

Service Connection

The Maine Drinking Water Program Newsletter

"Working Together for Safe Drinking Water"

Spring 2014 • Volume 22, Issue 1



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Public Water System Sanitary Survey Procedures Now Documented

Nathan Saunders, Field Inspection Team Manager

About three years ago the DWP Field Inspection Team embarked on a lengthy mission to document the process of completing a sanitary survey inspection at small and large public water systems. We reviewed the existing questions sets, added or removed questions, then went through



every question capturing "Inspection Details," "Requirements," and "Recommendations," incorporating the accumulated knowledge of many years of field inspection experience. Two separate documented procedures are now available on the DWP website. Several positive results emerged from this documentation effort:

- ✓ Water systems can become aware of what will be inspected, knowing requirements and recommendations in advance of the sanitary survey;
- ✓ Field inspectors share a foundation of common expectations, bringing a new level of consistency to inspections performed by different inspectors across the State;
- ✓ The completion rate of sanitary survey inspections remains high throughout the State, for the benefit of safe water served to consumers of public water systems; and
- ✓ New field inspectors at the DWP will receive detailed instruction to help them rapidly attain the skills needed to competently inspect the smallest to the largest water systems in Maine.

Continued On Page 7

2014 Required Testing Reports

The 2014 Required Testing Reports were mailed in late March. These reports list which water samples are required for 2014. Seasonal water systems will receive their Required Testing Report once they open for the season.



The 2014 Required Testing Reports are also available online at our website, www.medwp.com. Please remember that these reports are a snap shot in time and may not contain all sample schedule changes that occurred after the date the reports were created. For any questions about your testing requirements, contact your Compliance Officer at 287-2070.



Maine Center for Disease Control and Prevention

An Office of the Department of Health and Human Services

Service Connection

DIRECTOR'S *Corner*

Improved Success

Greetings from Augusta. I hope as you are reading this, the weather has improved from the cold and wintry weather of March.

The Drinking Water Program has finished compiling all the compliance data from calendar year 2013, and the results are great!

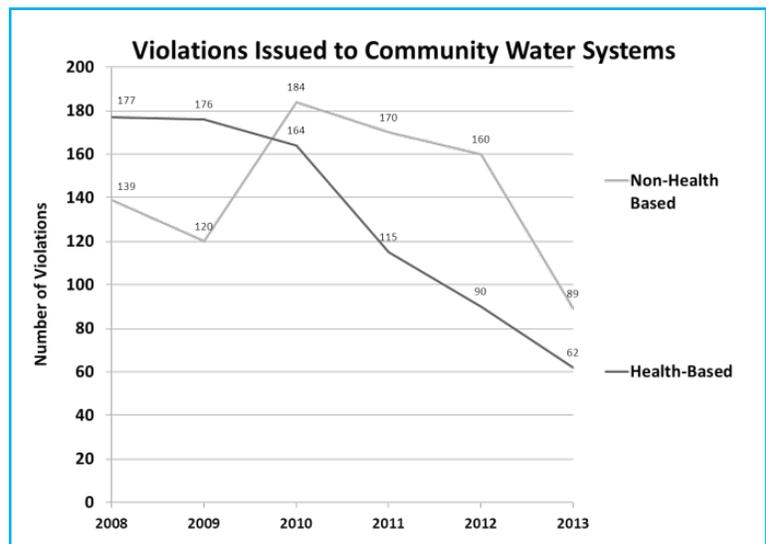
As can be seen in the three graphs below and on the opposite page, all water system types experienced a decrease in the number of violations. The “Non-Health Based” violations consist generally of “failure to monitor” violations – issued when a system does not collect a sample during the appropriate time, and failure to provide the appropriate public notification of a violation. The “Health-Based” violations are those that indicate a water quality problem and are most often associated with the water system exceeding a “maximum contaminant level” (MCL).

The downward trend of violations issued to all public water systems indicates improvements to the public health protection “system.” This “system” includes not only the Drinking Water Program staff but also includes water system owners, operators, consultants, technical assistance providers and others. Although there are many benefits to the decreased number of violations, the greatest benefit is to the consumers of the drinking water. Improved compliance means an increased confidence that the water served meets the Safe Drinking Water Act requirements.

Congratulations on this terrific success and keep up the great work. I hope your summer season is prosperous and enjoyable.

Yours for safe drinking water,

Roger



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The Maine Drinking Water Program Newsletter

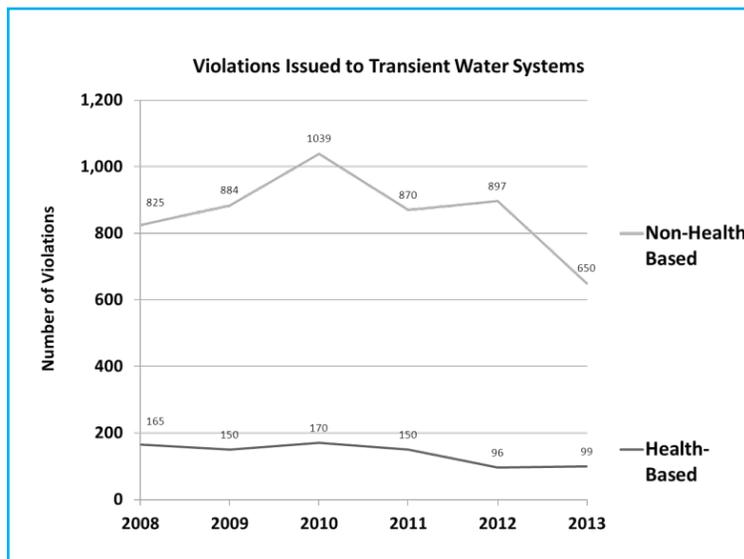
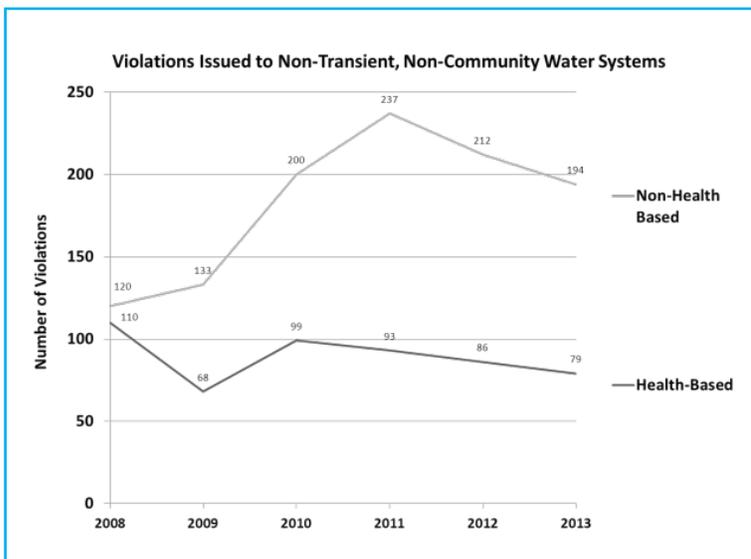
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'Directors Corner' Continued...



Top Ten Things to Remember About Consumer Confidence Reports (CCR)

(Adapted From EPA's January 2014 CCR Webinar)

- 1. Delivery is your responsibility!** Community Water Systems (CWS) must certify delivery to every bill-paying customer so keep in touch with the DWP. CWSs will need to use a combination of methods for their service area.
- 2. Know your customer base!** Offer appropriate electronic delivery method capabilities based on your customers needs.
- 3. Give customers a heads up and an option!** Inform customers of the change in delivery approach before delivery of the CCRs to customers. Give them a chance to choose paper or electronic CCRs.
- 4. Tell everyone, all the time!** A CWS mailing a direct webpage address (URL) should include an option on every water bill for a customer to elect to receive a paper CCR.
- 5. Know your costs!** You may not see savings in the first year. It may take a few years for people to be comfortable with e-delivery.
- 6. Catch customers' attentions!** Include a short message to encourage readership of the CCR.
- 7. Email delivery!** If an email bounces back, resend the CCR by an alternative means. Keep email databases up to date.
- 8. Make it bold! Make it short!** The direct URL should be in typeface that is at least as large as the largest type on the statement or other mailing notification. A CWS should also create a short, easy to type direct URL.
- 9. Keep a record!** Remember customer delivery preferences for future CCR deliveries.
- 10. Remind auto-pay customers!** To ensure that electronic bill and auto-pay customers are aware of their CCR, a CWS should send a separate CCR-related email to electronic bill and auto-pay customers.

Could This Happen in Maine? A Review of the Elk River Chemical Spill in West Virginia

Michael Abbott, Hydrogeologist

On January, 9, 2014, up to 10,000 gallons of a solvent known as 4-methylcyclohexane methanol (MCHM) and smaller amounts of a polyglycol ether mixture, PPH, leaked from a tank at the Freedom Industries chemical storage facility in Charleston, West Virginia. Secondary containment was not adequate to hold the spill, resulting in discharge of the chemicals into the Elk River - a public water supply - approximately 1.5 miles upstream from the intake for the West Virginia American Water (WVAW) Kanawha Valley water treatment plant. This plant, the largest water treatment facility in the State, operated at 30 to 40 million gallons per day and served up to 300,000 customers over a 3,000 square mile area.

Freedom Industries failed to report the spill until the DEP arrived at the site to investigate numerous public complaints of a strong licorice odor in the air. MCHM is known to be an irritant to the eyes, skin and respiratory system. The treatment plant was finally notified (by DEP) several hours after the spill occurred. Treatment plant personnel assumed the contamination could be removed through a carbon filtration system, but this action only worked temporarily before chemicals were flowing through the filter and into the distribution system. WVAW then issued a Do Not Use order for 9 counties and began hourly water tests to determine when the water would again be safe to drink. Water advisories were lifted, following almost 12 days of testing and flushing of the distribution system, as well as plumbing in homes. Over 400 hospital visits were related to exposure, and emergency water supplies were provided by WVAW, County and Federal emergency agencies. Public water systems located downstream (e.g., Cincinnati and North Kentucky Water District on the Ohio River) were able to manage the incident through treatment and/or temporary shutdown of the intakes, given the advanced notice and dilution occurring as the spill traveled downriver.

Could this happen in Maine? Well, yes. In the event of a chemical spill upstream from a public water system (PWS) intake on a river or stream, impacts can occur very quickly. This reality increases the urgency and importance of efficient communication and response actions that must follow such an event. The same can be true for high yield wells screened in sand and gravel in close proximity to flowing water bodies.

What went wrong in West Virginia?

- **The leaking tank** - Freedom Industries may have



PHOTO BY CHRIS DORST

prevented the spill through more frequent or thorough inspections, and proper maintenance of the storage structure.

- **The leak was not contained** - Secondary containment was not sufficient to hold the spill.
- **Notification breakdown** - The PWS was not notified immediately following the spill, thereby minimizing the time to react.
- **Intake management** - Shutting down the intake until the spill “went by” would have minimized impact to treatment plant, distribution system and individual customers. Knowing the limitations of the treatment plant for the specific chemical spilled, and having adequate storage for fire suppression capabilities, may have allowed WVAW to avoid the worst of the spill.

How can we prevent/prepare for spills in Maine?

- **Know what is upstream** - Using information from the Maine DEP’s Environmental and Geographic Analysis Database (EGAD) and lists of petroleum storage facilities from DEP, EPA and MEMA, the Drinking Water Program (DWP) is working on a project now to identify and inventory chemical storage facilities located upstream from PWS intakes. This study will be limited to a distance where a spill could reach an intake rapidly (within 24 hours) and result in a critical emergency response situation. We will be sharing this information with each PWS so they know the location, type and volume of chemicals stored upstream from their intake.
- **Inspect Storage Facilities** - Using the results of our inventory (above), we will be providing the Maine DEP and

Continued on page 6



ENFORCEMENT CORNER

Tera Pare, Enforcement & Rulemaking Coordinator

What does it mean if your Public Water System received a Compliance Order?

Our last Enforcement Corner article provided information about what it means when a public water system (PWS) receives a Consent Order from the Drinking Water Program (DWP). This time, we're exploring a public water system's rights and responsibilities when the next enforcement step is reached: An Administrative Compliance Order.

Why Did Your PWS Receive an Administrative Compliance Order? If a PWS did not accept the DWP's offer to negotiate a settlement through the Consent Order, or a settlement could not be reached between the PWS & DWP, or the PWS missed deadlines and actions set by a finalized Administrative Consent Order, then the DWP is authorized to issue a Compliance Order.

Is This Different Than the Consent Order? Yes. The Consent Order allowed for the PWS and the DWP to negotiate terms and deadlines for returning to compliance with safe drinking water regulations and was only effective and binding when both parties signed the Order. Conversely, a Compliance Order is already set in its terms and becomes immediately binding upon receipt by the PWS. There is no opportunity for negotiating the terms; however, unlike the Consent Order, there is a chance to appeal the Compliance Order.

What First? On the day that you or another representative of the PWS signs for this Order and acknowledges receipt, a 30-day window of appeal begins. Therefore, read the letter and order carefully to understand the requirements. Contact the person who mailed the letter (either Dawn Abbott or Tera Pare), because working with the DWP reduces the chances of further enforcement and increases the PWS Water Supplier understanding of what is required.

What Are the PWS Rights Within The First 30 Days? A PWS may appeal this Administrative

Compliance Order within 30 days of receipt. All appeals must be in writing and state the reasons for why the PWS is appealing and requesting a hearing. Appeals should be sent to the person who wrote the cover letter (either Dawn or Tera), who will then request a hearing on behalf of the PWS by contacting the State of Maine DHHS Administrative Hearings Unit. The Unit's Executive Director will assign a hearing officer to the case, and that hearing officer will contact both the DWP and the PWS.

Why Does This Compliance Order Also Carry a Penalty Assessment? Maine's Water for Human Consumption Act (22 M.R.S. §2619(4)) authorizes the DWP to issue a Compliance Order and Penalty Assessment at the same time. Sometimes, the DWP will only require payment of the Penalty Assessment if the PWS later misses the deadlines within the Compliance Order. Whether this penalty assessment is conditional or binding upon receipt of the Order depends on the nature of the PWS violations: whether there are repeated and many violations, whether the violations are severe and potentially threaten vulnerable populations, whether the PWS is willing to work with the DWP, and the length of time that the violations have existed all contribute to this decision.

What Happens If There is No Appeal and the PWS Misses Deadlines Within The Order? If no appeal is requested within 30 days of receipt of the Compliance Order, and the PWS fails to comply with the terms of the Order, then the DWP will assess an administrative penalty (if one is not already within the Compliance Order's terms). If a penalty was already assessed, then the DWP will refer the case to the Attorneys General's Office for civil court action and additional civil fines.

What If I Have More Questions? Please contact Tera Pare at tera.pare@maine.gov or 287-5680, if more questions arise.

Service Connection

'Elk River' Continued from Page 4

EPA Region I with a list of facilities to be prioritized for upcoming inspections. Federal legislation is also in the works to mandate increased inspections for storage facilities near public water systems.

- **Spill Prevention, Control and Countermeasure** - SPCC Plans should be developed and implemented for each chemical storage facility to ensure that tanks are equipped with leak detection and secondary containment capabilities, and are regularly inspected and maintained.
- **Immediate Notification Protocol** - The DWP will encourage each PWS to communicate with upstream chemical storage facilities in order to make sure each facility is aware of the public water system, and to develop a plan to ensure the PWS is notified immediately in the event of a leak or spill.
- **Plan for Intake Management** - Each PWS should consider measures to become better prepared to respond to upstream spills, which may include increasing storage, creating alternative intake locations or connecting with another PWS, where possible, to allow for temporary shutdown of the

intake.

Of course we hope nothing of the scale of the Elk River incident ever happens in Maine, or anywhere else again, for that matter. We are determined, with the help of our public water systems and other State and Federal agencies, to do everything we can to prevent such an occurrence and to prepare to respond efficiently in the event of a spill to protect our public drinking water supplies. And we welcome your ideas and suggestions throughout this process, so please contact us! (Call or email Mike Abbott at 287-6196 or michael.abbott@maine.gov or Sara Flanagan at 287-5678 or sara.m.flanagan@maine.gov).

Acronyms not defined in this article:

PPH - refers to mixture of propylene glycol phenyl ether (PPH) and dipropylene glycol phenyl ether (DiPPH)

DEP - Department of Environmental Protection

EPA - U.S. Environmental Protection Agency

MEMA - Maine Emergency Management Agency

Testing for Asbestos, Radium, Diquat & Endothall

Please be aware that there are no laboratories in Maine that are certified to test for Asbestos, Radium-226, Radium-228, Diquat and Endothall in drinking water. For a list of out-of-state labs that have been certified in Maine for these tests, please visit the Laboratory Certification page on our website by going to www.medwp.com, then clicking on the "Laboratory Certification" link in the right hand navigation pane.



The Revised Total Coliform Rule is Coming...



By now, most of you have probably heard about the Revised Total Coliform Rule (RTCR). The Safe Drinking Water Act (SDWA) has a provision that each rule must be reviewed every six years and updated according to advances in science relating to health impacts, methods of detection, treatment practices or financial impacts to public

water systems. Any changes to the rule must be as, if not more, protective of public health than the existing rule. The Total Coliform Rule (TCR) has undergone this review and changes were finalized in February 2013. These changes require states to adopt the rule and implement it by April of 2016. The purpose of the revision is to improve the protection of public health by responding to detections of coliforms in a manner that will improve the protection to public health.

From now until the RTCR is implemented in 2016, this column in the Service Connection will be devoted to providing you with information to help you understand the new rule and prepare for the changes. Watch this column for more information as Maine DWP goes through the process of rule revisions and adoption. This rule affects all public water systems.



Water Operator Board News

Teresa Trott, Licensing Officer

Welcome Mike MacDonald and Jeff Day to the Board of Licensure!

The Board seat for the Very Small Water System Representative has been filled by Michael MacDonald. Mike holds Class IV Treatment and Distribution Licenses and has many years of experience helping water systems from the small systems to the utilities. He presently works for New England Utility Management Enterprises (NEUME) as a contract operator for many schools, daycares, mobile home parks, apartments and businesses. His past and present experiences will bring much depth to the Board.

The Class III Representative Board seat has been filled by Jeffrey Day, Superintendent of Lincoln Water District. Jeff holds Class III Treatment and Distribution Licenses and has gained experience in the water field working in both the utility setting as well as providing technical assistance to small systems.

Operators or systems are encouraged to contact a Board member if you have questions or concerns about water operator licenses. See the Water Operator Board webpage for Board member contact information.

Another renewal season ends- prepare for the next one!

Take a look at your license wallet card or 3x5 wall certificates. If the expiration date says:

12/31/2014, 2015 or 2016: Start to look for interesting training. Spacing training out allows you to keep up on your training hours and check out new topics of interest.

12/31/2013 or 2012: Your license is inactive. You may renew by submitting your required TCH and a renewal and reinstatement fee of \$125. Therefore, until the license is renewed, you may not be in responsible charge of a public water system.

12/31/2011 and earlier are expired. Testing is the only reinstatement option.

EPA Funded Training

EPA has funded several free training opportunities for the next year. The statewide training is part of a \$12.7M national grant. The final plans have not been publicized. The local providers will be Maine Rural Water (MRWA), Rural Community Assistance Partnership (RCAP) Solutions, and the Environmental Finance Center (EFC) of North Carolina University. The local EFC is located in the University of Southern Maine. These agencies will provide training, both in classroom and internet based, outreach to water systems and also help small wastewater systems and private well owners. Watch for updates in your mail box from the providers as well as on the Training Calendar on the Water Operator Board webpage. The training will be approved for TCH.

'Sanitary Surveys' Continued From Cover...

The DWP Field Inspection Team is committed to continuous improvement. We share these procedures openly and hope to gain feedback on our process. As we hear input from you, these procedures and our service to public water systems and consumers will be continuously improved over time. If you have questions or feedback on these sanitary survey procedures, please contact Nate Saunders at 287-5685 or Nathan.Saunders@maine.gov.



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and Human Services

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Mary C. Mayhew, Commissioner

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 Drinking Water Program Director
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 Field Inspector
 Capacity Development & Security Coordinator
 SDWIS Administrator
 Compliance and Enforcement Team Leader
 Field Inspector & SRF Project Manager
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