

# OTCO Workshop

Ohio EPA

Drinking Water Update

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# Overview

- Capability/Capacity Initiatives/Asset Management
- WSLRA/Needs Assessment
- Legionella Treatment
- LT2 update
- Stage 2 Update
- Rule Update
- Compliance Initiatives
- Harmful Algal Blooms

# Capability

- More than just compliance
- Screening tool
- Managerial and Financial capability
- Asset Management
- Contingency Planning

# Water Supply Revolving Loan Account (WSLRA)

- 2015 Program Management Plan recently finalized
  - General Plans Required
  - 5 year planning loan at 0% interest if didn't meet planning requirement
  - Proportionate share now \$40 million
  - Scoring changes for HABs and significant deficiency corrections
  - Emphasizing Capability improvements

# Water Supply Revolving Loan Account (WSLRA)

- Offering \$235 million in program year 2015 (July 1, 2014 – June 30, 2015)
- Project priority list has \$191 million in awards
- 150 design and construction loans
- 38 planning loans
- All projects should be funded

# Water Supply Revolving Loan Account (WSLRA)

- For Program Year 2014
- Awarded 42 Loans for \$47, 549,671.00
- \$3.5 million in principle forgiveness

# Needs Survey

- Time again for the Needs Survey
- Needs Survey is used to determine what share (%) of the State Revolving Loan award the state gets
- Using the same systems from last Needs Survey with a few substitutions
- Anticipate contact April/May 2015
- Please help us get our share

# Legionella Control

- Increasing number of outbreaks
- Adding treatment makes consecutive systems regulated public water systems
- Primary focus on healthcare facilities
- Efficacy issues



# Legionella Control

- National Workgroup – USEPA/CDC
- State Workgroup – ODH lead
  - Commerce
  - Health care organizations
  - Consultants
- Regulatory changes
- Plan approval

# Long Term 2 Surface Water Treatment Rule

- Surface Water Systems greater than 100,000 population – sampling plans due to Ohio EPA January 1, 2015
- <http://www.epa.state.oh.us/ddagw/reporting.aspx#130594-lt-2>. Click on forms and instructions/ click on LT2
- List of labs for Cryptosporidium analysis
- Contact Nik Dzamov if interested in doing analysis

# PWS Definition & Source Designation

- PWS Definition (3745-81-01)
  - New language added on default populations for community and noncommunity systems
  - Added definition for “grab sample”
  - Revisions to rule effective on June 19, 2014
  - Revised policy on Clarification of Public Water System to align with changes to rule.
- Source Water Designation (3745-81-76)
  - Aligned rule with USEPA’s requirements
  - Ability to designate source by rule and affords flexibility to designate a well as surface water
  - Revisions effective August 1, 2014

# MISC Amendments

Miscellaneous Amendments to Plan Approval, Backflow Prevention & Consumer Confidence Report (CCR) Rules

- Backflow prevention and cross-connection rules (Chapter 3745-95)
  - Interested party review was in Spring 2013
    - Several comments received specific to rule on surveys and investigations
    - In addition to considering industry comments received, Ohio EPA and Ohio Department of Commerce met to discuss rule and develop revisions
  - DDAGW preparing to start a second round of interested party review
  - Significant revisions made to surveys and investigations rule
    - Alternative to onsite investigations: institute an ongoing educational campaign and implement program to identify potential hazards.
  - Revised and added new definitions to Chapter 3745-95

# MISC Amendments

...continued

- Backflow prevention and cross-connection rules (Chapter 3745-95)
  - Added rule by reference to Ohio EPA Backflow Prevention and Cross-Connection Control manual (manual has also been revised)
  - Added rule 3745-95-07 (booster pumps) in order to address comments on accepting newer technologies
- Plan Approval rule 3745-91-12
  - Added provisions for self-certification
- CCR rules 3745-96-01 and 3745-96-04
  - Defined PWS satellite system, and added condominium complexes to list of facilities for delivery of CCRs

# UIC Amendments

- Underground Injection Control or UIC Amendments (Chapter 3745-34)
  - Updated references and made several minor corrections
  - Removed duplicative language and reorganized rules
  - Added new definitions
  - Interested Party Review ended June 20, 2014
  - Currently reviewing comments and considering revisions

# LTO; Well Standards & Plan Approval

- License to Operate Amendments (Chapter 3745-84)
  - Aligned definitions with changes made to PWS definition
  - Clarify when LTO is under period of denial, suspension or revocation
  - Revisions effective July 1, 2014

## Well Standard Amendments (Chapter 3745-9) & Plan Approval

### Rules (Chapter 3745-91)

- Well Standards
  - Added new definitions, consolidated and streamlined rules and revised to be consistent with private water system rules
  - Worked with industry stakeholders and Ohio Department of Health during rule drafting process

# Well Standards & Plan Approval

continued

- Well Standards
  - Developing policy for conditions under which a variance may be granted
  - Clarify standards for grout placement in a flowing well
  - Revise requirements on step drawdown and constant rate testing requirements
- Plan Approval
  - Clarify requirements for general plan approval and added new exemptions for plan approval
  - Revised Guidelines for Design of Small PWSs
  - Updated references to 10 State Standards and Guidelines for Design of Small PWSs
- Preparing to start Interested Party Review of these rules



# Lab Certification & Operator Certification

- Laboratory Certification Amendments (Chapter 3745-89)
  - Revised laboratory certification manuals
  - Updated rule by reference to laboratory certification manuals
  - Adopt new analytical methods and add provisions for upcoming RTCR
  - Minor clarifications
  - Interested Party Review ends August 4, 2014
- Operator Certification rule 3745-7-02
  - Revisions will allow operator with Class A certificate and has passed Class I water supply certification exam, but does not have required experience to be operator of record for certain Class I systems when specific conditions met
  - Filed with JCARR on July 29, 2014. Ohio EPA public hearing held on September 3, 2014. Submit comments no later than September 3, 2014.

# Primary DW Standards & Plan Approval

- Primary Drinking Water Standards & Plan Approval Amendments (Chapter 3745-81 and rule 3745-91-03)
  - Minor revisions to clarify lead and copper, record maintenance and plan drawing requirements
  - Delete parts in existing rules and rescind rules to remove Stage 1 D/DBP requirements that have expired
  - Minor edits to radionuclide monitoring, and lead and copper rule in order to meet USEPA primacy requirements
  - Interested Party Review July 22 – August 21, 2014

# Revised Total Coliform Rule

- Revised Total Coliform Rule
  - Effective date of Ohio EPA revisions will be April 1, 2016
  - Significant changes for small ground water and seasonal systems
  - TC will be used as an indicator of vulnerability in PWS
  - Monthly TC MCL will be eliminated
  - There is a new MCL for E.coli and E.coli will be the only fecal indicator
  - Assessments of PWS may be triggered that requires either PWS or Ohio EPA to investigate cause of TC positive samples or E.coli MCL
  - Five new rules will be added (OAC rules 3745-81-50 to 3745-81-55) and there will be amendments to ten existing rules
  - Interested Party Review coming this fall

# Coming soon...

- Revisions to clarify requirements for consecutive systems that install secondary disinfection (e.g. hospitals that install treatment for Legionella)
- Revision to operator certification rules to align PWS definition with changes made to rule 3745-81-01; clarify classification of systems; and so on.. (Andy will talk about?)
- Revisions to contingency plan rules to be more protective of public health. May consider requiring limited-scope contingency plan for noncommunities
- Add new capability assurance rule to Chapter 3745-87 and require water projections every five years and appropriate planning to address any projected shortages

# Coming soon cont...

- Clarify process and requirements for approving treatment technologies (includes chloramination)
- There are a lot more items about operator certification.

# Plea to Provide Comments

- **Early Stakeholder Outreach (ESO)**
  - Added as a requirement of Executive Order 2011-K
  - Purpose of ESO is to ensure stakeholders are brought into the rule process as early as possible.
  - Hold one at least once per year and provide stakeholders idea of DDAGW's rule-making plan for 2 – 3 years
  - Plan summarizes DDAGW's purpose for revising rule
  - Stakeholders can comment on anything in rules at any time, but may not be able to address until rule is up for 5 Year Rule Review
  - Sign-up for list serve if not currently (Susan.Baughman@epa.ohio.gov)

# Save a Dime, Sample on Time!

- Increasing Monitoring and Reporting Compliance for Total Coliform and Nitrate
- Compliance Assistance Efforts
- New approach to deter violations
- January 1, 2014, penalty of \$150 or more for each TC and/or nitrate M/R violation.
  - More expensive to fail to sample than to sample

# Save a Dime, Sample on Time!

- Outreach began last year
- July 2013 – June 2014 met compliance goal for the first time for TNCWS
- Went from an average of 160 TC and NO<sub>3</sub> Monitoring violations each quarter to 53 and ~68 in 2014

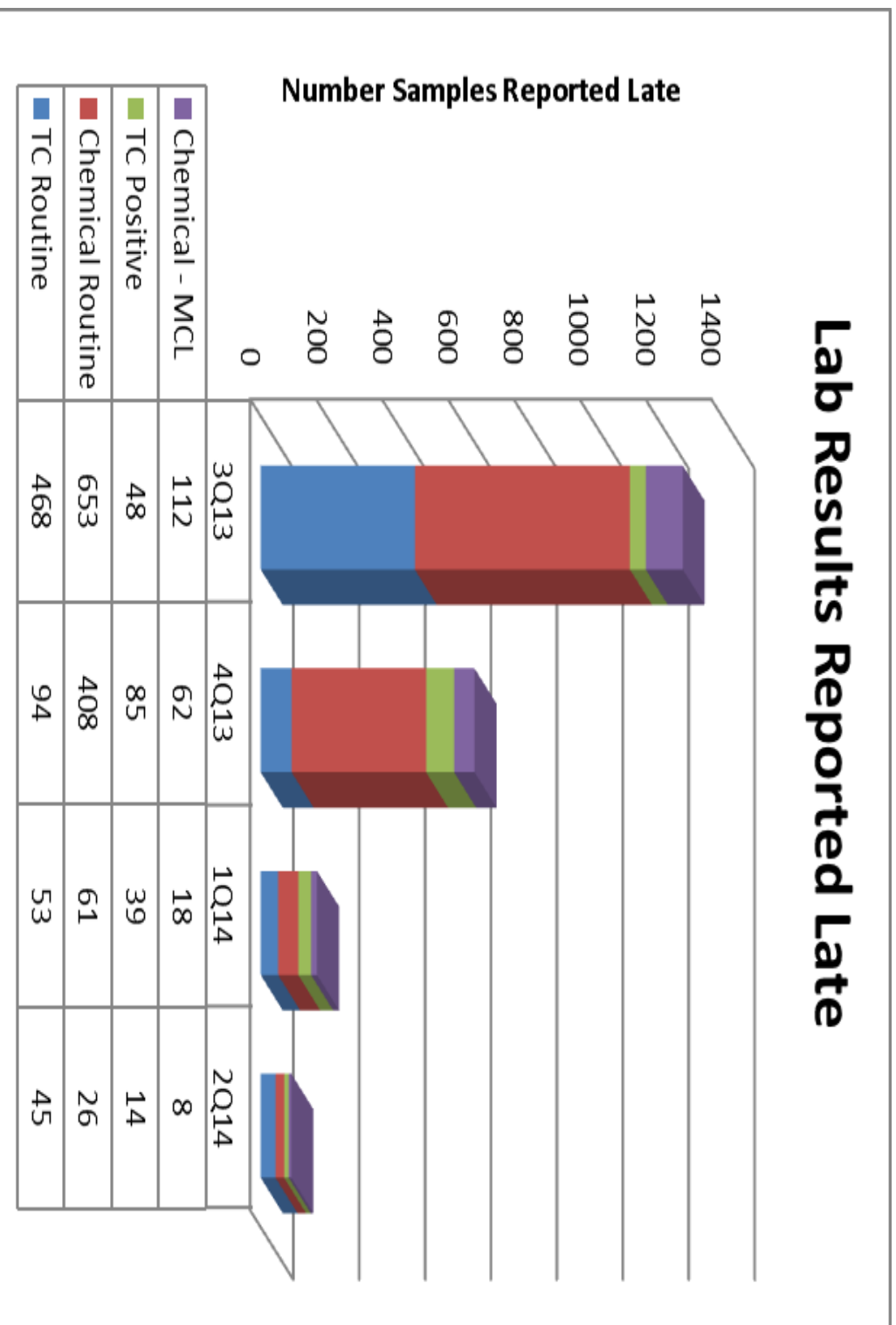


# Lab Oversight Update

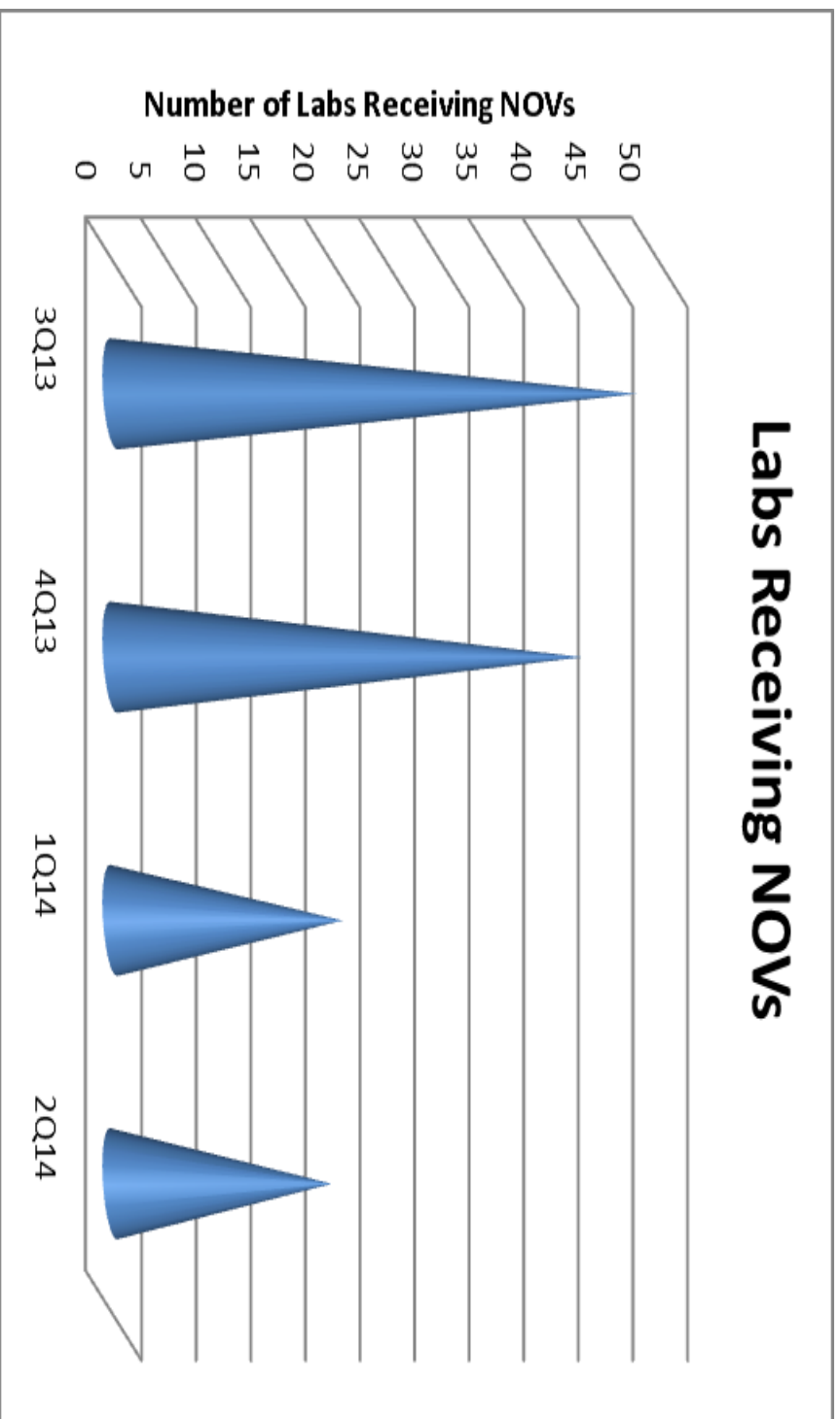
- Assessing reporting compliance for laboratories
- Began issuing routine Notices of Violation to laboratories for reporting violations in 3<sup>rd</sup> quarter 2013
  - Significant decrease in the number of late sample reports
- May result in further enforcement

# Lab Compliance Update

## Lab Results Reported Late



# Lab Compliance Update



# Sanitary Survey Requirements

- Significant Deficiencies – additional requirements with the RTCR
- Requirements
- Capability focus
- Managing data

# Harmful Algal Blooms (HAB)

- 2014 HAB Season
- HAB Strategy out for Interested Party Review
  - Ended July 25, 2014
  - Clarified sampling and notification
  - Emphasized Contingency Planning
- Algae Questionnaire sent earlier this year
  - Webinars held
- Prioritized funding for HAB-related treatment
  - Added points to WSLRA ranking
- NE/NW Surface Water System Meetings to prepare for 2014 season
- Working with partners to further research and assistance for PWS

# Contingency Planning

- Weather Events, HABs and other catastrophic events emphasize need to be prepared
- Ohio WARN
- Loss of source/major depressurization
- Be prepared!