Little Rock
Rogers
Jonesboro
Austin
MitchellWilliamsLaw.com

Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.



Walter Wright, Jr. wwright@mwlaw.com (501) 688.8839

## Proposed Revisions to Arkansas Rules and Regulations Pertaining to Public Water Systems: Arkansas Drinking Water Update Article

## 07/25/2019

Mr. Jeff Stone, P.E., Director of the Arkansas Department of Health Engineering Section, published an article in the Arkansas Department of Health ("DOH") publication Arkansas Drinking Water *Update* ("*Update*") describing possible changes to the Arkansas rules and regulations pertaining to public water systems ("Rules").

DOH has been delegated the authority to operate and implement the federal Safe Drinking Water Act regulations.

The *Update* states that the Engineering Section will ask the Board of Health at its August 1st meeting permission to initiate the process for revising the Rules. The purpose for the revisions are stated to include:

- Updating the Rules to reflect changes to the public water system service fee rate
- To allow greater flexibility and utilization of Food and Drug Administration standards
- To allow for greater flexibility and utilization of National Sanitation Foundation standards
- To update references to Arkansas Waterworks Association Disinfection standards
- To remove the use of the word "regulations" and replace with the word "rules" in accordance with Act 315 enacted by the 2019 Arkansas General Assembly
- In Section IV. A. to replace "Arkansas Department of Health and Human Services" with "Arkansas Department of Health"

Mr. Stone notes that the Board of Health is required under the Administrative Procedures Policy to approve the initiation of such regulations. If approved, the revision process will include:

- Notification to the public
- Public hearing
- Legislative Committee reviews

Mr. Stone states the proposed rule will be made available on the Arkansas Department of Health website at <a href="https://www.healthy.arkansas.gov/rules-and-regulations">https://www.healthy.arkansas.gov/rules-and-regulations</a>.

A copy of Mr. Stone's article can be found <u>here</u> and the language for the proposed changes as found in the *Update* can be found <u>here</u>.