



ARKANSAS DRINKING WATER UPDATE

Volume 32, No.2

ENGINEERING SECTION – DEPARTMENT OF HEALTH

Summer 2019

Engineering Section To Propose Revision of PWS Rules

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At the August 1st meeting of the Board of Health, the Engineering Section will request permission to begin the process for revising the *Rules and Regulations Pertaining to Public Water Systems*. The request is being made for the purposes of updating the rules to reflect recent changes to the public water system service fee rate, to allow for greater flexibility in utilization of Food and Drug Administration (FDA) and National Sanitation Foundation (NSF) standards, to update references to two updated American Water Works Association (AWWA) disinfection standards, to remove use of the word “regulations” and replace with the word “rules” in accordance with Act 315 of the 2019 legislative session, and in Section IV.A. “Arkansas Department of Health and Human Services” is being replaced with “Arkansas Department of Health”.

Approval of the Board of Health is required under the administrative procedures policy in order to begin the process to revise the regulations. Following the initial approval of the Board to proceed, the process includes notification of the public, a public hearing, and legislative committee reviews.

Specific changes to the regulations that are being proposed are as follows.

First, it is proposed to modify Section VII.G Approved Chemicals, Materials, Equipment, and Processes so that, for very small water systems, product standards equivalent to ANSI/NSF 60 or 61 can be used for selecting equipment if those equivalent standards are issued by the FDA or ANSI/NSF. In plain language this means that certifications intended for residential use and residential sized products can be referenced when the very small water systems need to select equipment of a similar small size. Second, it is proposed to modify Section XI.H Cleaning and Disinfection in order to update the referenced AWWA Standard C652-92 to refer to the most recent version of the standard which is C652-11.

This AWWA standard governs the disinfection of drinking water storage tank prior to placing such a tank into service.

Third, it is proposed to modify Section XIV.E Disinfection of Pipe in order to update the referenced AWWA Standard C651-92 to refer to the most recent version of the standard which is C651-14. Also, it is proposed to strike the language concerning collection of bacteriological samples, “that are not collected on the same day”, so that the requirements of this section are not in conflict with the requirements of the latest revision of this standard. In plain language, the latest revision of this standard allows for two options concerning bacteriological sampling. One of those options allow for collection of bacteriological samples on the same day. These changes would allow for use of either bacteriological sampling option.

Fourth, it is proposed to modify Section XXV. Annual fees in order to update the indicated public water system service fee from \$0.30 per service connection per month to \$0.40 per service connection per month in accordance with the change made by Act 788 of the 2019 legislative session.

Detailed regulation markups of each section are displayed on page 2 of this newsletter (next page).

If Board of Health permission to proceed is granted, water systems will receive a separate notice on the proposed changes in addition to a notice being placed in the statewide newspaper for a public hearing. The date and location for the public hearing have not yet been determined.

The proposed rule will be made available on the ADH website <https://www.healthy.arkansas.gov/rules-and-regulations> If you have any questions, please send them in an e-mail to jeffery.stone@arkansas.gov

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PROPOSED PWS RULE CHANGES BY SECTION

G. *Approved Chemicals, Materials, Equipment, and Processes*

All chemicals added to the water and all materials in contact with in-process or treated water shall be certified as being in compliance with ANSI/NSF Standards 60 and 61, as applicable. In addition, all products required to be "lead free" as determined through Section 1417 of the Safe Drinking Water Act (42 U.S.C. 300g-6) shall be certified as being in compliance with NSF/ANSI 372 or Annex G of NSF/ANSI 61. Certification shall be made by an independent agency. Self-certification by the manufacturer will not be accepted.

All unit processes, equipment, chemicals and appurtenances shall be in accordance with the latest edition of the applicable AWWA standards, and approved by the Arkansas Department of Health.

For treatment facilities utilized for treating water solely for bottled water or very small water systems, at its discretion, the Department may allow certification with the equivalent U.S. Food and Drug Administration food contact or food additive standard or other ANSI/NSF drinking water standards in lieu of certification with the appropriate ANSI/NSF 60/61 and AWWA standards.

H. *Cleaning and Disinfection*

Potable water storage tanks shall be cleaned as often as necessary. They shall be effectively disinfected before being placed into service in accordance with the "American Water Works Association Standard for Disinfection of Water Storage Facilities" (the latest edition of AWWA ~~C652-92~~ C652-11 or the latest revision thereof). Before the storage tank is placed in service, two consecutive series of samples that are not collected on the same day must show that the water is bacteriologically safe for drinking purposes.

E. *Disinfection of Pipe*

Before being placed in service, all new water distribution systems, extensions to existing systems, any valved section of such extension or any replacement of the water distribution system shall be properly disinfected. Prior to disinfection, all dirt shall be removed by thorough flushing. All valves and appurtenances affected shall be operated while the pipeline is filled with the disinfecting agent. Following disinfection, all treated water shall be thoroughly flushed from the pipeline and bacteriological samples shall be taken to determine the efficiency of the disinfection procedure. Before the system or line is placed in service, two consecutive series of samples ~~that are not collected on the same day~~ must show that the water is bacteriologically safe for drinking purposes. Disinfection shall conform with American Water Works Association, "Standard Specifications for Disinfecting Water Mains," ~~C651-92~~ C651-14, or the latest revision thereof.

XXV. ANNUAL FEES

The annual fees for public water systems provided for in Arkansas Statutes § 20-28-101 et seq are established at ~~\$0-30~~ \$0.40 per service connection per month for community and nontransient noncommunity water systems, with a minimum fee of \$250; and at \$125 for transient noncommunity water systems.

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