

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 335 Department or Agency Environmental Management
Rule No. 335-7-10-.06
Rule Title: Reports

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO



If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Mary Elliott

Date June 20, 2012

Date Filed  

APA-2
11/96

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RULE NO. & TITLE: 335-7-10-.05 Records (Amend)
335-7-10-.06 Reports (Amend)

INTENDED ACTION: The Alabama Department of Environmental Management proposes to revise division 335-7, Public Water Supply.

SUBSTANCE OR PROPOSED ACTION: Revisions to rules 335-7-10-.05(q) 4., 335-7-10-.06(12) and 335-7-10-.06(13) are being proposed to clarify requirements, make technical changes and to require electronic submittal of reports.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing at the offices of the Alabama Department of Environmental Management, 1400 Coliseum Blvd, Montgomery, AL 36109 or by mail to P.O. Box 301463, Montgomery, AL 36130-1463.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 3, 2012 at 5:00 p.m.

CONTACT PERSON AT AGENCY: George M. Cox, Section Chief
Groundwater Section [334/271-7778]



Lance R. Lefleur
Director

335-7-10-.06 Reports.

(1) The monthly operating report shall be submitted to the Department no later than the tenth of the following month in a format approved by the Department. The report shall contain the results of all required water quality control tests specified in rule 335-7-10-.03 of this chapter, except where individual samples or longer averaging times are specified in this paragraph. The daily minimum disinfection levels shall be reported. When required by the Department, the following shall be provided:

(a) Maximum daily raw, clarified and individual filter effluent turbidity;

(b) The average of the carbon dioxide, color, iron, manganese, total alkalinity, pH and fluoride test results for each day;

(c) Water production records;

(d) Ground water level information;

(e) Filter operation records;

(f) Distribution pressure measurements; and,

(g) Water loss information.

(2) Records of chemical analyses shall be provided to the Department no later than the tenth of the month following the end of the required monitoring period. As a minimum, these reports shall include the location, date and result of each sample collected during the monitoring period. When directed by the Department, the number of samples collected, the quarterly average, the annual average and whether the MCL was exceeded shall be reported.

(3) Systems that are required to meet enhanced coagulation shall also report the alternative criterion that the system is using and the percent TOC removal.

(4) The system shall notify the Department within 24 hours of any instance of filtered surface water exceeding 1.0 NTU or finished ground water turbidity exceeding 5.0 NTUs; the disinfectant residual in the system being less than 0.2 mg/l for free chlorine or 0.5 mg/L for chloramine; or a waterborne disease outbreak potential.

(5) Any records or reports pertaining to the quality of water or operation of the water supply system shall be furnished to the Department upon request and must be available for public review.

(6) The water system shall maintain a copy of each monthly operating report. The report must be signed by a certified operator. This copy shall be readily available for inspection by the Department.

(7) Any operational evaluation level that was exceeded must be reported within 10 days after the end of the quarter. In addition, the system must report the date, location and the calculated TTHM and HAA5 levels for each site that exceeded the operational evaluation level.

(8) Any surface water or ground water under the influence of surface water system that is seeking to qualify for or remain on reduced TTHM and HAA5 monitoring must report the following source water TOC information:

(a) The number of TOC samples taken each month during the last quarter including the date and result of each sample.

(b) The quarterly average of monthly samples taken during last quarter or the results of the quarterly sample.

(c) The running annual average (RAA) of quarterly averages from the past four quarters.

(d) Whether the RAA exceeded 4.0 mg/L.

(9) Each membrane filtration unit shall undergo a direct integrity test each day the unit is in operation. The results of the test shall be reported monthly to the Department.

(10) Any membrane filtration unit exceeding 0.15 NTU for two consecutive readings, 15 minutes apart, shall be removed from service and undergo direct integrity testing. Additionally, any membrane unit that fails a direct integrity test shall be removed from service.

(a) Any unit that fails a direct integrity test shall be removed from service, repaired and not returned to service until it passes two consecutive direct integrity tests.

(b) The Department shall be notified within 48 hours of any membrane unit that exceeds 0.15 NTU or fails a direct integrity test. This information must be reported on the system's monthly operational report along with the date and time of when the Department was notified.

(c) Any membrane unit that exceeds 0.15 NTU for 2 consecutive readings, but passes its direct integrity test shall not be returned to service until the unit is able to produce water with a turbidity of less than 0.15 NTU.

[Note: Paragraphs (9) and (10) above apply only to surface water and ground water under the influence of surface water systems. Compliance monitoring reporting for ground water systems is covered in paragraph (11) below.]

(11) Ground water systems must submit the following to the Department:

(a) A ground water system conducting compliance monitoring under rule 335-7-5-.22(6)(b) must notify the Department any time the system fails to meet any Department-specified requirements including, but not limited to, minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored within four hours. The ground water system must notify the Department as soon as possible, but in no case later than the end of the next business day.

(b) After completing any corrective action under rule 335-7-5-.22(6)(a), a ground water system must notify the Department within 30 days of completion of the corrective action.

(c) If a ground water system subject to the requirements of rule 335-7-5-.22(5)(a) does not conduct source water monitoring under rule 335-7-5-.22(5)(a)5.(ii), the system must provide documentation to the Department within 30 days of the total coliform positive sample that it met the Department criteria.

(12) Wholesale systems (with the exception of systems with only ground water sources) shall submit the results of TTHM and HAA5 sampling at or near all points of delivery to consecutive systems. Consecutive systems who also sell to other consecutive systems shall submit the results of TTHM and HAA5 sampling at or near all points of delivery to other consecutive systems. These results shall be submitted with the routine sample results required by ADEM Admin. Code r. 335-7-2-.12 (Stage 2 Disinfection Byproducts).

(a) The number of sample locations can be reduced by submitting justification to the Department that the point of delivery is not contributing to elevated TTHM and/or HAA5 levels in the downstream consecutive system(s).

(b) If all consecutive systems served by the wholesale system are in compliance with the TTHM and/or HAA5 MCLs in accordance with paragraph 335-7-2-.12(a) for four consecutive quarters, then the systems can request a reduction or end of the monitoring.

(13) Reports submitted in accordance with this rule shall meet the following requirements:

(a) Monthly operating reports required by paragraph (1) or records of chemical analysis required by paragraph (2) above, shall comply with the following:

(i) Water systems serving a population of 3,300 or greater shall submit the reports in an electronic format approved by the Department for all reports dated January 1, 2013 or later

(ii) Water systems serving a population of less than 3,300 shall submit the reports in an electronic format approved by the Department for all reports dated January 1, 2014 or later

(iii) A waiver can be granted by the Department if requested in advance.

(b) All other reports may be submitted in an electronic or paper format approved by the Department.

Author: Joe Alan Power, Edgar K. Hughes, Dennis D. Harrison.

Statutory Authority: Code of Alabama 1975, §§ 22-23-33, 22-23-49, 22-22A-5, 22-22A-6.

History: May 23, 1977; Repealed and readopted: January 4, 1989; October 31, 1990; effective December 5, 1990.

Amended: December 12, 2005, January 22, 2008; May 26, 2009; XXXXX, 2012.