of white space. Exceptions require written approval.**

If you have questions, or if the printing schedule of your paper is disrupted by holiday etc. please contact VSARA at 802-828-3700, or E-Mail sos.statutoryfilings@vermont.gov, Thanks.

PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/>. The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 persons or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

Vermont Water Supply Rule.

Vermont Proposed Rule: 24P047

AGENCY: Agency of Natural Resources

CONCISE SUMMARY: In 2024, EPA promulgated new PFAS regulations, including Maximum Contaminant Levels. States are required to implement these new standards into State regulation and be no less stringent. This rule incorporates the federal regulation but expedites the timeline due to our existing PFAS data and regulation. This will ensure systems in need of PFAS treatment seek and install such treatment while federal funding remains available, through 2027. It also updates state technical standards for PFAS treatment. We are also seeking updates to the regulation of bottled water in Vermont. EPA also promulgated updated regulations pertaining to Consumer Confidence Reports, a form of public notice providing essential information to be conveyed annually to water systems users. This state rule revision will incorporate those federal changes as well.

FOR FURTHER INFORMATION, CONTACT: Ben Montross, Agency of Natural Resources, Department of Environmental Conservation 1 National Life Drive - Davis 4, Montpelier VT 05620 Tel: 802-498-8981 Fax: 802-828-1541 Email: ben.montross@vermont.gov URL: <https://dec.vermont.gov/water/laws>.

FOR COPIES: Catherina Narigon, Agency of Natural Resources, 1 National Life, Davis 2, Montpelier VT 05620, Tel: 802-261-5487 Fax: 802-828-1541 Email: catherina.narigon@vermont.gov.



Proposed Rules Postings

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Deadline For Public Comment

Deadline: Aug 22, 2025

The deadline for public comment has expired. Contact the agency or primary contact person listed below for assistance.

Rule Details

Rule Number:	24P047
Title:	Vermont Water Supply Rule.
Type:	Standard
Status:	Proposed
Agency:	Agency of Natural Resources
Legal Authority:	10 V.S.A. § 1672
Summary:	In 2024, EPA promulgated new PFAS regulations, including Maximum Contaminant Levels. States are required to implement these new standards into State regulation and be no less stringent. This rule incorporates the federal regulation but expedites the timeline due to our existing PFAS data and regulation. This will ensure systems in need of PFAS treatment seek and install such treatment while federal funding remains available, through 2027. It also updates state technical standards for PFAS treatment. We are also seeking updates to the regulation of bottled water in Vermont. EPA also promulgated updated regulations pertaining to Consumer Confidence Reports, a form of public notice providing essential information to be conveyed annually to water systems users. This state rule revision will incorporate those federal changes as well. Public Community Water Systems and Public Non-Transient Non-Community Water Systems will be required to adhere to the PFAS regulations set forth in the Rule. Some water system owners and operators will therefore be impacted; this can include cities, towns, fire districts, private corporations, homeowners associations, schools, towns, school districts, and other similar organizations. Public community water systems need to comply with the revised Consumer Confidence Report requirements. Bottled water companies include small and large businesses (such as Nestle and Coca Cola, for example) who are authorized to sell bottled water in Vermont.
Persons Affected:	

Economic Impact:

Public water systems are required to conduct initial sampling under EPA's requirements, which may create cost burdens on some smaller systems. Of the 550 public drinking water systems in Vermont, DEC estimates about 33 (or 6) will be required to install treatment for PFAS under the new standards. Treatment and maintenance of treatment are expensive, but the State currently has funding available that will alleviate much of the financial burden installing treatment will create. The on-going costs of addressing PFAS will be borne by the water systems. The changing of the bottled water regulation is expected to allow more companies to sell in Vermont and the PFAS-specific requirements are not anticipated to have an impact, based on historic results on file. Other local, State, and federal funding opportunities may become available, and State funding for sampling is being contemplated.

Posting date:

Nov 27, 2024

Hearing Information

Information for Hearing # 1

Hearing date:

01-08-2025 5:00 PM [ADD TO YOUR CALENDAR](#)

Location:

Catamount Room

Address:

1 National Life Drive, Davis 2

City:

Montpelier

State:

VT

Zip:

05604

Hearing Notes:

Information for Hearing # 2

Hearing date:

01-08-2025 5:00 PM [ADD TO YOUR CALENDAR](#)

Location:

Virtually via MS Teams

Address:

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

City:

Meeting ID: 241 292 038 046 Passcode: Uy3ZQ6bg

State:

VT

Zip:

n/a

Hearing Notes:

MS Teams: <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> Meeting ID: 241 292 038 046 Passcode: Uy3ZQ6bg

Information for Hearing # 3

Hearing date:

01-09-2025 11:00 AM [ADD TO YOUR CALENDAR](#)

Location:

Virtually Only via MS Teams

Address:

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

City:

Meeting ID: 271 539 818 963 Passcode: aa2Hf67a

State:

VT

Zip:

n/a

Hearing Notes:

MS Teams <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> Meeting ID: 271 539 818 963 Passcode: aa2Hf67a

Contact Information

Information for Primary Contact

PRIMARY CONTACT PERSON - A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE.

Level: Primary

Name: Ben Montross

Agency: Department of Environmental Conservation, Agency of Natural Resources

Address: 1 National Life Drive - Davis 4

City: Montpelier

State: VT

Zip: 05620
Telephone: 802-498-8981
Fax: 802-828-1541
Email: ben.montross@vermont.gov
[SEND A COMMENT](#)

Website <https://dec.vermont.gov/drinking-water-and-groundwater-protection/laws-and-regulations>
Address: [VIEW WEBSITE](#)

Information for Secondary Contact

SECONDARY CONTACT PERSON - A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON.

Level: Secondary
Name: Catherina Narigon
Agency: Agency of Natural Resources
Address: 1 National Life Drive - Davis 2
City: Montpelier
State: VT
Zip: 05604
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[SEND A COMMENT](#)

Keyword Information

Keywords:

Drinking Water
PFAS
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