

Chapter 840: RULES RELATING TO DRINKING WATER SYSTEMS OF MANUFACTURED HOUSING COMMUNITIES

Summary: This chapter outlines the jurisdiction of the Board and the Division of Environmental Health within the Maine Center for Disease Control and Prevention, Department of Health and Human Services, in regulating the drinking water systems of manufactured housing communities. This chapter also sets forth the safe drinking water requirements for manufactured housing communities with Private Water Systems, which are regulated by the Board. These requirements pertain to Private Water System approval, operation, and modification; annual water testing, reporting, and notice to community residents; and enforcement remedies when a community violates these rules. The rules in this chapter are established to protect public health from unsafe Private Water Systems and to require that a community notify the population served of annual water test results.

1. Definitions

1. **APA:** “APA” means the *Maine Administrative Procedure Act*.
2. **Active Operation:** A water system in Active Operation is a system that is currently distributing water to consumers.
3. **Board:** “Board” means the Manufactured Housing Board as described in 10 MRS §9003.
4. **Boil Water Order:** “Boil Water Order” means an order issued by the Board to protect the health of persons consuming water from a Private Water System that may be contaminated by pathogenic microorganisms.
5. **Community Water System:** “Community Water System” means any water source and system of pipes or other constructed conveyances, structures and facilities through which water is obtained for or sold, furnished or distributed to community residents for human consumption, that is regulated by the Division of Environmental Health within the Maine Center for Disease Control and Prevention, Department of Health and Human Services (“Division”), pursuant to the *Safe Drinking Water Act*, Title 22 MRS §2611 *et seq.* and its implementing rules.
6. **Conditional Operation:** “Conditional Operation” means the licensed operation of an existing non-compliant Private Water System, operating subject to conditions as set forth by order of the Board, as described in Section 5.
7. **Contaminant:** Any physical, chemical, biological, or radiological substance or matter in water.
8. **Deficiency:** Any defect in a system’s design, operation, maintenance, or administration, as well as any failure or malfunction of any system component, that the Board or

Division determines to cause, or has the potential to cause, a violation of the Board's rules and an unacceptable risk to health, or that could affect the reliable delivery of safe drinking water.

9. **Designated Operator:** "Designated Operator" is the person(s) designated by the Licensee, owner, operator, or manager to make decisions regarding the daily operational activities of a Private Water System, water treatment facility, and/or distribution system that may directly impact the quality and/or quantity of drinking water. The Designated Operator shall also be responsible for taking water samples, conducting tests, and furnishing test results to the Board, and for notification to all consumers of Board orders and water quality reports and notices. The Designated Operator shall be the point-of-contact for the Board.
10. **Division:** "Division" means the Division of Environmental Health, or its successor Division, within the Maine Center for Disease Control and Prevention, Department of Health and Human Services.
11. **Emergency Order:** In order to protect the public health, the Board may, without a prior hearing, issue an Emergency Order requiring the operator or owner of the water system to immediately take such action as is required under the safe drinking water requirements.
12. **Engineering Study:** An engineering study consists of a technical evaluation by a Maine licensed professional engineer of a water system's source, treatment, pumping, distribution and/or storage, to identify deficiencies that limit or prohibit a water system's ability to reliably provide water of acceptable quality and/or quantity. The engineering study must also recommend a course of action to implement improvements as needed.
13. **Existing Water System:** "Existing Water System" is a Private Water System in Active Operation that supplies water to consumers prior to the effective date of these rules, and shall be subject to these rules.
14. **Expanded, Upgraded, or Re-engineered Water System:** Any modification that may affect the quality or quantity of water produced, including but not limited to compliance with these rules, correction of violations, expansion, upgrading, or re-engineering of an existing Private Water Systems, including the distribution system.
15. **Hearing:** An adjudicatory hearing conducted by the Board pursuant to the *Administrative Procedure Act*.
16. **Licensee:** "Licensee" means a manufactured housing community regulated by the Board that holds a current license issued by the Board, or a manufactured housing community, together with its owner, that formerly held a license issued by the Board that has expired or been suspended.
17. **Maximum Contaminant Level (MCL):** The maximum permissible level of a contaminant in water which is delivered to the free flowing outlet of the ultimate user of a Private Water System.
18. **New Private Water System:** Any newly constructed well, water source, intake, or other structure or device intended as a supply of water for a Private Water System. All new

sources of water intended for use by a Private Water System shall be subject to these rules pertaining to new wells and water sources.

19. **Non-Compliant:** A Private Water System that is in violation of the provisions of this chapter.
20. **Order of Correction:** A written complaint and notice of violation of the Board's rules, issued by the Board.
21. **Person:** An individual, association, partnership, company, public or private corporation, political subdivision or agency of the State, department, agency or instrumentality of the United States, or any other entity.
22. **Potable Water:** Water that is satisfactory for drinking, culinary, and domestic purposes and meets the requirements and standards contained in these rules.
23. **Private Water System(s):** Any manufactured housing community system of well(s), water source(s), pipes, or other constructed conveyances, structures, and facilities through which water is obtained and furnished or distributed to the public for consumer consumption, if such a system serves less than ten (10) licensed sites or service connections per well, and which is not regulated by the Division.

"Private Water System" includes any collection, treatment, storage, or distribution pipes or other constructed conveyances, intakes, structures or facilities under the control of the supplier of water, and used primarily in connection with such a system, and any collection or pretreatment storage facilities not under that control that are used primarily in connection with such a system. This includes multiple independent water wells or sources comprising a Private Water System. Private Water System does not include the portion of service pipe or devices owned and maintained by a homeowner of a private water system.
24. **Safe Yield:** The methods and standards described in the Manual for Water Well Construction Practices, 2nd Edition, 1998 (published by the National Ground Water Association), shall be used for the proper development and determination of safe yield for all proposed wells. All water quality samples shall be collected after proper well development and disinfection, and at the conclusion of continuous pumping of the well for a sufficient period of time so that a minimum of three well bore volumes have been removed.
25. **Sample; Water Sample:** An amount of untreated (raw) source water or finished (treated) drinking water that is examined for the presence of a contaminant.
26. **Violation:** Noncompliance with the Board's drinking water rules, regardless of whether that noncompliance is intentional, negligent, or otherwise.

2. Water Systems Distinguished; Jurisdiction

1. Community Water System

A community with a Community Water System, as defined in Section 1, must meet the drinking water standards of the *Safe Drinking Water Act*, 22 MRS §2611 *et seq.* and its implementing rules set forth and administered by the Division of Environmental Health within the Maine Center for Disease Control and Prevention, Department of Health and Human Services (“Division”). The Board does not regulate Community Water Systems.

2. Private Water System

A community with a Private Water System, as defined in Section 1, must meet the drinking water standards set forth and administered by the Board in this Chapter.

In order to install and operate a new Private Water System, or to expand, upgrade, or re-engineer an existing Private Water System, a community must obtain system approval from the Board, with the Division acting as a technical advisor, prior to installation, modification, operation, and use, as set forth in Section 4 of this chapter.

3. Private Water System Requirements, Generally

1. Potable Water

Annual Water Testing. A community must comply with the annual water testing requirements contained in this chapter for each well or water source. The Board shall audit communities for compliance with this obligation periodically. The Board may also specify conditions relating to testing and the frequency of testing when warranted by circumstances particular to a specific community water system.

NOTE: A community in which all water is supplied by a public water utility is exempt from routine water testing requirements. However, the Board will require testing at one or more homes in such a community in the event of concerns about the adequacy and potability of the water delivered to the homes.

2. Plumbing

- A. **Generally.** A community must comply at all times with the current adopted edition of the *Uniform Plumbing Code*.
- B. **Minimum Static Pressure.** The water supply system shall be designed and maintained to provide a minimum static pressure of 20 lbs. per sq. in. (138 kPa) from the service coming out of the ground at each site.
- C. **Pressure Regulator.** Where static water pressure exceeds 80 psi (552kPa), a pressure regulator shall be installed and the pressure reduced to 80 psi-at the location of the water source.

4. Approval of New Private Water Systems or Expansions, Upgrades, or Re-Engineering of Existing Private Water Systems

1. Overview

Although Private Water Systems are regulated by the Board, the Division acts as a technical advisor to the Board on water system matters. Applications for preliminary and final approval of new Private Water Systems or for expansions, upgrades, or re-engineering of existing Private Water Systems, shall be submitted to the Division. After review, the Division provides a recommendation to the Board as to whether or not the Board should approve the system. In order for a system to be completed and operational, the Board shall provide express, written approval.

2. Approval Process

A. Preliminary Approval

No new Private Water System or expansion, upgrade, or re-engineering of an existing Private Water System shall be installed prior to preliminary approval being granted in writing by the Board.

- (1) The Licensee shall submit to the Division a completed preliminary approval form for each proposed new system, or expansion, upgrade, or re-engineering of an existing system, along with required documentation. The preliminary approval form is available from either the Division or the Board.

Required documentation shall include but is not limited to the following: location map; estimated quantity of water required from each well in gallons per minute or gallons per day; and a site plan showing all potential sources of contamination within 300 feet of the well.

- (2) The Division shall review the preliminary approval form to determine the adequacy of the system to provide safe and healthy drinking water to the public, and shall make recommendations on approval to the Board. Preliminary approval of a system must be granted by the Board in writing and may be based upon the recommendation of the Division.
- (3) Except as permitted by subparagraph (4), new wells shall be located at least 300 feet away from potential contamination sources.
- (4) If circumstances exist requiring a proposed well location to be placed closer than 300 feet from a potential contamination source, the Division may recommend a waiver to the requirement on a case-by-case basis, subject to approval by the Board. The Division must be provided with information from an appropriate qualified professional sufficient to make a determination on all waiver requests. In recommending a waiver, the Division may advise the Board to place conditions on the waiver, including but not limited to, increased water quality monitoring.

- (5) The Division may recommend treatment for all new wells if a contaminant is present in sufficient quantity to constitute a public health concern in the future, even if the contaminant level does not exceed the current maximum contaminant level.
- (6) The Division may recommend that the Board deny a proposed well location after determining that a proposed well location is not safe from threat of contamination even with increased monitoring for those contaminants.
- (7) The Licensee shall determine a safe yield for all proposed wells. The pump test shall terminate when the safe yield of the well can be reasonably estimated. All water quality samples shall be collected at the conclusion of the pump test.
- (8) If the Division determines that additional information is necessary to evaluate the adequacy of a proposed water system to provide a safe and healthy supply of water to the public, or to otherwise protect public, the Division may recommend that the Board require an Engineering Study to be prepared by a Maine licensed professional engineer evaluating the proposed water system.

An Engineering Study may include: a description of the site geology and any sources of contamination in the area; a map of the area showing all wells installed and any potential sources of contamination in the area; drilling logs for each well installed; pump test drawdown data if available; recommendations for wellhead protection area delineations; and all required water quality analysis results. An Engineering Study, if required by the Board, shall be submitted to the Division for review with the request for Final Approval, as outlined in Paragraph B of this subsection.

B. Final Approval

No water may be distributed from a new Private Water System or expansion, upgrade, or re-engineering of an existing Private Water System prior to final approval being granted in writing by the Board.

- (1) The Licensee shall submit to the Division a completed final approval form, along with all water quality analysis results required by this chapter, for review and approval recommendation. The final approval form is available from either the Division or the Board.
- (2) In order for the Board to grant final approval, all required water quality analyses must be completed, and the Board must determine that the well is in compliance with all applicable Board rules. Final approval of a system must be granted by the Board in writing and may be based upon the recommendation of the Division.
- (3) The Board may require additional treatment, testing or other recommendations that the Division deems necessary for the protection of the public health.

- (4) New system approval samples must be “raw” water – prior to any treatment or storage.
- (5) The Board may require ongoing routine monitoring for some organic chemicals and/or radionuclides if contaminants above the maximum contaminant levels exist in the raw water.

C. Conditional Approval; Existing Systems

The Board may grant conditional approval of an expansion, upgrade, or re-engineering of an existing Non-Compliant Private Water System, pending compliance, as outlined in Section 5 of this chapter.

5. Conditional Operation of an Existing Non-Compliant Private Water System

1. **Order of Conditional Operation.** The Board, upon request or upon its own initiative, may provide additional time for a Licensee to bring an existing Non-Compliant Private Water System into compliance when correcting a violation, deficiency, or water quality issue. The additional time may be granted by an Order of Conditional Operation, provided the following criteria are met:
 - A. A detailed plan for water system quality compliance, including remedial measures to be taken, a specific schedule for completion, and identification of a Designated Operator, is approved by the Board;
 - B. The health and safety of the water consumers are not jeopardized;
 - C. All consumers are provided with potable water at all times, at the expense of the Licensee;
 - D. When required, adequate notification concerning the water quality of the water system is provided to the consumers during the additional time period; and
 - E. Any other measures deemed appropriate and necessary by the Board and by the Division.

6. Drinking Water Standards for Existing Private Water Systems in Active Operation that are not Expanding, Upgrading, or Being Re-engineered

1. Testing of each water system shall be performed annually, and the testing requirements rotate on a three-year cycle, as follows:

A. Required Testing for the First Year of Each Cycle**Microorganisms:**

Total Coliform
Nitrate
Nitrite

B. Required Testing for the Second Year of Each Cycle**Inorganic Chemicals:**

Arsenic
Barium
Cadmium
Chromium (Total)
Copper
Fluoride
Lead
Nitrates (Measured as Nitrogen)
Nitrites (Measured as Nitrogen)
Selenium
Total Coliform

C. Required Testing for the Third Year of Each Cycle**Microorganisms:**

Total Coliform
Nitrate
Nitrite

Organic Chemicals:

Benzene
Carbon tetrachloride
Chlorobenzene
o-Dibromo-3-chloropropane
o-Dichlorobenzene
p-Dichlorobenzene
1,2-Dichloroethane
1,1-Dichloroethylene
cis-1,2-Dichloroethylene
trans-1,2-Dichloroethylene
Dichloromethane
1,2-Dichloropropane
Ethylbenzene
Styrene
Tetrachloroethylene
Toluene
1,2,4-Trichlorobenzene
1,1,1-Trichloroethane
1,1,2-Trichloroethane
Trichloroethylene
Vinyl chloride
Xylenes (total)

2. Untreated water samples shall be analyzed by a certified laboratory after a prolonged pump test.
3. The Board may require additional water quality testing if there is reason to believe a contaminant may be or is present in the drinking water that would pose a risk to public health.
4. Water systems with quality exceeding the maximum contaminant levels shall be required to come into compliance through the installation of treatment, blending with another source, or abandonment of the water source. The community may also address the contamination issue through the removal of the source of the contaminant and by demonstrating that the water quality is at or below the maximum contaminant level.

7. Designated Private Water System Operators

Private Water Systems are not required to employ licensed operators. However, all Private Water Systems shall designate a person responsible for the system operation. Such Designated Operators, who may be an owner, manager, employee, independent contractor, *etc.*, are responsible for proper record-keeping and reporting, sample collection, and consumer notice, *etc.*, as stated in these rules, and shall be registered with the Board as the primary point-of-contact. Change of address, phone number, email address, *etc.*, and change in Designated Operator shall be conveyed to the Board within thirty (30) days of that change.

8. Reporting Requirements

1. **Water Test Results.** Licensees shall notify the Board of any unsatisfactory water results within three (3) business days of the Licensee's or Designated Operator's receipt of the test results.
2. **Failure to Comply.** All Private Water Systems must report to the Board any failure to comply with the rules within three (3) business days, including the failure to test, monitor, or report water analyses, or to correct non-compliance with these rules.
3. **Change in Ownership.** All current owners, Licensees, or Designated Operators of Private Water Systems must notify the Board of a change in ownership thirty (30) days prior to the transfer.
4. **Consumer Complaint.** The Board shall notify the Designated Operator and the owner or Licensee of any consumer complaint(s).

9. Record Maintenance

The owner, Designated Operator, or Licensee shall retain on the premises, or at a convenient location near the premises, the records of a private water system, as indicated below. Such records shall be made available to the Board upon request.

1. Water Analyses

- A. Records of water test results and the Annual Water Safety Report made pursuant to these regulations shall be kept for not less than six (6) years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:
- (1) Name, address, and contact information of the community and the Designated Operator of the Private Water System;
 - (2) The date, place, and time of sampling, and the name of the person who collected each sample. In the event of multiple wells, all wells shall be properly identified in the test results;
 - (3) Identification of the sample as to whether it was a routine distribution system sample, check sample, raw process water sample, or other special purpose sample;
 - (4) Date and time that the lab received the sample;
 - (5) Date and time of analysis;
 - (6) Laboratory and person responsible for performing the analysis;
 - (7) The analytical technique/method used;
 - (8) Minimum Detection Limits (MDL); and
 - (9) The results of the analysis with, where appropriate, the units of measurement.
- B. **Format.** Analyses must be submitted to the Board in a format approved by the Board, which may include hard-copy or electronic forms.
- C. **Records of Compliance.** Records of action taken by the operator of the water system to correct violations of drinking water rules shall be kept for a period of not less than six (6) years after the last action was taken with respect to the particular violation involved, and shall be made available to consumers and the Board upon request.

10. Communication and Notice to Consumers

1. **Communication with Private Water Systems.** In the event that the Board is unable to contact the Designated Operator, Licensee, owner, or manager of a community when Private Water System test results required under an audit or otherwise are not furnished or are unavailable, the Board may at its option:
- A. Conduct or cause water system testing and post the test results by notice to consumers, or

- B. Post notice that required test results for the system are not available and that consumers should not assume consumption of the water is safe, and
- C. Order the operator or owner of the water system to provide continuous potable water via tanker or other means for drinking, cooking, and sanitation purposes at the Licensee's expense.

11. **Engineering Study for Existing Private Water Systems with Violations or Deficiencies**

1. The Board is authorized to order the operator or owner of an Existing Water System to conduct an Engineering Study to identify deficiencies or violations of these rules and to make recommendations to the Board.
2. An engineering study consists of a technical evaluation by a Maine licensed professional engineer of a water system's source, treatment, pumping, distribution and/or storage, to identify deficiencies that limit or prohibit a water system's ability to reliably provide water of acceptable quality and/or quantity. The engineering study also recommends a course of action to implement improvements as needed.
3. The Board is authorized to order that any or all of the recommendations in the Engineering Study be carried out. At the written request of the Licensee or Designated Operator, a public hearing shall be held on any Board order within thirty (30) days of receipt of such request.

12. **Imminent Hazard to Public Health – Emergency Order**

1. **Determination of Imminent Hazard.** An imminent hazard may be considered to exist when there is a violation of the Board's drinking water regulations, and shall be considered to exist when, in the judgment of the Board or the Division, a condition exists in a Private Water System or water supply that will result in a serious risk to public health.
2. **Elimination of Imminent Hazard.** In order to protect the public health, the Board may, without a prior hearing, issue an Emergency Order requiring the Licensee to take immediate action as may be required under the circumstances. Actions required under the Emergency Order may include, but are not limited to:
 - A. The prohibition of transportation, sale, distribution, or supplying of water;
 - B. The furnishing of potable water at the Licensee's expense;
 - C. The repair, installation, or operation of treatment equipment or methods;
 - D. The notification to all potential users of the system of the nature, extent, and possible health effects of the imminent hazard and precautions to be taken by users; and
 - E. The testing, sampling, or other analytical operations required to determine the nature, extent, duration, or termination of the imminent hazard.

A copy of the Emergency Order shall be served upon a Designated Operator, Licensee, owner, manager, employee or agent for service, in the same manner as service of notice of the commencement of a civil action in Superior Court.

An Emergency Order issued by the Board shall be effective immediately and shall be binding for no more than 90 days unless sooner revoked by the Board at its discretion or at a public hearing, or unless modified or rescinded by a Superior Court. At the written request of the Licensee or Designated Operator, a public hearing shall be held on the Emergency Order within thirty (30) days of receipt of such request.

13. Imminent Hazard to Public Health – Boil Water Order

1. **Boil Water Order.** A Boil Water Order shall immediately require the supplier of water to complete consumer notification of the threat to public health.
2. A Boil Water Order may be issued when, in the judgment of the Board, a threat to the public health may exist from the presence of pathogenic microorganisms in a Private Water System. A Boil Water Order may be issued without a prior public hearing and served on the supplier of water, Designated Operator, owner, Licensee, manager, or employee, by personal service, in person, certified mail, or by any other method if such service is accepted. At the written request of a Licensee or Designated Operator, a public hearing must be held on the Boil Water Order within thirty (30) days of the receipt of the request.
3. The Board is authorized to issue Boil Water Orders to any Licensee to comply with the requirements of these regulations, and is further authorized to petition the courts to compel compliance with such orders.
4. Upon receipt of information that there is an imminent endangerment to public health due to the actual or threatened existence of biological contaminants in a Private Water Supply, as indicated by the presence of pathogenic microorganisms or the presence of indicator organisms that indicates the potential presence of pathogenic microorganisms, or when, in the judgment of the Board, such a condition exists or is likely to exist in a Private Water Supply and will result in a serious risk to public health, the Board shall initiate Boil Water Order procedures. Upon determination by the Board that conditions exist that would warrant the issuance of a Boil Water Order, the Designated Operator of the Private Water System will be immediately notified of the determination. Upon notification by the Board of the Boil Water Order, the Designated Operator of the Private Water System must immediately implement the requirements of the Boil Water Order system-wide, or as otherwise directed by the Board, until such time as the Board makes the determination that the Boil Water Order may be lifted.

A. Boil Water Order Procedures

- (1) The Board will provide the Boil Water Order to the Licensee and Designated Operator, owner, manager, or other responsible individual by telephone, electronic/digital notification, facsimile, or in person, or by any other means for immediate distribution to consumers.

- (2) If the Board is unable to contact an appropriate person, then the Board's staff may distribute notice and the Boil Water Order to consumers within 24 hours of the Board's issuance of a Boil Water Order.
- (3) The Board will follow up by sending the Boil Water Order and other requirements in writing, via first class and certified mail, to the Designated Operator and the Licensee, or other appropriate representative of the water system.
- (4) Nothing in these Boil Water Order procedures absolves the supplier of water of the obligation to provide appropriate public notification to their consumers or from compliance with these rules.
- B.** When a Boil Water Order is issued by the Board, the Designated Operator, the Licensee, or other appropriate representative of the water system shall appropriately notify consumers immediately, no later than twenty-four (24) hours from its issuance.
- C.** Notification of the Boil Water Order may be accomplished by publishing it in a daily newspaper of general circulation in the area the water system serves; by announcing it on local radio; by announcing it on television; by posting it in conspicuous places (i.e. employee and community bulletin boards, bathrooms, entrance doors of an establishment, and other appropriate places); by hand-delivering it to each consumer; or by other methods approved by the Board. The Board may require any combination of the above forms of notification that it deems necessary to sufficiently inform all consumers of water of the Boil Water Order.
- D.** The following language shall be included in all Boil Water Order notices distributed by the system:
- Due to the possibility of unsafe water, Private Water System users are directed to Boil All Water for at least one minute at a rolling boil before drinking, making ice cubes, washing foods, brushing teeth, or engaging in any other activity involving the consumption of water. The Order shall remain in effect until further notice.
- Questions regarding this notice may be directed to the operator of the private water system at:
- (Please provide the following information)
Name of Contact Person
Name of Community
Telephone #
- or to the State of Maine Manufactured Housing Board at (207) 624-8612.
- E.** **The** Board may lift the Boil Water Order if it determines that the imminent endangerment to public health has been remedied. Prior to lifting the Boil Water Order, the Board will require the water system to take the appropriate number of water samples.

- F. All samples must test negative for E. Coli and Total Coliform in order for the Board to lift the Boil Water Order.

14. Water Safety Report

The Designated Operator and the Licensee, owner, manager, or other responsible individual of the Private Water System shall annually test, certify, and distribute to all consumers a notification that outlines the water quality with regard to test results of primary contaminants. The form of notice to be used is attached as "Appendix A."

15. Advisory Ruling

1. Advisory Rulings are authorized pursuant to 5 MRS §9001.
 - A. Upon written request, the Board may render an advisory ruling with respect to the interpretation and/or applicability of a rule or procedure administered by the Board.
 - B. A request for an advisory ruling must be addressed to the Executive Director of the Board.
 - C. The Board may refuse to issue an advisory ruling if it may harm its interests in any litigation to which it is or may become a party.
 - D. An advisory ruling must be in writing and issued no more than 60 days from the date when the Board has received all information necessary for the ruling.
 - E. An oral opinion is not an advisory ruling.
 - F. An advisory ruling by the Board is not binding upon the Board in any manner. In any subsequent enforcement action initiated by the Board, any person's justifiable reliance upon the ruling shall be considered in mitigation of any penalty sought to be addressed.

16. Operation, Maintenance and Disinfection

1. **Covered Reservoirs.** All finished water reservoirs shall be covered, and the vents to the reservoirs shall be adequately screened.
2. **Flushing.** No spring basin, collecting basin, well, infiltration gallery, water main, pump, standpipe, or reservoir shall be placed in service following cleaning or repairs until it has been properly disinfected.
3. **Disinfection.** When any water system fails to meet the proper coliform level, the Board may designate the disinfectant residual or application rate to be maintained by the system. Ground water supplies may be required by the Board to be disinfected. All treatment techniques shall be approved by the Board in consultation with the Division.

17. Administrative Enforcement

1. Pursuant to Title 10 MRS §8003, *et seq.*, the Board may investigate (including the taking and testing of water samples), prosecute, and impose sanctions or remedies for any noncompliance with the Board laws and rules to provide safe drinking water. The purpose for requiring compliance and sanctions is to enable the Board to establish an effective enforcement program to meet the requirements of these rules. In seeking and imposing compliance and enforcement actions, the Board may pursue any combination of administrative and judicial remedies depending upon the circumstances and gravity of each case, provided that the Board follows the procedures established by these rules.
2. The Board may deny, terminate, or refuse to renew a license for the operation of a Manufactured Housing Community, or impose operating restrictions or other conditions and disciplinary sanctions authorized by Title 10 MRS §8003(5-A) for any violation(s) of these rules.

18. Hearing

Appeal of Board Decision and Order and Request for Adjudicatory Hearing. Adjudicatory Hearings shall be conducted by the Board in accordance with the *Administrative Procedure Act* at 5 MRS §9051, *et seq.* A request for a hearing shall be made in writing and directed to the Executive Director of the Board.

19. Judicial Review

The Board's decision and order after appeal shall be deemed a final agency action and shall be binding on all parties. Any party aggrieved by the decision has a right to judicial review pursuant to Title 5 MRS §10001.

STATUTORY AUTHORITY: 10 MRS §§ 9005-A, 9084, 9085

EFFECTIVE DATE:

August 30, 2015 – filing 2015-160

Appendix A to Chapter 840

Water Safety Report

Name of Community: _____

License #: _____

Address: _____

Telephone #: _____ Fax #: _____

Email: _____

Report Covering Calendar Year: Jan. 1 - Dec. 31, _____

Annual Water Test Results:

____ Water is Satisfactory for Consumption

____ Water is **not** satisfactory for consumption**(SEE ATTACHED WATER TEST FOR EXACT DETAILS)****Annual Water Test Results for Existing Private Water Systems in Active Operation should not exceed the following levels:**

A. Microorganisms	MCL		
Total Coliform	Zero (absent)		
Nitrates	10 mg/L		
Nitrites	1 mg/L		
B. Inorganic Chemicals	MCL	Inorganic Chemicals	MCL
Fluoride	2.0 mg/L	Arsenic	0.010 mg/L
Lead	0.015 mg/L	Barium	2.0 mg/L
Nitrates	10 mg/L	Cadmium	0.005 mg/L
Nitrites	1 mg/L	Chromium (Total)	0.1 mg/L
Copper	1.3 mg/L	Selenium	0.05 mg/L
C. Organic Chemicals	MCL	Organic Chemicals	MCL
Benzene	0.006 mg/L	Carbon Tetrachloride	0.005mg/L
Chlorobenzene	0.1 mg/L	o-Dibromo-3-chloropropane	0.01 mg/L
o-Dichlorobenzene	0.6 mg/L	p-Dichlorobenzene	0.6 mg/L
1,2-Dichloroethane	0.005 mg/L	1,1-Dichloroethylene	0.007 mg/L
cis-1,2-Dichloroethylene	0.07 mg/L	trans-1,2-Dichloroethylene	0.1 mg/L
Dichloromethane	0.005 mg/L	1,2-Dichloropropane	0.005 mg/L
Ehtylbenzene	0.7 mg/L	Styrene	0.1 mg/L
Tetrachloroethylene	0.005 mg/L	Toluene	1 mg/L
1,2,4-Trichlorobenzene	0.07 mg/L	1,1,1-Trichloroethane	0.2 mg/L
1,1,2-Trichloroethane	0.005 mg/L	Trichoroethylene	0.005 mg/L
Vinyl chloride	0.002 mg/L	Xylenes (total)	10 mg/L

Certification:

I hereby certify and attest that I have distributed copies of this Water Safety Report to all users of my private water system. I further certify that the information contained in this annual Water Safety Report is correct and consistent with compliance monitoring data. Any intentional deception or misinformation represented in this report may be cited as a violation of the Drinking Water Rules for Private Water Systems.

Signed: _____

Date: _____