

# WATERWORKS ADVISORY COMMITTEE MEETING

Via WebEx

Hosted by the Office of Drinking Water, 109 Governor Street, Richmond, VA 23219

Wednesday, September 16, 2020

8:30 AM – 12:00 PM

## AGENDA

Subject	Time
Connect to Webex and Meeting Instructions <a href="https://vdhoep.webex.com/vdhoep/j.php?MTID=m1fac1b7e74286c97bf8e9187df26830b">https://vdhoep.webex.com/vdhoep/j.php?MTID=m1fac1b7e74286c97bf8e9187df26830b</a> Meeting number (access code): 132 782 1378 Meeting Password: gYM2dVM9eg3 or join via telephone by calling <a href="tel:1-844-992-4726">1-844-992-4726</a>	8:30 – 9:00 AM
Call to Order Meeting Overview Adoption of Minutes from the 7/15/20 meeting	9:00 – 9:10 AM
Waterworks Regulations and Fee Regulations	9:10 – 9:30 AM
COVID-19 <ul style="list-style-type: none"><li>- General Assembly – Special Session updates</li><li>- Financial Impacts and debt collection/nonpayment</li><li>- Program Guidance Revisions</li></ul>	9:30 – 10:00 AM
Drinking Water Program <ul style="list-style-type: none"><li>- PFOA/PFOS legislation</li><li>- Emergency Preparedness</li><li>- Policy Review Process</li><li>- WIIN Grants (lead in schools, etc.)</li></ul>	10:00 – 10:45 AM (5 min stretch break at end)
Division of Technical Services <ul style="list-style-type: none"><li>- Lab Reporting (CDMP)</li><li>- Drinking Water Watch</li><li>- Manuals</li><li>- Water Management Program Assistance Web Page: <a href="https://www.vdh.virginia.gov/drinking-water/implementing-sb-410-in-school-building-startup/">https://www.vdh.virginia.gov/drinking-water/implementing-sb-410-in-school-building-startup/</a></li></ul>	10:50 – 11:20 AM
EPA Actions <ul style="list-style-type: none"><li>- Lead and Copper Rule Revisions</li><li>- Perchlorate</li><li>- PFOA/PFAS</li><li>- Enforcement Discretion</li></ul>	11:20 – 11:50 AM
Public Comment Period	11:50 – 11:55 AM
Other Business, Conclude meeting (Next WAC Meeting December 16, 2020)	11:55 AM – 12 PM

**Virginia Department of Health  
Waterworks Advisory Committee Meeting  
September 16, 2020 from 8:30 – 12:00 p.m.  
Information and Protocol for WebEx Meeting**

You can access the meeting on your computer, phone or mobile device with the meeting link below:

<https://vdhoep.webex.com/vdhoep/j.php?MTID=m1fac1b7e74286c97bf8e9187df26830b>

If accessing via a mobile device, you will need to download the WebEx Meet app prior to joining the meeting.

When joining the meeting, please use the meeting number and password below:

Meeting number (access code): 132 782 1378

Meeting Password: gYM2dVM9eg3

You can use your computer audio or join via telephone by calling [1-844-992-4726](tel:1-844-992-4726) United States Toll Free.

A copy of the draft agenda is located on Town Hall.

Because this meeting is scheduled in different platforms, we will be requesting that you adhere to the proper protocol:

Please log into the meeting at least 10 minutes before the meeting begins. (If you are having problems, please call Kris Latino@8048647372 and she will assist you)

Please sign into the meeting and identify yourself so we can verify that you are attending the meeting.

After you have identified yourself, please mute your phone to reduce any unwanted noise.

## Waterworks Advisory Committee (WAC) Meeting Summary

Webinar – Webex

9:00 am, Wednesday, September 16, 2020

Draft

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**Members Participating:** Dwayne Roadcap (ODW), Chair; David F. Van Gelder, Water Operator; Mark Estes, VRWA; Jesse L. Royall, Jr, PE, Syndor; Steven Herzog, PE, VWEA; Bailey Davis, DCLS; Skip Harper, Virginia Plumbing and Mechanical Inspectors Association; Scott Kudlas, DEQ;

**Guests Participating:** ODW staff – Tony Singh, Robert Edelman, Christine Latino, Nelson Daniel, Holly Brown, Dan Horne, Jeremy Hull, James Reynolds, Brian Blankenship, Jeff Wells, Barry Matthews, Jennifer Coleman, Susan Miner, Jack Hinshelwood

Tom Fauber, VA ABPA; Laura Bauer, VA American Water Company; Paul Nyffeler, Aqua Law; Steve Edgemon, Fairfax Water; Jeff Brown, DHDC; Katie Krueger, HRPDC; Jason Early, Cardno; Chris Gill, Christian Barton LLP; Whitney Katchmark, HRPDC; Gary Williams, Amherst County; Jessica Edwards-Brandt, Loudoun Water; Christine Noonan, Reed Smith LLP; Yann Le Goeullec, Newport News.

### **1. Meeting Overview**

The Waterworks Advisory Committee (WAC) met remotely on Wednesday, September 16, 2020, using Webex (Polycom's Websuite). Before the meeting started, Office Director Dwayne Roadcap and Policy and Program Director Nelson Daniel identified meeting participants.

Dwayne started the meeting at 9:00 am by providing an overview of the agenda.

WAC members (Roadcap, Estes, Royall, Van Gelder, Kudlas, Harper) agreed to adopt the minutes from the July 15, 2020 meeting as final. A copy follows the minutes from this meeting.

### **2. Waterworks Regulations**

Division of Technical Services Director, Bob Edelman provided an update on staff efforts to complete a draft of the final amendments to the Waterworks Regulations. Once complete, ODW will provide the final amendments and supporting documents (primarily the agency background document, TH-03) to the Department of Health leadership team for review and approval. The objective is to present the final amendments to the Board of Health during the December 3, 2020 meeting. If the Board approves the amendments, they will begin the executive branch review process. Bob's presentation follows the meeting minutes.

**Next Steps:** The next steps in the regulatory process include presenting the final amendments to the Board of Health for approval, submitting them for Executive Branch review, and posting them for a 30-day public comment period. Staff expect this process to take at least 6 months after the Board approves the final amendments, pushing the effective date to the second half of 2021 at the earliest.

### **3. Fee Regulations**

ODW intends to revisit the Fee Regulations once the final amendments to the Waterworks Regulations are under review/approved. The objective is to begin a conversation about how to make the operation fees more equitable, balancing who pays the fees and which waterworks receive the most technical assistance and engagement from ODW staff. The *Code of Virginia* caps the fee at \$160,000 per waterworks and the state budget limits the fee to \$3.00 per connection; ODW will focus on things that the agency can change through the rulemaking process. Dwayne acknowledged the coronavirus pandemic means that many waterworks are already facing hardships and it will be difficult to discuss increased fees for waterworks. WAC members acknowledged the need to start a conversation about fees. One WAC member suggested asking noncommunity waterworks to pay more to account for the technical assistance provided to them. ODW staff intend to start work on the Fee Regulations in 2021, with a goal of presenting a proposal to the Board of Health in 2021.

### **4. COVID-19**

General Assembly update: Nelson discussed the State Corporation Commission's (SCC) moratorium on service disconnections during the coronavirus pandemic and legislation that has been introduced during the Special Session that began on August 18, 2020. Nelson's presentation follows the meeting minutes.

Financial Impacts: Dwayne opened a discussion among WAC members about financial impacts to waterworks caused by the coronavirus pandemic. He noted that most utilities are following the SCC guidelines related to service disconnections, but some are talking about resuming service disconnections for delinquent accounts. He said that the Department of Health considers access to clean water to be a priority for public health protection. WAC members expressed understanding, but also had concerns about requirements to offer repayment plans that would not be compatible with their billing systems – causing them to expend more money to hire people to program and manage billing on a customer-by-customer basis. They also discussed the need for flexibility, sustainability, and customers simply ignoring the issue (taking no action - not paying for service or seeking debt relief or a repayment plan). Members commented that waterworks cannot shoulder the financial burden without outside assistance and said they need customers to work with waterworks to address financial difficulties related to unpaid bills for water (and wastewater) service.

Waterworks Updates – PPE and COVID-19 cases: The field directors commented that there had been a few COVID-19 cases reported at waterworks, but they had not had an impact on waterworks' ability to maintain water service and meet water quality standards. There had been some cases where smaller waterworks had delays in collecting and submitting samples because of insufficient staff. A few waterworks have requested that ODW staff not come on site – to reduce the possibility of transmitting the coronavirus to/from waterworks staff.

DCLS has experienced a large increase in the overall number of samples they are being asked to analyze. The lab has reduced some activities to allow staff to prioritize critical areas during the state of emergency, including drinking water analysis (which remains a high priority).

Program Guidance Revisions: The latest version of the program guidance, dated August 21, 2020, is posted on the VDH/Drinking Water website (<https://www.vdh.virginia.gov/drinking-water/>) and it adds procedures for tracking and monitoring waterworks that have temporarily stopped operation, that are

operating at a reduced capacity for an extended period of time, or have permanently closed. A copy follows the meeting minutes.

## **5. Drinking Water Program**

PFOA/PFAS Workgroup (HB586, HB1257): ODW is required to form a workgroup to evaluate occurrence of PFAS in drinking water and develop maximum contaminant levels for specific PFAS. Plans are for the workgroup to consist of roughly 20 members, with quarterly meetings beginning this fall. ODW will provide notice of workgroup meetings via email and through the Virginia Regulatory Town Hall. The General Assembly did not provide funds in the budget to cover the costs of sampling/analysis or workgroup expenses. However, the U.S. Environmental Protection Agency will provide funds for PFAS sampling. ODW Deputy Director Tony Singh's presentation follows the meeting minutes.

Emergency Preparedness: ODW Emergency Services Coordinator Holly Brown said the online reporting tool, which staff demonstrated to the WAC at a meeting in 2019, is now set up for ODW to input data received from waterworks about outages and incidents. Waterworks will not self-report using the tool. Once ODW staff input information, the tool sends a report to coordinating state agencies, including the affected health district and the Virginia Department of Emergency Management.

Holly also discussed changes to spill reporting. Under Section 2018 of the America's Water Infrastructure Act (AWIA), DEQ will report more information about hazardous materials spills to ODW, which staff will pass along to potentially affected waterworks. Holly's presentation follows the meeting minutes.

Policy Process Flow Chart: Nelson presented a diagram showing the process ODW follows to develop policy and guidance. The process is meant to keep the regulated community and WAC informed about, and engaged in, the development of policies and guidance, not to be surprised. Dwayne acknowledged that greater transparency and vetting means the process may not be as quick, but we expect to end up with a better product. A copy of the flow chart follows the meeting minutes.

WIIN Grants: Tony said efforts to begin sampling lead in drinking water at schools and child care facilities have been delayed by the coronavirus and remote learning (buildings are closed, or use is limited).

Newsletter: Nelson and Dwayne said that ODW staff suggested creating a periodic newsletter for waterworks owners and operators. Nelson showed an example of a newsletter ODW staff produced in 2012-2013. Dwayne asked for comments from WAC members about a newsletter. One member responded that staff at his waterworks meet with their district engineer about three times a year and they find the 1:1 time to be very valuable. He also suggested ODW could contribute to an existing publication (such as the VA AWWA magazine) on regular basis instead of producing its own newsletter. Another WAC member liked the idea and thought it would be a good tool to help disseminate information to his staff and customer base. Dwayne will take the feedback from WAC members back to the leadership team for consideration. A newsletter from 2013 follows the meeting minutes.

## **6. Division of Technical Services**

Compliance Monitoring Data Portal: Bob presented statistics about the number of laboratories that have completed, or are in progress to complete, the conversion to electronic data transmissions as of mid-September, 2020. Not all labs in the state met the September 1 deadline, but ODW has provided

flexibility for those that are actively transitioning. Bob's presentation on CMDP and the draft Permit Manual follow the meeting minutes.

Permit Manual: ODW staff completed a draft update to the Permit Manual (former Working Memo 784) and plan to share the draft with WAC members before posting it on Town Hall for public comment. The Commissioner's Office is reviewing the draft. (Va. Code § 2.2-4002.1 (effective July 1, 2018) requires state agencies to provide 30 days for public comment on guidance documents before they become effective.)

Drinking Water Watch: Bob demonstrated the new version of Drinking Water Watch that is available on the Drinking Water program webpage ([https://odw.vdh.virginia.gov/DWW-VA/DWW\\_login.jsp](https://odw.vdh.virginia.gov/DWW-VA/DWW_login.jsp)). With implementation of this tool, ODW intends to discontinue sending copies of laboratory reports and sample schedules to owners and operators, saving significant resources. Users need to register to gain access to certain information specific to their waterworks, including immediate access to sample results and sample schedules. The public access does not show points of contact and shows sample results after 45 days. Drinking Water Watch has sample schedules and results for each waterworks. ODW staff will follow up with a WAC member that had questions about data errors.

Bob also informed WAC members about the information for schools related to water management plans that is on the Drinking Water Program website. ODW staff added information to help schools plan for and meet the requirements in SB410 (requiring public schools to develop and implement water management plans to prevent Legionnaires' disease). See <https://www.vdh.virginia.gov/drinking-water/implementing-sb-410-in-school-building-startup/>

## **7. EPA Updates/Rules**

Lead and Copper Rule Revisions: the final Lead and Copper Rule Revisions (LCRR) are still under review at the Office of Management and Budget (OMB). The final LCRR was sent to OMB for its review on July 31, and EPA Administrator Andrew Wheeler has consistently stated over the summer that the final LCRR will be published in September. This is a significant rule for EPA, primacy agencies, water systems, and the public that will take a major effort by all to implement.

Perchlorate: On June 18, 2020, the U.S. Environmental Protection Agency (EPA) issued a final action regarding the regulation of perchlorate under the Safe Drinking Water Act (SDWA). Considering the best available science and the proactive steps that EPA, states and public water systems have taken to reduce perchlorate levels, the agency determined that perchlorate does not meet the criteria for regulation as a drinking water contaminant under the SDWA. Therefore, the agency withdrew the 2011 regulatory determination and decided to not issue a national regulation for perchlorate.

The Natural Resources Defense Council sued the EPA in the D.C. Circuit on Sept 3 for failing to set drinking water standards for perchlorate. The advocacy group petitioned the U.S. Court of Appeals for the District of Columbia Circuit to review the Environmental Protection Agency's decision on perchlorate, announced in June and published in the Federal Register in July.

PFAS: Southeast Virginia Field Office Director Dan Horne briefly reviewed EPA activities related to Per- and Polyfluorinated Alkyl Substances (PFAS) over the past several months. He discussed a proposed Regulatory Determination to regulate PFOA and PFOS (two specific PFAS chemicals), analytical methods for certain PFAS (EPA methods 533, 537 and 537.1), an EPA final rule listing certain PFAS chemicals

under the Toxics Release Inventory, and an EPA final rule prohibiting manufacture, use, or importation of products containing certain PFAS chemicals (under the Toxic Substances Control Act). A summary of Dan's presentation follows the meeting minutes.

#### **8. Other Business**

ODW staff are working on the assessment of the drinking water program required by House Joint Resolution 92 (2020). The report is due in December and ODW hopes to include results from the Office of State Inspector General audit that is wrapping up now. Staff expect to have a draft of the report ready for review by the Commissioner's Office by the end of October.

Dwayne reminded the WAC that the next meeting is scheduled for December 16, 2020. WAC members did not request a meeting in November to consider any of the work underway in ODW before the next meeting.

Dwayne concluded the meeting at 11:50 am.

WAC Meeting  
September  
16, 2020  
Attachments  
and  
PowerPoint  
Presentations

## Waterworks Advisory Committee (WAC) Meeting Summary

Webinar – Polycom Websuite  
9:00 am, Wednesday, July 15, 2020

Final

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**Members Participating:** Tony Singh substituted for Dwayne Roadcap (ODW), Chair; David F. Van Gelder, Water Operator; Mark Estes, VRWA; Geneva Hudgins, VA AWWA; Jesse L. Royall, Jr, PE, Syndor; Steven Herzog, PE, VWEA; Andy Crocker, SERCAP; Bailey Davis, DCLS, Skip Harper, DHCD; Joseph Grist, DEQ;

**Guests Participating:** ODW staff – Robert Edelman, Christine Latino, Nelson Daniel, Dan Horne, Mark Perry, Barry Matthews, James Reynolds, Brian Blankenship, Jeff Wells, James Reynolds; VDH staff – Alex Jansson

Russ Navratil, AWWA; Tom Fauber, VA ABPA; Laura Bauer, VA American Water Company; Paul Nyffeler, Aqua Law; Katrina Cooke, AWSLabs; Steve Edgemon, Fairfax Water; Brian Hildebrand, DHDC; Katie Krueger, HRPDC; Theresa O’Quinn, Prince William County Service; Michelle Ashworth, AquaLaw

### **Meeting Overview and Agenda**

The Waterworks Advisory Committee (WAC) met remotely on Wednesday, July 15, 2020, using Webex. Before the meeting started, Policy and Program Director Nelson Daniel identified meeting participants and provided information to them about meeting using an electronic format.

Deputy Director Tony Singh started the meeting at 9:00 am by providing an overview of the agenda and introducing Holly Brown, ODW’s new Emergency Services Coordinator. Holly started on June 10 and was previously with the Virginia Department of Agriculture and Consumer Affairs.

WAC members agreed to adopt the minutes from the February 19, 2020 and April 15, 2020 meeting as final. Copies of the final versions of the minutes are included as an attachment to these minutes.

At the request of a committee member, staff will include the summary of the telesurvey procedures that the Abingdon Field Office developed with the materials from this meeting. The telesurvey procedures were also included with the materials from the April 2020 meeting.

### **Waterworks Regulations**

Division of Technical Services Director, Bob Edelman provided a description of the modifications staff made to sections 12VAC5-590-580 through -630 (cross connection control) and 12VAC5-590-1170 (hydrants) of the Proposed Amendments based on comments received during the 60-day public comment period. Bob’s presentation follows the meeting minutes.

ODW formed two workgroups to resolve issues with the Proposed Amendments for cross connection control and hydrants. The cross connection workgroup met once in person in March and two more times by teleconference. The hydrant workgroup met by teleconference once. The modifications summarized below reflect the consensus of each workgroup.

## 1. CROSS CONNECTION CONTROL, 12VAC5-590-580 through -630.

To address the 30 comments ODW received about cross connection control, the final amendments will establish a performance-based approach for waterworks. Specifically:

- Owners will be required to review their cross connection control program (CCCP) at least every 5 years and update it as necessary (12VAC5-590-600 A).
- The CCCP cannot be in conflict with the Uniform Statewide Building Code (USBC) and applicable building code regulations (12VAC5-590-600 B).
- The CCCP has to ensure testing, maintenance, and repairs (12VAC5-590-600 C).
- The amendments cite the building code regulations, 13VAC5-63-530, which require testing of backflow prevention assemblies after initial installation, immediately after repairs or relocation, and annually thereafter and allow the CCCP to include an optional public education program (12VAC5-590-600 E).
- Owners are required to maintain an inventory and records of backflow prevention devices and assemblies, but, for single-family residences, may determine whether or not to maintain an inventory and/or records (12VAC5-590-600 H).

WAC members discussed some of the modifications, but supported ODW going forward with them as presented. ODW staff will change the date in 12VAC5-590-630 D to allow more time between the effective date of the amendments and the date by which persons testing and repairing backflow prevention assemblies have to be certified by the Department of Professional and Occupational Regulation.

## 2. HYDRANTS, 12VAC5-590-1170

ODW received 10 comments about hydrants. The final amendments will include requirements in Part III for dry barrel hydrants and yard hydrants. The amendments will not require owners to plug weep holes in dry barrel hydrants they install after the effective date of the amendments, but if the location is subject to high groundwater, flooding, surface water ponding, and contaminant or pollutant spills, owners should consider an alternative location or drain design. In addition, owners must install hydrants that comply with ANSI/AWWA standards.

Subsection B, yard hydrants, is limited to those hydrants that are part of a waterworks. All others fall under the USBC. Waterworks that install yard hydrants in areas subject to high groundwater, flooding, contamination or pollutant spills, or in areas where surface water ponds, will have to use yard hydrants that meet ASSE standards, have drain ports that are piped to daylight, or be contained by a backflow prevention assembly suitable for a high hazard.

WAC members had questions/comments regarding:

- 1.) Dry barrel hydrants,
- 2.) The purpose of changing the regulations,
- 3.) The importance of using the regulations to support industry standards,
- 4.) The use of "shall" verses "should" and the agency's ability to enforce the modifications,
- 5.) The potential for cross connection and contamination from weep holes,
- 6.) The worry that the updated language is less restrictive than current USBC requirements,

- 7.) Concerns about cost involved meeting ASSE standards for yard hydrants and identifying hydrants as a hazard and having to address them in cross connection plans, and
- 8.) The instillation of backflow protection to comply with plumbing code or the utilization of “do not drink” signs

After discussing the questions/comments, WAC members supported ODW going forward with the modifications in 12VAC5-590-1170 as presented.

### 3. WELL ABANDONMENT, 12VAC5-590-475 B 8, and CONSTRUCTION, 12VAC5-590-840 G 5 – COMMENTS FROM the DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

DEQ staff asked ODW to modify 12VAC5-590-475 to require use of bentonite because cement’s drying properties (heat of hydration) can damage PVC in unconsolidated formations.

For grouting a new well, DEQ asked ODW to modify 12VAC5-590-840 by changing “low-strength cement and sand mix” to “engineered low permeability/high solids bentonite and sand mix”

WAC members discussed DEQ’s recommendation against using low strength cement and expressed concerns related to mixing the product in the field. A WAC member periodically uses low strength cement delivered by a mixing truck and has had good results. Jesse Royall will contact Scott Kudlas at DEQ to discuss the agency’s recommendation. There is less concern about low permeability/high solids bentonite (it is higher cost product). Staff will also follow up with DEQ before finalizing these sections.

### 4. SODIUM MONITORING, 12VAC5-590-340 and -372 D 6

Bob also discussed a change the U.S. Environmental Protection Agency requested – including requirements for monitoring the sodium concentration at the entry point. Sodium levels have been included in metals reports from DCLS and other labs, so it has not been an issue even though it is not in the current version of the Waterworks Regulations. EPA wants sodium monitoring included in the amendments since it is part of the National Primary Drinking Water Regulations.

### 5. NEXT STEPS

The next steps in the regulatory process include presenting the final amendments to the Board of Health for approval, submitting them for Executive Branch review, and posting them for a 30-day public comment period. Staff expect this process to take at least 6 months after the Board approves the final amendments, pushing the effective date to the second half of 2021 at the earliest.

WAC members made and seconded a motion to support ODW moving forward with the final amendments to the Waterworks Regulations, pending revisions for the licensing date (12VAC5-590-630 D) and grouting requirements. Following discussion and an opportunity for public comment, all WAC members indicated their support for the motion.

### **ODW Updates**

#### 1. General Assembly update:

Tony discussed legislation that passed during the 2020 General Assembly session:

Lead bills – HB797, SB292 (lead testing in schools); HB799, SB293 (lead testing in child day programs). Local school boards and child day programs are required to submit lead testing plans and results to VDH. ODW will begin work to develop a database to handle materials. Money to develop the database and implement some testing will come from WIIN grant (which will provide dollars for testing) and the GA budget. Timing will depend in part on coronavirus and school availability. The bills do not specify when testing must begin or be completed.

PFAS bills – HB586, HB1257. ODW is required to form a workgroup to evaluate occurrence of PFAS in drinking water and develop maximum contaminant levels for specific PFAS. Plans are for the workgroup to consist of roughly 15-20 members. If you are interesting in participating, please contact either Tony Singh (Tony.Singh@vdh.virginia.gov) or Kris Latino (Christine.Latino@vdh.virginia.gov). The General Assembly did not provide funds in the budget to cover the costs of sampling/analysis or workgroup expenses. ODW has asked the U.S. Environmental Protection Agency to provide funds for PFAS sampling.

Nelson provided a budget update: the General Assembly amended the state budget in April, un-allotting funds for ODW's electronic records/database updates and part of the required Drinking Water State Revolving Fund (DWSRF) match. ODW will revise its budget and expenditures to cover the DWSRF match for the 2021 fiscal year and has renegotiated its contract with the company providing database support to account for the un-allotted funds.

## 2. Consumer Notification of Lead Results:

Bob talked about the letter field offices sent to community and nontransient noncommunity waterworks regarding the requirement to provide lead sampling results to the consumers whose taps are used as sample collection points within thirty days of the date the waterworks receives the results. ODW staff posted templates for the letters on the ODW website [here](#), under "Information for Waterworks Owners" – Lead Consumer Notices.

## 3. Compliance Monitoring Data Portal:

Bob talked about the deadline for labs to complete the conversion to electronic data transmissions by September 1, 2020. ODW does not expect all labs in the state to meet the deadline and will provide flexibility for those that are actively transitioning. Bob's presentation on CMDP and the Permit Manual follows the meeting minutes.

## 4. Permit Manual

ODW staff are completing a draft update to the Permit Manual (Working Memo 784) and plan to share the draft with WAC members before posting it on Town Hall for public comment. Staff expect to complete the draft in August. (Va. Code § 2.2-4002.1 (effective July 1, 2018) requires state agencies to provide 30 days for public comment on guidance documents before they become effective.)

## 5. Waterworks Updates

ODW staff and WAC members did not have any comments or updates on waterworks.

### **Other Business**

The September WAC meeting had been scheduled for September 16, 2020. At the February WAC meeting, members agreed to change the date to September 23 to avoid a conflict with Water Jam. Water Jam will be virtual this year because of the coronavirus pandemic. Therefore, the WAC meeting will be on its original date of September 16, 2020. Staff expect the meeting will be by electronic format due to ongoing public health restrictions related to the coronavirus.

Tony concluded the meeting at 11:55 am.

# Final Amendments to the Waterworks Regulations

Robert D. Edelman, PE  
Nelson Daniel

September 16, 2020



# Goals & Objectives

- Amend out-of-date regulations – last comprehensive revisions in 1993.
- Improve readability, increase clarity.
- Incorporate new technologies.
- Update/clarify the permitting process.
- Codify requirements now implemented by policy.
- Update defined terms.

# Goals & Objectives

- ❑ Maintain all federal requirements.
- ❑ Harmonize the *Waterworks Regulations* and State Water Control Law.
- ❑ Comply with the *Form, Style and Procedure Manual for Publication of Virginia Regulations*

# Amendment Process...

- ❑ 2014 - Formation of the Regulatory Advisory Panel (RAP): 5 meetings & 4 Workgroups
  - Recommendations → action plan & strategy forward
- ❑ 2015-2016 Paused to add RTCR
- ❑ October 2017 Notice of Intended Regulatory Action
- ❑ 2018 - Continuation of review/deliberation by Waterworks Advisory Committee (WAC) & ODW
- ❑ December 2018 - Board of Health approval
- ❑ Dec 2018–Oct 2019 – Executive Branch review
- ❑ Nov 2019-Jan 2020 – Public comment
- ❑ 2020 - Revisions to address public comments, prepare final amendments
- ❑ February 19, 2020 – WAC Meeting
- ❑ July 15, 2020 – WAC Meeting

# July 15, 2020 WAC Meeting

- Cross Connection Control - Subcommittee
- Hydrants - Subcommittee
- Sodium Monitoring
- DEQ Comments – ODW will address in future regulatory action to allow opportunity for stakeholder/public input

# Since Last WAC meeting...

## 1. Regulatory text in the Regulation Information System (RIS)

- Completed style review:
  - “commissioner” versus “department”
  - Documents incorporated by reference
  - Internal cross references and citations
  - Technical corrections
- Checked working copies versus the RIS
- Developed master document with mark-ups to go into RIS
- Updated RIS

# Since Last WAC meeting...

## 2. Agency background document (TH03)

- Brief summary
- Public comments and agency responses
- Detail of changes made since the previous stage
- Detail of all changes proposed in this regulatory action

## 3. Memo to the Board of Health

- High level summary of the changes

# Next steps

- Present final amendments to the Board of Health
- Executive Branch review
- Publication in Virginia Register
- 30-day public comment period

# Next steps

ODW is tracking issues to be addressed in future rulemaking process:

- DEQ recommendations - well abandonment and construction
- 12VAC5-590-830. Surface Water Sources

# Comments and Questions?

# General Assembly 2020 Special Session

Nelson Daniel

September 16, 2020



# State Corporation Commission

March 16, 2020: Order Suspending Disconnection of Service and Suspending Tariff Provisions Regarding Utility Disconnections of Service

- Moratorium on service disconnections for unpaid bills caused by the COVID-19 crisis, applies to jurisdictional waterworks
- Effective for 60 days (through May 15, 2020)
- April 9, 2020 – extended for 30 days (through June 15, 2020)

# State Corporation Commission

## June 12, 2020: Order on Suspension of Service Disconnections

- Extends moratorium through August 31, 2020
- Residential and small business customers in arrears due to COVID-19 must be offered extended payment plans up to 12 months
- Customers who have entered into such extended payment plans shall not have their utility service cut off as long as they are current on such extended payment plans or make other mutually agreeable arrangements with the utility for payment, in accordance with the utility's existing tariffs that seek to avoid service disconnections

# State Corporation Commission

## August 24, 2020: Order on Moratorium

- Extended moratorium through September 15, 2020
- “This period of time has been sufficient to provide an opportunity for the General Assembly to choose whether to address legislatively the effects of the COVID-19 crisis on utility customers and utilities.”
- “This Commission will, of course, follow any legislation the General Assembly enacts but cannot continue the moratorium indefinitely unless legislatively required to do so.”

# State Corporation Commission

## September 15, 2020: Additional Order on Moratorium

- Extended moratorium through October 5, 2020
- “The Commission, however, will not extend the moratorium beyond October 5, 2020. Since we first imposed the moratorium on March 16, 2020, we have warned repeatedly that this moratorium is not sustainable indefinitely. The mounting costs of unpaid bills must eventually be paid, either by the customers in arrears or by other customers who themselves may be struggling to pay their bills. Unless the General Assembly explicitly directs that a utility's own shareholders must bear the cost of unpaid bills, those costs will almost certainly be shifted to other paying customers. This is inevitably the case with utilities such as electric cooperatives, which do not have shareholders but are member-owned. We have also noted the potential financial damage to small electric and water utilities that may not have ready access to additional capital.”
- <https://scc.virginia.gov/docketsearch/DOCS/4p2m01!.PDF>

# Special Session

- ❑ Convened August 18, 2020
- ❑ Called initially to deal with a \$2.7 billion projected hole in the state budget
- ❑ 428 Bills
- ❑ Budget

# Special Session

## **SB5025**

- Any emergency order or regulation adopted by the Board of Health shall be valid for no more than 30 days and that such order may be extended by the Board of Health for a subsequent period of 30 days but that in no case shall such emergency order or regulation be valid for more than 18 months from the effective date of the initial order or regulation.
- Passed Senate 40-0

# Special Session

## **SB5118** – As introduced

- Requires every utility providing electric, gas, or water service to develop an Emergency Debt Repayment Plan (EDRP) for residential customers to ensure that debt repayments accrued during a certain state of emergency or a certain service disconnection moratorium, in addition to the customer's regular utility bill are sustainable and affordable for the customer. The EDRP will allow for (i) an up to 24-month repayment period, (ii) a customer to roll over remaining debt with any debt accrued under a subsequent state of emergency; and (iii) minimum monthly payments that do not exceed for accrued debt, per utility, \$ 45.50 or 4% of the customer's household income (subject to verification).

# Special Session

## **SB5118** – Substitute with amendments

- Requires every jurisdictional utility providing electric, gas, or water or wastewater service to develop an Emergency Debt Repayment Plan (EDRP) for residential customers to ensure that debt repayments accrued during a certain state of emergency or a certain service disconnection moratorium, in addition to the customer's regular utility bill are sustainable and affordable for the customer. The EDRP will allow for (i) an up to 12-month repayment period and (ii) a customer to roll over remaining debt with any debt accrued under a subsequent state of emergency.

# Special Session

## Budget Part 4: General Provisions, Item 4-14.00 Effective Date

7.a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, electric companies, natural gas suppliers, and water service providers (“utilities”) are prohibited from disconnecting service for non-payment of bills or fees until at least 60 days after such declared state of emergency ends. The following provisions shall apply:

# Special Session

Budget Part 4: General Provisions, Item 4-14.00 Effective Date

**7.a. 1.) The utilities shall notify all customers of this extension of the utility disconnection moratorium and the COVID Relief Repayment Plan (Repayment Plan); and**

**2.) The customer must provide documentation to the utilities that they have experienced a financial hardship resulting directly or indirectly from the public health emergency ... ; and**

**3.) The utilities and customers shall agree in writing to engage in a Repayment Plan.**

**b. No more than 60 days after the enactment of this Act, ... water service providers ... must offer customers the right to enter into a Repayment Plan for past due accounts. The following provisions shall apply:**

**1.) ... shall not require down payments, fees, or penalties;**

**2.) ... shall amortize the repayment over at least 12 months;**

**3.) ... no eligibility criteria, such as installment plan history, and ... enroll ... with no deposit or payment down; and**

**4.) ... [no report to credit bureaus.]**

# Special Session

House amendments to Budget (Bulova):

- Utilities managed by local governments
- Water suppliers and wastewater
- Residential accounts only
- 6 months (instead of 12)

# Special Session

House amendments to Budget (Aird):

- Attempting to make conform the budget language to HB5117 (all utilities, 24 months, \$45.50 cap...)
- HB5117 has not been taken up by the House Committee on Labor and Commerce

# Comments and Questions?

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, SEPTEMBER 15, 2020,

CLERK'S OFFICE  
DOCUMENT CONTROL CENTER  
2020 SEP 15 P 4: 47

20200915

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
Ex Parte: Temporary Suspension of Tariff  
Requirements

CASE NO. PUR-2020-00048

ADDITIONAL ORDER ON MORATORIUM

On March 16, 2020, the State Corporation Commission ("Commission") ordered an immediate moratorium on service disconnections for unpaid bills caused by the COVID-19 crisis by jurisdictional electricity, natural gas, water, and sewer utilities.<sup>1</sup> This moratorium provided immediate protection to both residential and business customers and was initially put in place to run sixty (60) days. The Commission subsequently issued Orders in this docket on April 9, June 12, and August 24, 2020, extending this moratorium for additional periods. The Commission's August 24, 2020, Order extended the moratorium through September 15, 2020, "to provide an opportunity for the General Assembly to choose whether to address legislatively the effects of the COVID-19 crisis on utility customers and utilities" during its special session that began on August 18, 2020.<sup>2</sup>

On September 14, 2020, the Commission received correspondence from Governor Ralph S. Northam, requesting the Commission to extend the moratorium through October 5, 2020, and

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<sup>1</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200320175, Order Suspending Disconnection of Service and Suspending Tariff Provisions Regarding Utility Disconnections of Service (Mar. 16, 2020).

<sup>2</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200830060, Order on Moratorium at 2-3 (Aug. 24, 2020).

stating (among other things) that such "extension will give the General Assembly the time they need to address this issue."<sup>3</sup>

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that we will extend the moratorium on jurisdictional utility service cut-offs through October 5, 2020, as requested by Governor Northam in his letter of September 14, 2020, in which he explained that he and the General Assembly need this additional time to address this issue in the ongoing General Assembly special session that began on August 18, 2020.

The Commission, however, will not extend the moratorium beyond October 5, 2020. Since we first imposed the moratorium on March 16, 2020, we have warned repeatedly that this moratorium is not sustainable indefinitely.<sup>4</sup> The mounting costs of unpaid bills must eventually be paid, either by the customers in arrears or by other customers who themselves may be struggling to pay their bills. Unless the General Assembly explicitly directs that a utility's own shareholders must bear the cost of unpaid bills, those costs will almost certainly be shifted to other paying customers. This is inevitably the case with utilities such as electric cooperatives, which do not have shareholders but are member-owned. We have also noted the potential financial damage to small electric and water utilities that may not have ready access to additional capital.

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<sup>3</sup> The Governor's September 14, 2020, correspondence is being contemporaneously entered into the record of the instant proceeding.

<sup>4</sup> See, e.g., *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200830060, Order on Moratorium at 3 (Aug. 24, 2020); *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200630135, Order on Suspension of Service Disconnections at 9 (June 12, 2020).

In addition, the Commission has further emphasized in past orders that "utility regulation alone" cannot solve the problem.<sup>5</sup> We have urged the Governor and General Assembly to appropriate funds for direct financial assistance to those customers who are unable to pay their bills due to the COVID-19 pandemic, in order to avoid shifting these costs to other customers. We hope the General Assembly uses this additional time to act on this recommendation.

Finally, while the Commission will not extend the moratorium beyond October 5, 2020, we reiterate and expand on the additional customer protections that we have implemented for customers in arrears due to COVID-19. Specifically, in this regard:

- All jurisdictional utilities were directed during the moratorium to offer customers in arrears extended payment plans of up to 12 months.<sup>6</sup>
- These extended payment plans shall remain in effect after October 5, 2020.
- In addition, we herein direct utilities to continue offering extended payments plans after the Commission-imposed moratorium expires pursuant to this Order.
- Customers shall continue to be protected from service cut-offs as long as they are current in such plans or have entered other good-faith repayment plans with the utility.

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<sup>5</sup> *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200830060, Order on Moratorium at 2 (Aug. 24, 2020); *Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200630135, Order on Suspension of Service Disconnections at 10 (June 12, 2020).

<sup>6</sup> *See, e.g., Commonwealth of Virginia ex rel. State Corporation Commission, Ex Parte: Temporary Suspension of Tariff Requirements*, Case No. PUR-2020-00048, Doc. Con. Cen. No. 200630135, Order on Suspension of Service Disconnections at 10 (June 12, 2020).

- Customers who enter into extended-payment plans or other good-faith repayment plans, and are current thereon, shall not be charged late fees.
- Finally, utilities shall submit quarterly reports to the Commission's Division of Utility Accounting and Finance on the current number and status of repayment plans, and on the current status of the utility's aged accounts receivables as impacted by the requirements of this docket.<sup>7</sup>

As a result, the end of the Commission-directed moratorium does *not* mean the end of protections for customers in arrears who are making a good-faith effort to pay their bills over a longer time period. Customers who enter into such extended-payment plans will continue to be protected from service cut-offs even after the end of this moratorium.

Accordingly, IT IS SO ORDERED, and this proceeding is dismissed.

A COPY HEREOF shall be sent electronically by the Clerk of the Commission to the utilities providing electric, natural gas, water, and sewer services in the Commonwealth that are subject to regulation by the Commission as identified in the attached Service List.

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<sup>7</sup> The first such report shall be submitted in January 2021 for October to December 2020.

## ELECTRIC AND GAS UTILITIES

20092009

**Appalachian Power Company**  
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**VA Electric & Power Company**  
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**A&N Electric Cooperative**  
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**B-A-R-C Electric Cooperative**  
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**Central VA Electric Cooperative**  
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**Kentucky Utilities Company**  
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**Mecklenburg Electric Cooperative**  
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**Northern Neck Electric Cooperative**  
Mr. Bradley Hicks  
President & CEO  
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**Northern VA Electric Cooperative**  
Mr. Stanley C. Feuerberg  
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**Powell Valley Electric Cooperative**  
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**Prince George Electric Cooperative**  
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**Rappahannock Electric Cooperative**  
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President & CEO  
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jhewa@myrec.coop

**Shenandoah Valley Electric Cooperative**  
**Greg S. Rogers**  
**President & CEO**  
**P.O. Box 236**  
**Mt. Crawford, VA22841-0236**  
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**Southside Electric Cooperative**  
**Mr. Jeffrey S. Edwards**  
**President & CEO**  
**P.O. Box 7**  
**Crewe, VA23930-0007**  
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**Kentucky Utilities Company**  
**d/b/a Old Dominion Power Company**  
**Robert M. Conroy**  
**VP, State Regulation & Rates**  
**LG&E and KU Energy LLC**  
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**Louisville, KY 40202**  
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**Columbia Gas of Virginia, Inc.**  
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**Roanoke Gas Company**  
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**Southwestern VAGas Company**  
**James E. McClain, II, President and CEO**  
208 Lester Street  
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**Atmos Energy Corporation**  
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Kevin.Dobbs@atmosenergy.com

**Appalachian Natural Gas Distribution  
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**VA Natural Gas, Inc.**  
**Robert Duvall, President**  
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VA Beach, VA23452  
RDuvall@southernco.com

**Washington Gas Light Company**  
**Donald 'Blue' Jenkins, President**  
1000 Maine Avenue, SW, Suite 700  
Washington, D.C. 20024  
blue.jenkins@washgas.com

## Water and Sewer Companies

20092009

<p>Aqua Virginia, Inc.                  John Aulbach II, President                  2414 Granite Ridge Rd.                  Rockville, VA 23146                  jjaulbach@aquaamerica.com</p>	<p>Aquarius Water Systems, Inc.                  Don Liscomb                  151 Fort Liscomb Rd.                  Luray, VA 22835                  katherine2218B@hotmail.com</p>
<p>Blue Ridge Water Agency, Inc.                  Curtis B. Brown, President                  81 Hobson Way                  Blue Ridge, VA 24064                  mdoubles@doubleslaw.com</p>	<p>Bluefield Valley Water Works                  c/o West Virginia American                  Robert Burton, President                  1600 Pennsylvania Ave.                  Charleston, WV 25302                  president.burton@amwater.com</p>
<p>Brookfield Water Company                  Michael Griffin                  P.O. Box 7                  Daleville, VA 24083                  mm9440@gmail.com</p>	<p>Buckland Water and Sanitation Assets Corp.                  Edward R. Moore, President                  P.O. Box 861617                  Warrenton, VA 20187                  debbie3brown@gmail.com</p>
<p>C&amp;P Isle of Wight Water Company                  Ted W. Christian, President                  20042 IWRP Rd.                  Smithfield, VA 23430                  greatpapa45@gmail.com</p>	<p>Cascade Mountain Water Company, Inc.                  Tony Harrison, President                  P.O. Box 353                  Fancy Gap, VA 24328-0353                  office@cascade-mountain.com</p>
<p>Central Water Company, Inc.                  Stephen C. Rossi, President                  1410 16th St. SE                  Roanoke, VA 24014                  srossi@scrossi.com</p>	<p>Central Water Systems, Inc.                  Carl Kellogg, President                  P.O. Box 119                  Smithfield, VA 23431                  kelloggdrilling@gmail.com</p>
<p>Commonwealth Utilities, Inc.                  Craig Jebson, President                  218 N. Main St.                  P.O. Box 520                  Culpeper, VA 22701                  craigj@countrywatersystems.com                  hopel@countrywatersystems.com</p>	<p>Founders Bridge Utility Company, Inc.                  Russell T. Aaronson III, President                  1700 Bayberry Ct., Suite 300                  Richmond, VA 23226-3791                  raaronson@graycorei.com</p>
<p>Groundhog Mountain Water and Sewer                  Ron Hyatt, President                  2812 Brennen Lane                  High Point, NC 27262-8436                  carol.bayley@dhg.com</p>	<p>Harbour East Sewage Disposal Corporation                  C. David Sherrill, President                  800 West Hundred Rd.                  Chester, VA 23836-2517                  harboureastvlg@comcast.net</p>

## Water and Sewer Companies

20092009

<p>High Knob Utilities, Inc. Keith Arnett, President 17 Windy Way, Suite A Front Royal, VA 22630 hkoffice@hkoai.com</p>	<p>Keswick Estates Utilities, Inc. Abdul Rahman 701 Country Club Dr. Keswick, VA 22947 arahman@keswick.com</p>
<p>Massanutten Public Service Steven Ubertozi, President 13051 Southern Maryland Blvd. 203 Dunkirk, MD. 20754 steve.lubertozi@uiwater.com</p>	<p>Montvale Water, Inc. Bob Karnes, President P.O. Box 155 Montvale, VA 24122 Montvalewater@gmail.com</p>
<p>Northern Neck Water, Inc. John Aulbach II, President 2414 Granite Ridge Rd. Rockville, VA 23146 jjaulbach@aquaamerica.com</p>	<p>Park Place Water Works, Inc. James K, McKelvey, Owner 400 Scruggs Rd. Suite 100 Moneta, VA 24121 jhodges@b2xonline.com</p>
<p>Peacock Hill Service Company David Lockledge, President P.O. Box. 284 Ivy, VA 22945 peacockhillsc@gmail.com</p>	<p>PO River Water and Sewer Company Matthew E. Raynor, President 524 Meadow Avenue Loop Banner Elk, NC 28604 tarmatt@aol.com</p>
<p>Reston Relac, LLC Mark Douglas Waddell 1725 Wainwright Dr. Reston, VA 20190 mark@restonrelac.com</p>	<p>Sedley Water Company Robert P. Finch, President P.O. Box 340 Toano, VA 23168 sedleywater@gmail.com</p>
<p>Santillane Water Company, Inc. Stephen C. Rossi, Vice President 1410 16th Street SE Roanoke, Virginia 24014 srossi@scrossi.com</p>	<p>Sunset Bay Utilities John Burbage, Jr., President 9919 Stephen Decatur Highway Ocean City, MD 21842 jreed@bwdc.com</p>
<p>Sommersby Water Company Michael Griffin, President P.O. Box 7 Daleville, VA 24083 mm9440@gmail.com</p>	<p>T-L Water Larry E. Lamb, President P.O. Box 277 Standardsville, VA 22973-0244 larryelamb@aol.com</p>

## Water and Sewer Companies

20092009

<p>The Homestead Water Company, Inc.                  Peter Strebel, President                  4001 Maple Ave. Suite 600                  Dallas, TX 75219                  rita.ruth@omnihotels.com</p>	<p>Thomas Bridge Water Corporation                  Harry Dean, President                  586 Thomas Bridge Rd.                  Marion, VA 24354                  tbwadmin@comcast.net</p>
<p>Trails End Utility Company, Inc.                  Wayne Culver, Vice President                  P.O. Box 268                  Horntown, VA 23395                  water3@cbtea.net</p>	<p>Virginia American Water Company                  Barry L. Suits, President                  2223 Duke St.                  Alexandria, VA 22314                  Barry.suits@amwater.com</p>
<p>Virginia Ridge Water Company                  Stephen C. Rossi, President                  1410 16th St. SE                  Roanoke, VA 24014                  srossi@scrossi.com</p>	<p>Warrenton Chase Utility Company                  Joseph J. Contrucci, ESQ                  Drawer 5                  Markham, VA 22643                  contruccilaw@aol.com</p>
<p>Woodhaven Water Company                  William B. Chandler, President                  7242- A Lakeshore Dr.                  Quinton, VA 23141-1153                  office@wwci.hrcoxmail.com</p>	



COMMONWEALTH of VIRGINIA

Department of Health

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RICHMOND, VA 23218

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State Health Commissioner

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1-800-828-1120

ODW Program Guidance During the SARS-CoV-2 (Coronavirus) Pandemic

August 21, 2020

From: Dwayne Roadcap, Director, Office of Drinking Water (ODW)

To: ODW staff

Document History Log

Table with 3 columns: History, Date, Description. Rows include: Issued (April 1, 2020), First Revision (May 1, 2020), Second Revision (May 15, 2020), Third Revision (May 29, 2020), Fourth Revision (June 12, 2020), Fifth Revision (August 21, 2020).

Drinking water is essential during the SARS-CoV-2 (coronavirus) pandemic. Public water systems ("waterworks") have a heightened responsibility to protect public health and help prevent the spread of COVID-19, the disease caused by the SARS-CoV-2 virus. To this end, people need drinking water for life and other critical needs, such as handwashing during the coronavirus pandemic. Waterworks owners and operators must continue normal operation and maintenance to the extent possible to ensure required sampling and safety of drinking water supplies.

The well-being of our employees, stakeholders, waterworks staff, and the public is our top priority while making sure drinking water is safe and complies with applicable laws and regulations. ODW will adhere to Governor Northam's Executive Orders, the Virginia Department of Health guidelines for Schools, Workplaces, and Community Locations, and the Department of Labor and Industry (DOLI) Emergency Temporary Standard, 16VAC25-220 (effective July 27, 2020).

ODW is performing routine fieldwork unless the waterworks is located in a facility that is within a high to very high exposure risk category (see Appendix - 1A). ODW will evaluate exposure risk and the status of COVID-19 spread at these waterworks and make a case-by-case determination about performing fieldwork, including the onsite portion of a sanitary survey. See Appendix - 1A for ODW's priorities, Appendix - 1B for workplace safety best practices and procedures and best practices when performing fieldwork, and Appendix - 1C, which has guidelines for sanitizing a vehicle. When a routine, in-person inspection or sanitary survey is not possible because of a COVID-19 outbreak or risk at a specific waterworks, then ODW staff will provide technical assistance to the extent possible over the phone, teleconferencing, videoconferencing and other remote methods of communication. Only in rare and emergency situations will staff provide on-site, in-person assistance at a facility with a COVID-19 outbreak.

### **Customer Service and Office Hours:**

Offices remain open and customer service is a top priority. Staff can best receive and help customers who schedule an appointment in advance. Walk-in appointments may be limited to ensure physical distancing of at least 6-feet. To the extent possible, owners, operators, consultants, and others should contact the appropriate field office prior to arrival to schedule an appointment and determine if there are any access limitations at the location. Three field offices, Richmond, Southeast Virginia, and Culpeper, are in buildings with other Department of Health programs, state agencies, and/or local government offices, which may limit access to the buildings at these locations.

Staff are available at the usual contact numbers and by email. Field office, program, and staff contact information is at <http://www.vdh.virginia.gov/drinking-water/contact-us/>. For specific questions about transient noncommunity and nontransient, noncommunity waterworks, waterworks owners can also contact Jarrett Talley, Noncommunity Sustainability Coordinator at [Jarrett.Talley@vdh.virginia.gov](mailto:Jarrett.Talley@vdh.virginia.gov) or (804) 864-8085.

Staff have resumed construction and technical assistance site visits. In accordance with the Governor's recommendations for easing restrictions and the DOLI Emergency Temporary Standard, staff continue to work remotely when possible and stagger office hours throughout the week to minimize contact.

ODW has cancelled or postponed most staff training at this time. Staff is working on delivery of training via online technology to the extent possible. Outreach and marketing of these courses will continue using the same email and online platforms.

### **Monitoring and Reporting Requirements:**

Staff must inform waterworks owners of the following program guidance:

### Active Waterworks

- Waterworks must notify ODW when they experience difficulties collecting, submitting, or reporting water quality data, or they suspend operations. ODW staff should remind waterworks to promptly and routinely communicate needs and challenges. If a waterworks cannot sample because of impacted operations related to the coronavirus pandemic, then staff may exercise enforcement discretion until August 31, 2020.<sup>1</sup>
- Until August 31, 2020, staff may reject violations of monitoring and sampling requirements at noncommunity waterworks that are directly related to the coronavirus pandemic. If appropriate and based on sufficient information, staff will enter into SDWIS that the violation is “Rejected” with a Reason Code of “COVID.” Tableau queries can be used to find all active waterworks with the COVID indicator of “YES”.
- After August 31, 2020, ODW expects waterworks to meet all monitoring and reporting requirements as long as they are operating. Limited exceptions are explained below. Field office staff should advise waterworks owners and operators to continue to notify ODW staff if, after August 31, the waterworks experience difficulties meeting the requirements in the Waterworks Regulations due to the coronavirus pandemic.

### Waterworks That Have Temporarily Suspended Operation

- If a nontransient noncommunity waterworks (e.g., one serving a school, child care facility, or factory) is shut down and no one is using the facility/waterworks for a period of more than 60 days, the owner may submit a written request (email or letter) for ODW to inactivate the waterworks. Field office staff will confirm and document the shut down through information the owner provides, a site visit, and/or communication with other state agencies as appropriate. Upon confirmation and field director concurrence, staff will inactivate<sup>2</sup> the waterworks in SDWIS.

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<sup>1</sup> See [guidance from the U.S. Environmental Protection Agency](#) (EPA) dated March 26, 2020. EPA issued a [memo dated June 29, 2020](#) in which the agency announced it will terminate the March 26 guidance on August 31, 2020. This means that the EPA will not exercise enforcement discretion as set forth in its March 26 policy for any noncompliance that occurs after August 31, 2020. To remain consistent with federal guidelines, ODW will not exercise enforcement discretion, as set forth in EPA’s March 26 policy memo, for noncompliance that occurs after August 31, 2020.

<sup>2</sup> To “inactivate” a waterworks, means it remains in ODW’s SDWIS database, with the expectation that it will resume operation within 12 months. During the period in which the waterworks is inactive, the owner may not use the waterworks to provide water to the public, but is also not required to monitor water quality, submit monthly reports, or meet other regulatory requirements – much like a seasonal waterworks. Prior to resuming operation, the owner must notify the field office and perform start-up procedures to ensure the water meets water quality standards. Field office staff must contact the waterworks owner every 90 to 120 days following inactivation to confirm the waterworks status. Staff must verify verbal representations from the owner by a site visit, communication with another state regulatory agency, local government, the local health department, or another third-party source.

- If a facility operates a transient noncommunity waterworks, including a seasonal waterworks, which is not open to the public and no one is using the facility for a period of more than 60 days, the owner may submit a written request (email or letter) for ODW to inactivate the waterworks. Field office staff will confirm and document the closure (or not opening) through information the owner provides, a site visit and/or communication with other state agencies, local government, and the local health department as appropriate. Upon confirmation and field director concurrence, staff will inactivate waterworks. Staff will follow the procedures outlined in footnote 2 to communicate with the owner and ensure water meets water quality standards prior to the waterworks resuming operation.

#### Reduced Operation, Temporary Closure, and Seasonal Waterworks

- If a waterworks continues to meet the definition of a waterworks, but is operating at less than its normal capacity, field office staff may provide technical assistance to the owner for managing building water quality and collecting compliance samples. These waterworks are expected to continue to meet all regulatory requirements including monitoring and reporting.
- If a waterworks closes temporarily (generally more than 30 days) due to the coronavirus or remained operational with limited or no water demand, but anticipates returning to more normalized flow, then staff should recommend flushing of the plumbing system before the waterworks resumes normalized flow. Staff may recommend special bacteriological sampling to verify the water quality is adequate. After 60 days of closure, the owner of a nontransient noncommunity or transient noncommunity waterworks may request to go to an inactive status following the procedures described above.
- If a waterworks serves a seasonal facility that is opening for the season, then staff must discuss sampling requirements of the seasonal start-up plan with the waterworks operator and owner.

#### Permanent Closures

- If a waterworks has closed permanently (i.e., lasting or intended to last or remain unchanged indefinitely), then staff should follow the procedures described below for inactivating the water system and invalidating the operation permit.<sup>3</sup>

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<sup>3</sup> Va. Code § 32.1-174 specifies five conditions under which the Commissioner may revoke a permit. If none of those conditions exist, i.e., a water system continues to provide pure water, but it no longer meets the definition of a waterworks, Va. Code § 32.1-173 says the Commissioner can determine the permit is no longer valid, which means to invalidate. The Commissioner has delegated authority for permitting to ODW.

- ODW may determine an existing permit is no longer valid<sup>4</sup> because the water system does not meet the regulatory threshold for a “waterworks” (15 service connections or 25 or more individuals for at least 60 days out of the year). If a waterworks owner believes that the water system no longer meets the definition of a waterworks and requests ODW invalidate the permit, staff must have sufficient documentation before stopping regulatory oversight of the water system.
- Field office staff will perform a site visit to confirm information provided by the owner, unless another state agency provides field confirmation. Field office staff will contact the local health department, the local building/zoning official, or other state agency (e.g., Virginia Department of Education, Department of Agriculture and Consumer Services, or Department of Social Services) as appropriate to determine whether other regulatory agencies have conflicting information.
- If the field director concurs that the water system no longer meets the definition of a waterworks, then the field director will email a summary and documentation to the Division of Technical Services. The field services engineer and division director will review the documentation and the field director’s assessment and, if they concur, will forward a recommendation to the office director for approval. If the office director approves, then the field director can invalidate the permit and notify the water system owner.
- Invalidating a permit is not appropriate for waterworks that anticipate reopening within 12 months from the date ODW invalidates the permit.

#### Waterworks That Claims It Now Serves a Population Less Than 25 Persons

- If the waterworks owner asserts the facility no longer meets the definition of a waterworks because it serves fewer than 25 people a day and/or operates less than 60 days per year, the owner may submit a written request (email or letter) for ODW to inactivate the waterworks. Field office staff will confirm and document the population served and/or days of operation through information the owner provides, a site visit, business records, and/or communication with other state agencies, local government, or the local health department, as appropriate. Staff must use facts and information from a disinterested third party to the extent possible. Upon confirmation and office director concurrence, staff may inactivate the waterworks. Field office staff should contact the waterworks owner every 90 to 120 days following inactivation to confirm the population served and/or days of operation remain below the regulatory threshold. Staff must verify verbal representations from the owner by a site visit, communication with another state regulatory agency, local government (planning, zoning, building, etc.), the local health department, or another third-party source.

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<sup>4</sup> Va. Code § 32.1-173 B.

### SDWIS Coding

- If staff determine that a waterworks is (1) closed temporarily; (2) the population served and/or days of operation are less than the regulatory threshold for defining a waterworks; or (3) a waterworks is operating at less than its normal capacity, because of the coronavirus pandemic, they will add the “COVID” water system indicator in SDWIS with a value of “YES”, and a “Begin Date” marking the start of the closure or change in operational conditions.
  
- For any waterworks that staff confirms is inactive, staff will inactivate the system in SDWIS by changing the “Activity Status” to “INACTIVE”, in addition to the use of the COVID indicator as described above. Staff must use the date of the concurrence document as the activity date, and staff will include a brief description of the reason for inactivation in the status reason box.
  - Do not reduce the population to a value less than 25. Staff cannot classify a waterworks as non-public (NP) when inactivated.
  - Staff can use MS Access queries to find all waterworks with the COVID indicator of “YES” and activity status of “INACTIVE.” Field office staff should run these queries on a routine basis to know when to follow up with waterworks to verify the status is still valid.
  - Upon the owner re-opening the waterworks and collecting startup samples, ODW expects regular monitoring to commence and for staff to annotate the re-open date as the End Date on the “COVID” indicator (changing the indicator to “NO”) and also as the activity date (changing the “Activity Status” to “ACTIVE”). Do not delete the COVID indicator.
  - If the waterworks was due for an inspection during the period of inactivity, staff will conduct an inspection at the earliest possible opportunity upon learning of the re-opening or resumption of normal operation that meets the definition of a waterworks.
  - For waterworks that would be required to collect Lead and Copper samples, but are in an inactive status, ODW expects monitoring to commence at the next applicable monitoring period (for example for ultimate reduced monitoring June through September of 2021, for routine monitoring the next 6 month monitoring period).

### Laboratory Issues

- If worker shortages and laboratory capacity problems develop, then compliance monitoring to protect against microbial pathogens is the highest priority. Additional priorities include nitrate/nitrite and lead and copper monitoring, followed by contaminants for which the waterworks has been non-compliant. Compliance monitoring for these parameters focuses on acute health risks.

- Waterworks owners should identify and use alternative laboratories to satisfy monitoring and reporting requirements. Contact [labadmin@vdh.virginia.gov](mailto:labadmin@vdh.virginia.gov) for any problem with compliance monitoring based on a closed laboratory with no adequate back-up lab available. Report monitoring or other compliance issues at [labadmin@vdh.virginia.gov](mailto:labadmin@vdh.virginia.gov).

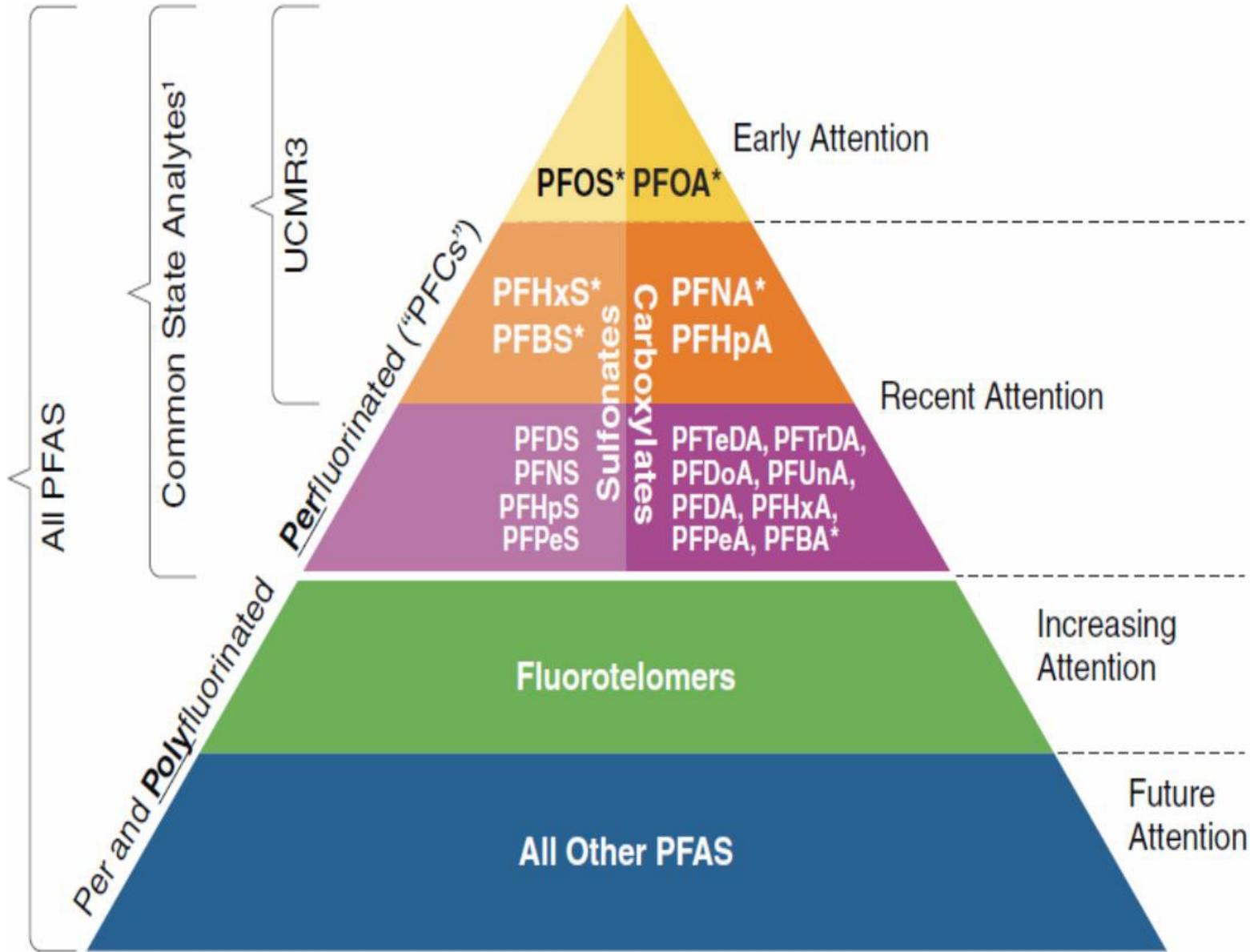
# Establishing Regulatory Limits for PFAS in Virginia Drinking Water- Status Update

ODW Team

Virginia Department of Health  
September 16, 2020



# Per- and Polyfluoroalkyl Substances (PFAS)



# Per- and Polyfluoroalkyl Substances (PFAS)

*Drinking water* - surface water or groundwater

*Biota* - fish and shellfish

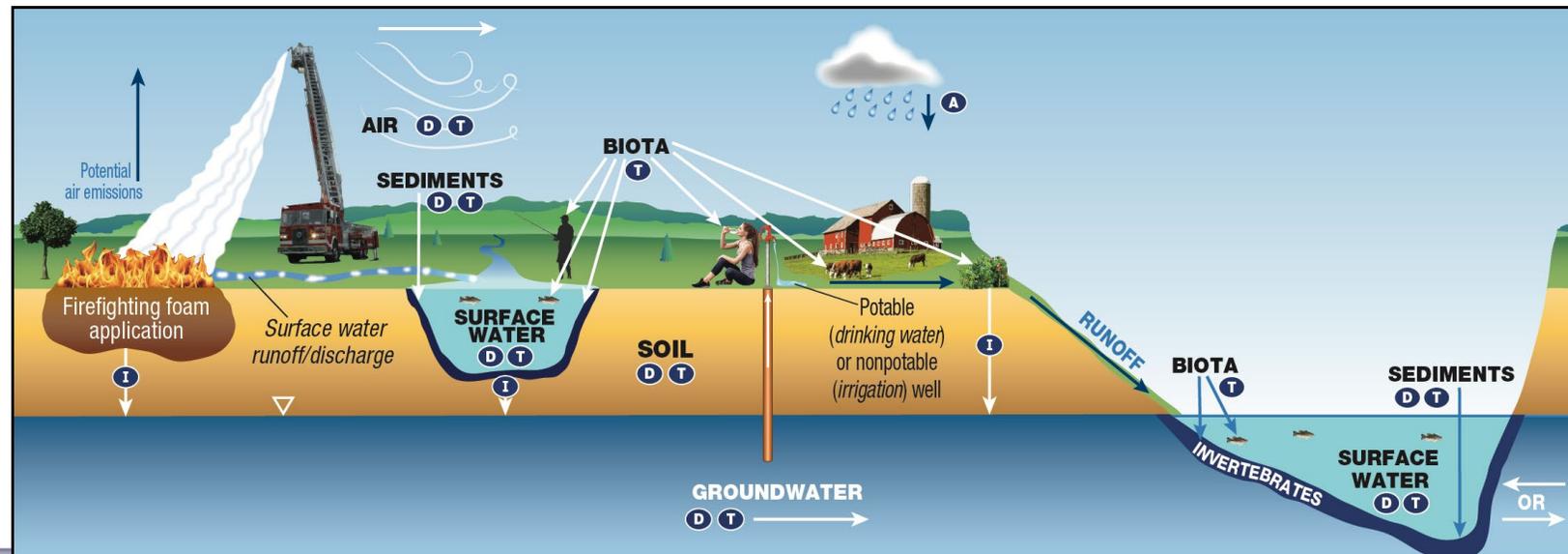
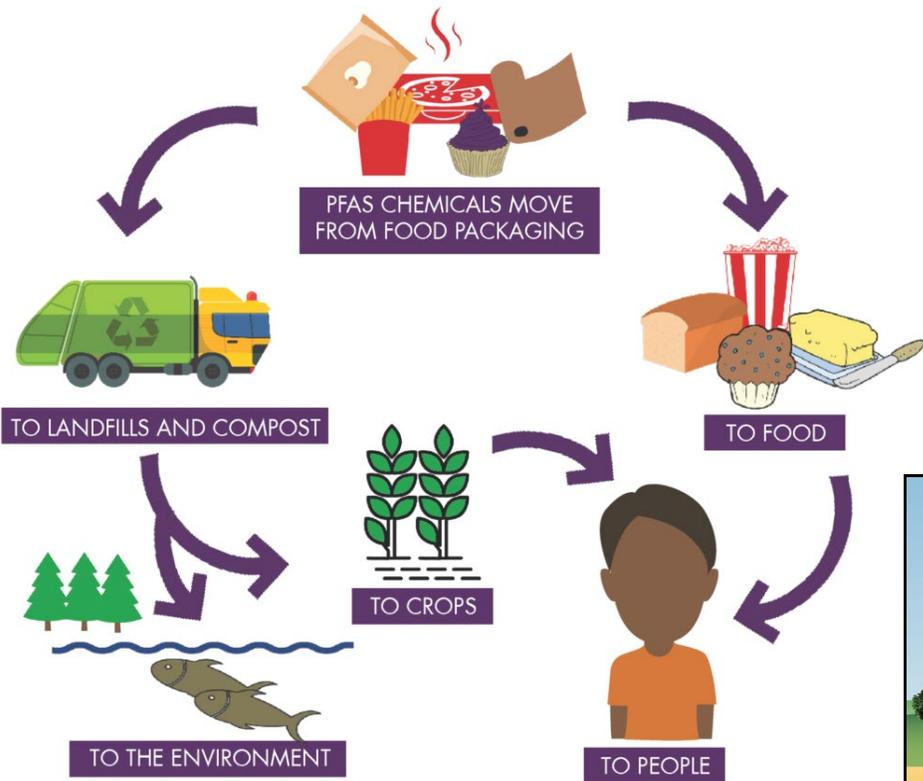
*Biosolids* - uptake in livestock and plants

*Landfill* - potential to impact groundwater

*Food* - Food products and packaging

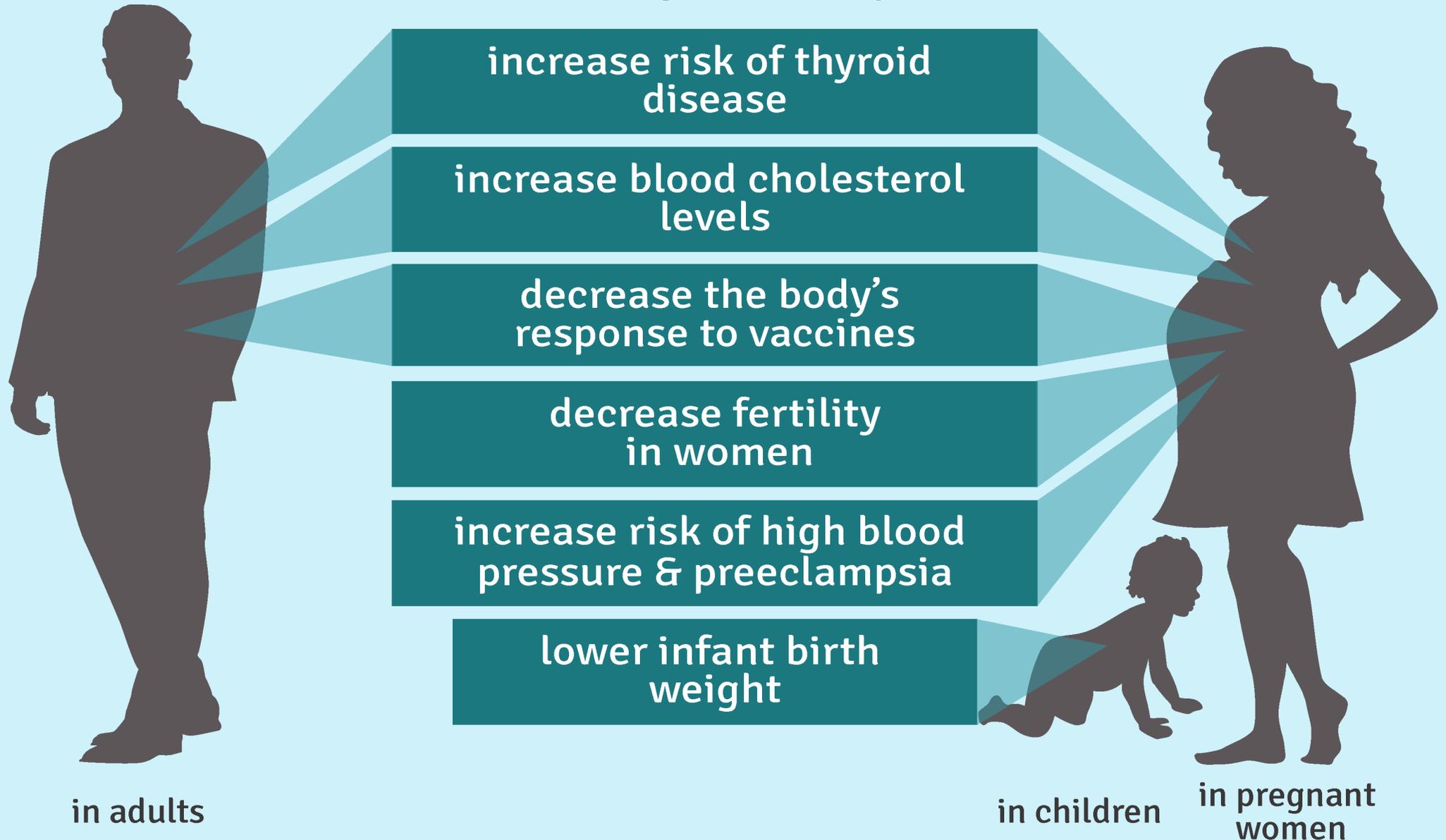
*Industrial* - Commercial products found in home

*Proximity* - Living next to industry that uses PFAS



# PFAS Health Effects

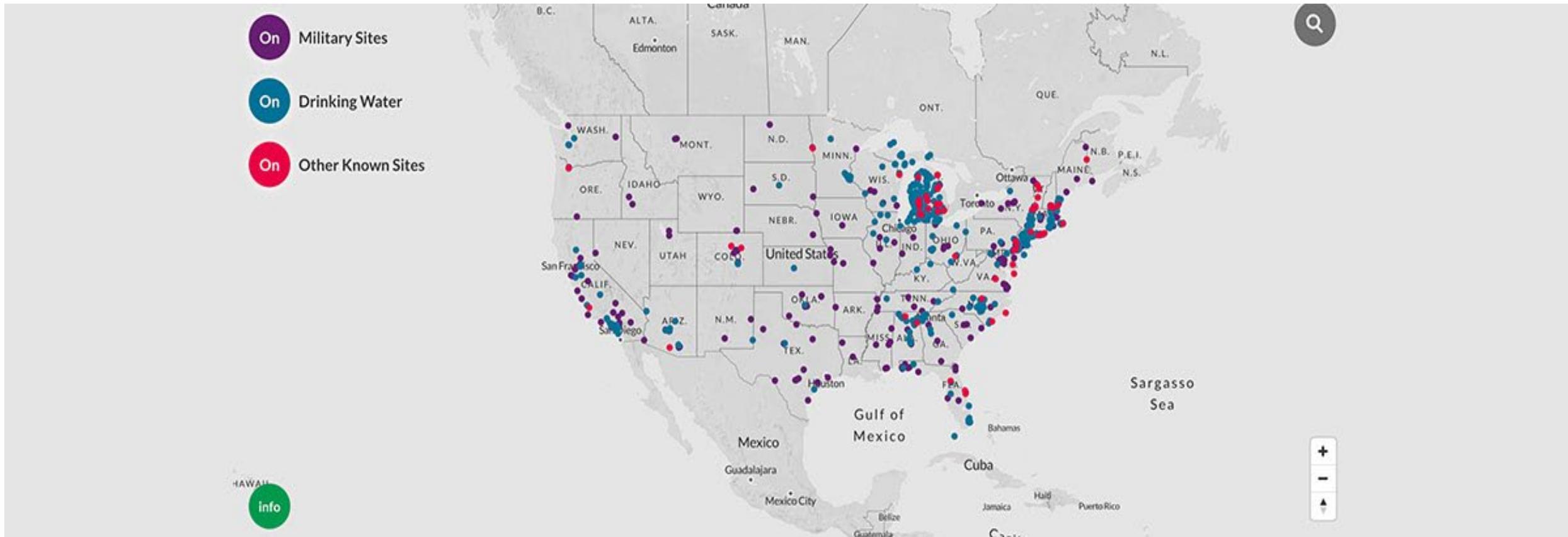
Human studies suggest  
PFAS exposure may...



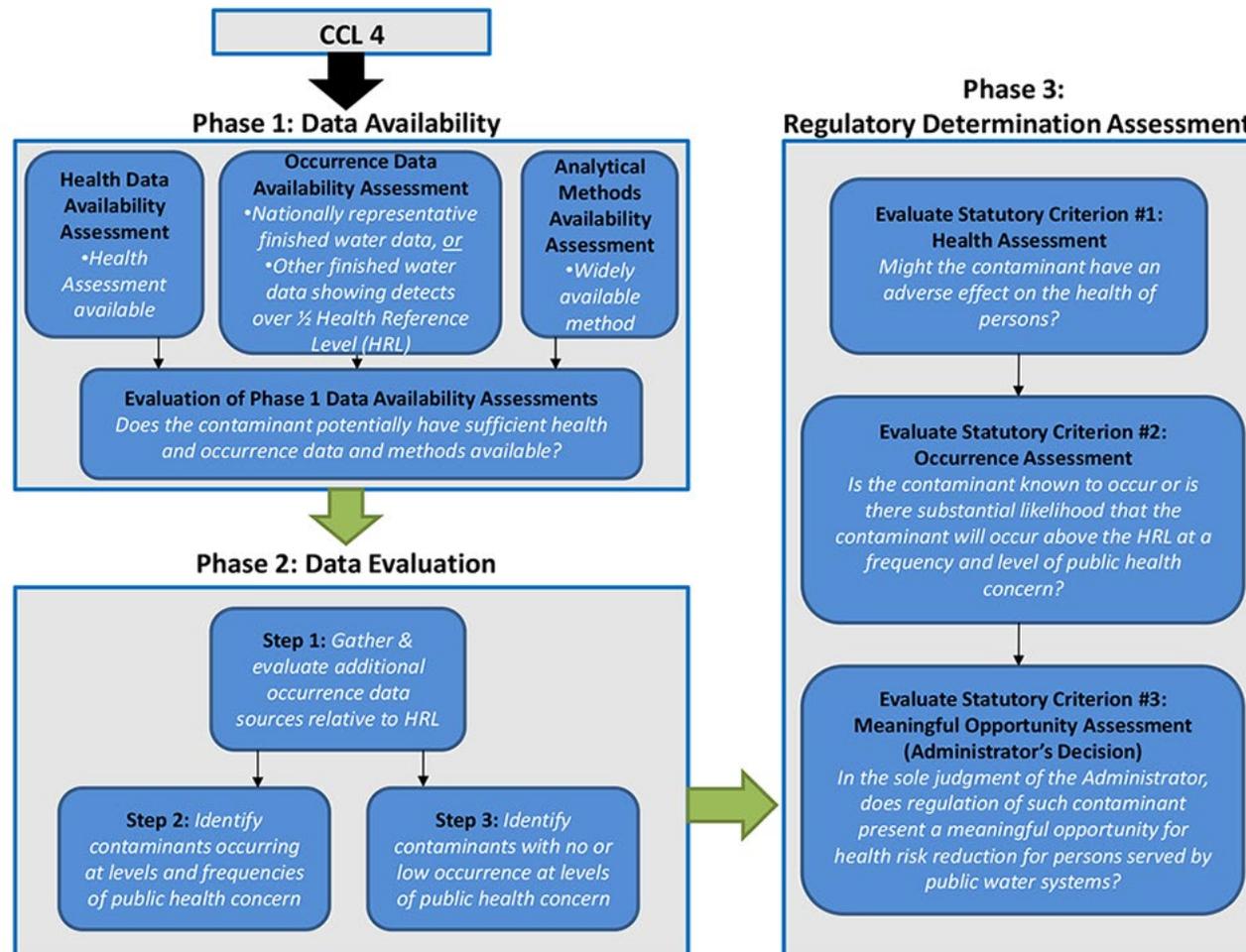
# PFAS - If you Sample it, you will find it

PFAS detection in water supplies serving more than 110 Million people

More than 600 sites with PFAS detection



# EPA PFAS Regulatory Determination for PFOA & PFOS



# Other States – MCLs &/or HA

## States With Numerical PFAS Limits

### Washington

- Banned in firefighting foam and food packaging
- Proposed drinking water standard

### Vermont

- 20 PPT (PFAS)
- Drinking water health advisory for 5 PFAS

### Massachusetts

- 70 PPT (PFAS)
- State guidance for concentrations of 5 PFAS in drinking water

### New Jersey

- Set PFNA standard at 13 ppt
- Weighing proposed standards for: PFOA at 14 ppt, PFOS at 13 ppt

### California

- 14 PPT (PFOA)
- 13 PPT (PFOS)
- Drinking water notification guidance

### Colorado

- PFOA/PFAS listed as hazardous waste
- 70 PPT (Combined PFOA/PFOS)
- Groundwater quality standard for El Paso County only

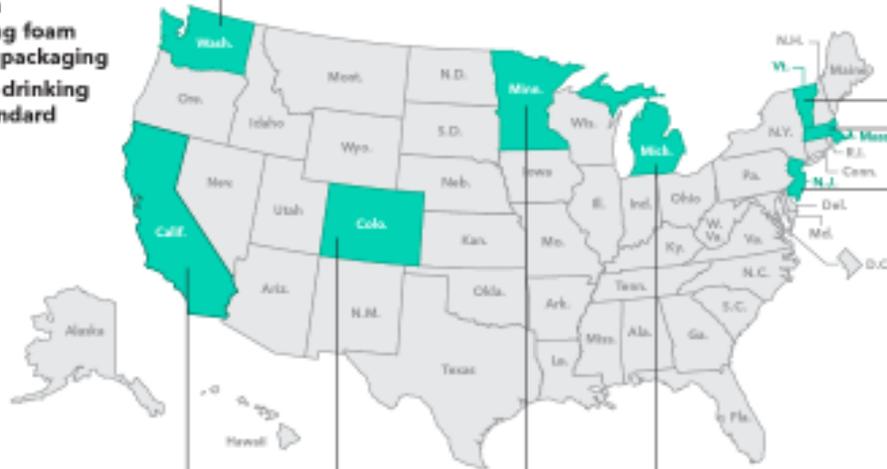
### Minnesota

- 35 PPT (PFOA)
- 27 PPT (PFOS)
- Health-based guidance values

### Michigan

- 70 PPT (Combined PFOA/PFOS)
- State standard for concentrations in drinking water

- New Jersey
- Connecticut
- Maine
- Michigan
- Pennsylvania
- Colorado
- California
- Massachusetts



# PFAS – we still need to learn more

- Scientific evidence/ Better understanding of human health effects
- Ecological toxicity information
- PFAS occurrence data in soil, water and air in Virginia



# PFAS in Virginia Drinking Water

# HB586

**Patron:** Delegate Guzman (GA2020)

- Form a PFAS workgroup,
- Conduct a detailed investigation on current literature and what other states are doing,
- Conduct PFAS occurrence study at no more than 50 waterworks and source waters, and
- Develop MCL guidelines
- **Timeline:** December 01, 2021

**Potential Issues:** No funding

# HB1257

**Patron:** Delegate Rasoul (GA2020)

- Establish MCLs for PFOA, PFOS, and other PFAS compounds, 1,4-Dioxane and Chromium (VI).
- Provide status report by 11/1/20
- Provide detailed report by 10/1/21.
- Effective Date: 1/1/22

**Potential Issues:**

- No comprehensive PFAS, 1,4-dioxane, or Cr(VI) occurrence data in VA
- No funding

# Office of Drinking Water - Priorities

- **Funding**
- **Resources**
- **Developing a Strategy & Work Plan**
- **Implementation** – (1) Workgroup, (2) Sampling study, (3) Reports
- **Metrics** – Design and conduct PFAS sampling study; establish workgroup and start meetings; complete reports on time
- **Deliverables** – Reports (11/01/2020, 10/01/2021 and 12/01/2021; Recommendation to the Board of Health on MCLs

# Funding & Resources

- Currently working with the US EPA
- Received funding of \$145,000 (USEPA) + \$48,333 (in kind state match)
- Currently preparing & processing documentation

## Resources

- ODW staff (Dwayne Roadcap, Nelson Daniel, Robert Edelman, Christine Latino, Kyle Fuller, and Tony Singh)
- Analytical Laboratory
- Admin / Logistical support

# PFAS Workgroup

ODW reached out to stakeholders via:

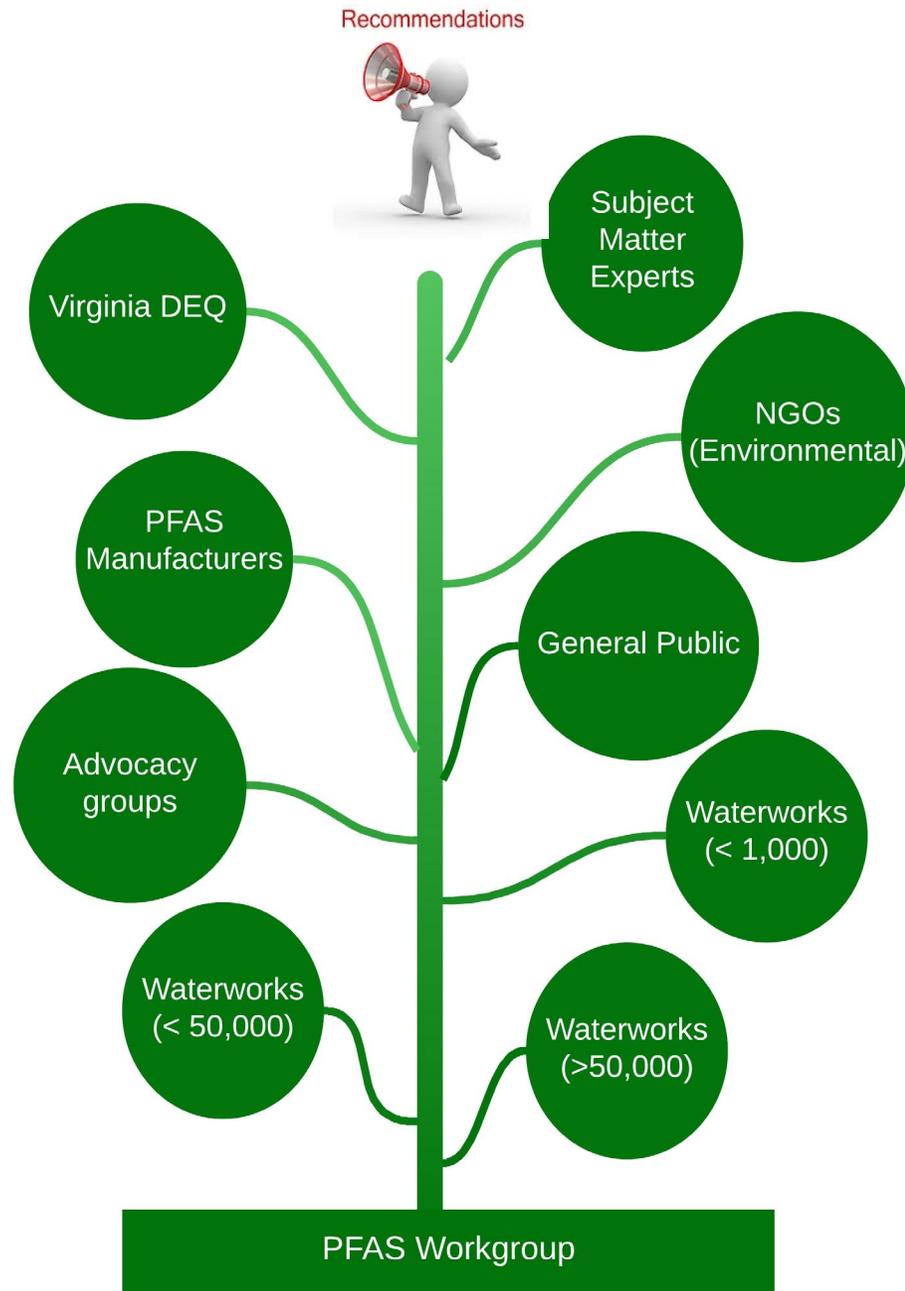
- Waterworks Advisory Committee (WAC),
- VA Water/Wastewater Agency Response (VA WARN) meetings
- Other VDH communications

# PFAS Workgroup

## Expectations:

- Possess knowledge / expertise in “emerging contaminants in the environment”
- Participate and contribute to the topic of interest (PFAS and emerging contaminants in drinking water) at quarterly meetings (3 - 4 hours)
- Commitment of 5-10 hours per month to study, review, interpret and develop new documents / guidelines / recommendations
- Participate and contribute to at least one sub-workgroup

# Proposed - Workgroup



4 people - Community waterworks that serve >50,000 persons.\*  
1 person - Community waterworks that serves < 50,000 persons.\*  
1 person - Community waterworks that serves < 1,000 persons.\*  
2 people - Advocacy groups that represents waterworks in VA.

1 person - A manufacturer with chemistry experience.  
2 people - Non-governmental environmental organizations.  
1 person - A consumer of public drinking water.

1 person - ODW's technical staff  
1 person - Commonwealth of Virginia State Toxicologist.  
1 person - VDH local health department (District Health Director)  
1 person - The Virginia Department of Environmental Quality (DEQ).

\*At least one representative from community waterworks will be from a private company that operates waterworks.

# Proposed - Workgroup Logistics

**Data sharing** - An electronic file sharing platform (Google Drive or Box etc.)

**Facilitation** - A facilitator will assist with quarterly meetings

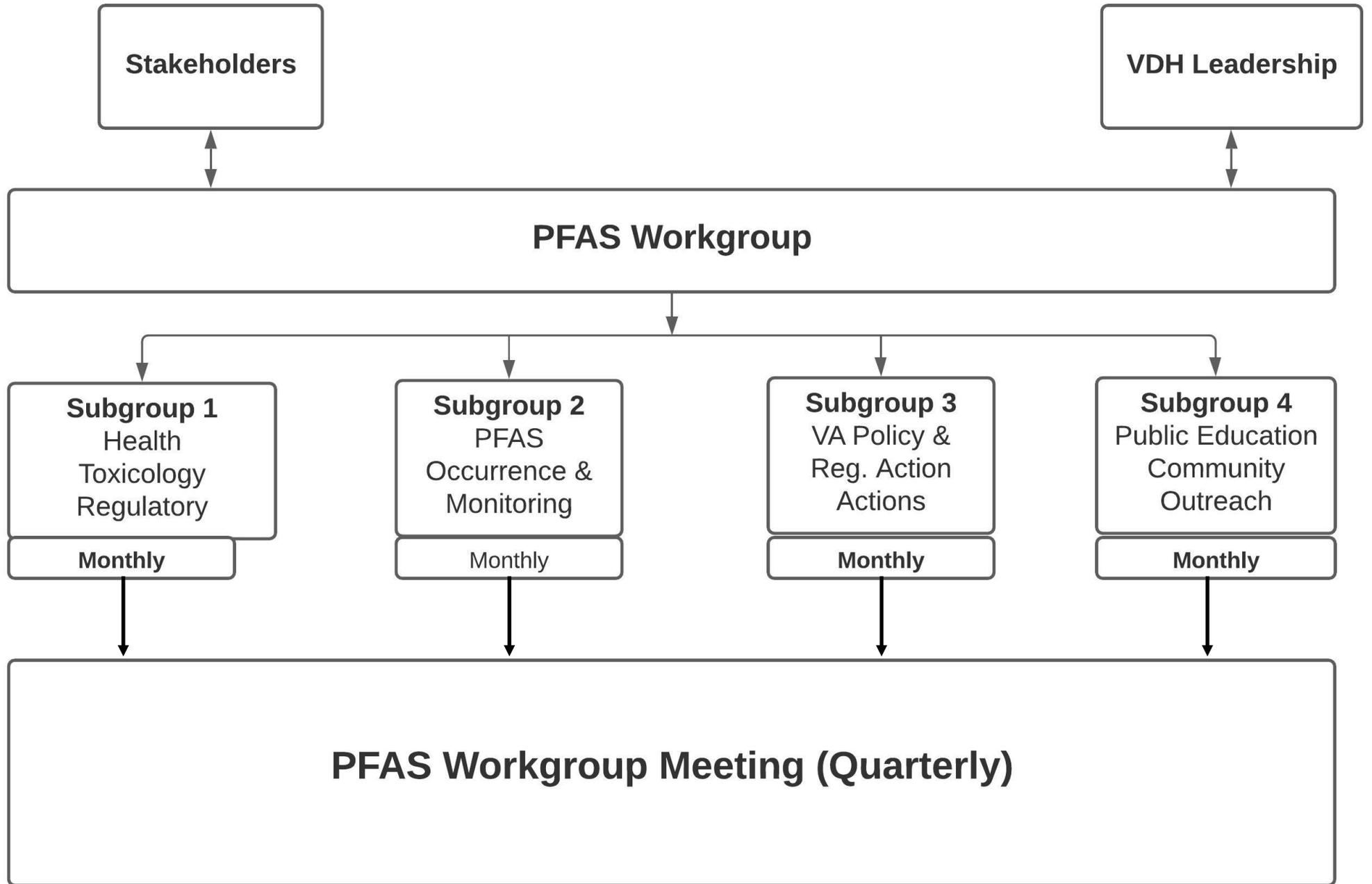
**Meeting information on Town Hall** ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)).

**Admin support** - Office of Drinking Water (ODW) staff

**Meeting Information** -

Meeting #	When (Tentative)	Where
1	October 2020	Virtual
2	December 2020	Northern Virginia
3	March 2021	Tidewater
4	June 2021	Richmond
5 (Backup meeting if needed)	September 2021	Southwest Virginia

# Proposed PFAS Sub-workgroups



# Proposed PFAS Sampling & Monitoring Study

Approaches based on:

- Available funding → number of sampling sites
- Maximum public health risk reduction
- Proximity to potential PFAS contamination

Proposed strategy (depends on budget):

1. Largest waterworks (17) in Virginia serve appx. 4.5 million consumers
2. Sampling - based on potential for PFAS contamination - VDH - DEQ data/risk maps
3. Major water supplies - James River, Potomac River, etc.
4. Statewide comprehensive PFAS occurrence study (Not considering in this study)

# Potential PFAS Contamination Risk Maps

- Focus on “community” waterworks
- Prioritize based on risk due to proximity to certain activities:
  - Landfills
  - Airports
  - Industrial sites
  - Military usage and discharge of fire fighting foams
  - Sources located “in town”
- Known or suspected contamination
- Unconfined aquifers (higher risk of contamination)

# Proposed - Workgroup Expected Outcomes

1. A report summarizing literature review on the PFAS regulatory framework/methodologies followed in other US states, and Virginia PFAS occurrence results\*
2. Recommendations to the Board of Health on regulating PFAS in VA drinking water\*
3. Recommendations on the PFAS MCL concentrations\*

\* VA PFAS Workgroup will discuss this items in the workgroup meeting(s)

# Next steps

## August 2020 – December 2020:

- Form a VA PFAS workgroup & conduct meetings
- Research / investigate other states' actions to establish MCLs for PFAS
- Initiate PFAS sampling study in VA drinking water
- Submit HB1257 report

# If you have any question or suggestion, contact Us

Tony S. Singh

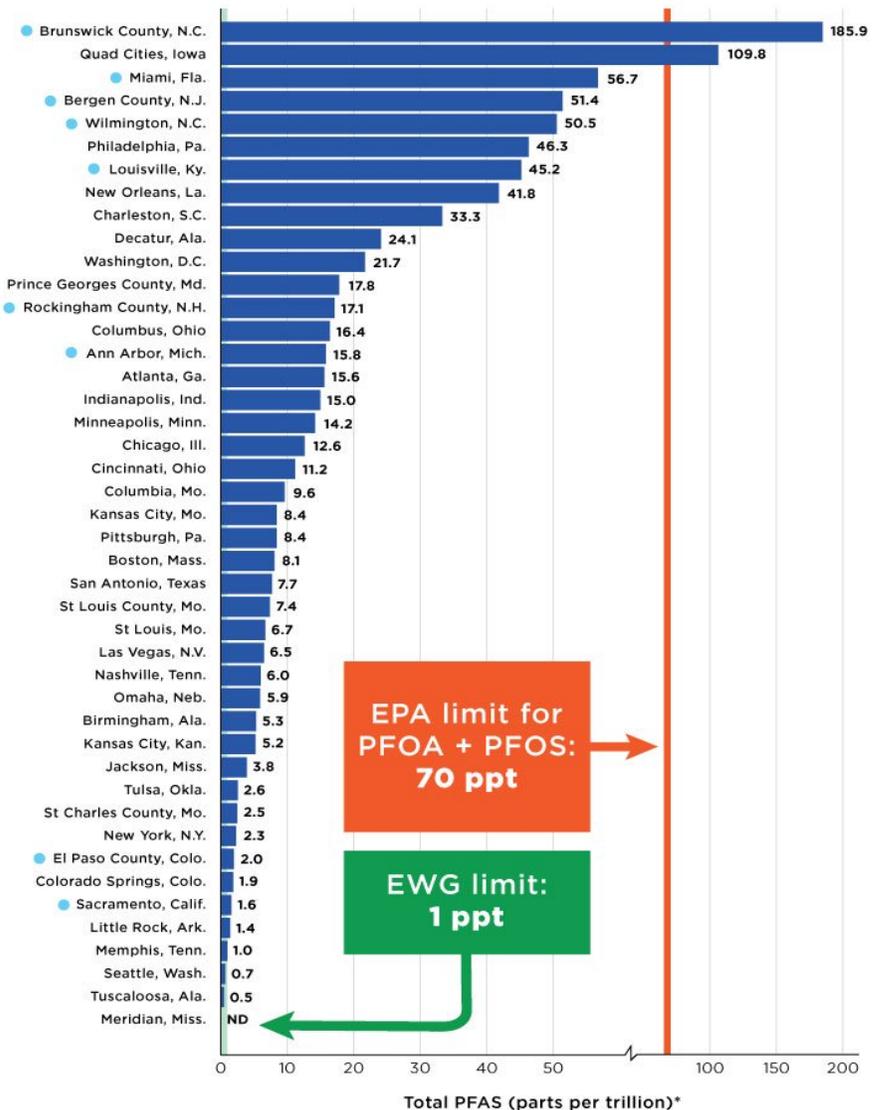
[Tony.Singh@vdh.Virginia.gov](mailto:Tony.Singh@vdh.Virginia.gov)

804-864 7517 / 804-310 3927

Dwayne Roadcap

[Dwayne.Roadcap@vdh.virginia.gov](mailto:Dwayne.Roadcap@vdh.virginia.gov)

804-864 7522



# PFAS - What we know?

- Of tap water samples from 44 places (31 states) and the DC, only one location had no detectable PFAS
- New Jersey was the first to set to a MCL for the PFNA 13 ppt, PFOS 13 ppt, and PFOA 14 ppt.
- Some other states have now set or proposed limits or guidelines for PFAS in drinking water, including California, Connecticut, Massachusetts, Michigan, Minnesota, New Hampshire, New York, North Carolina and Vermont.
- Aqua Virginia set an internal standard of 13ppt

Source: EWG, from samples taken between May and December 2019.

● PFAS previously reported by EPA or State

\*Sum of detections of 30 types of PFAS

Samples were taken by either EWG staff or local volunteers and analyzed by an independent accredited laboratory using a modified version of EPA Method 537. Details of all samples taken at each site and the precise sampling dates are in the tables in the Appendix.

# Emergency Preparedness Updates

September 16, 2020

Holly Brown  
Emergency Services Coordinator



# Online Reporting Tool

# Reporting Form

ODW Field Offices submit reports using login credentials.

## VDH-ODW Water Advisory and Power Outage Reporting Tool

This is a tool to report any drinking water-related advisories and power outages to the VDH-Office of Drinking Water.

### – PWS Information ▶

#### Details ▼

Incident Status:\*

Active ▼

Water Advisory/Low Pressure/Power Status Report:\*



Were samples taken?\*

Yes

No

Expected Time for Restoration:\*

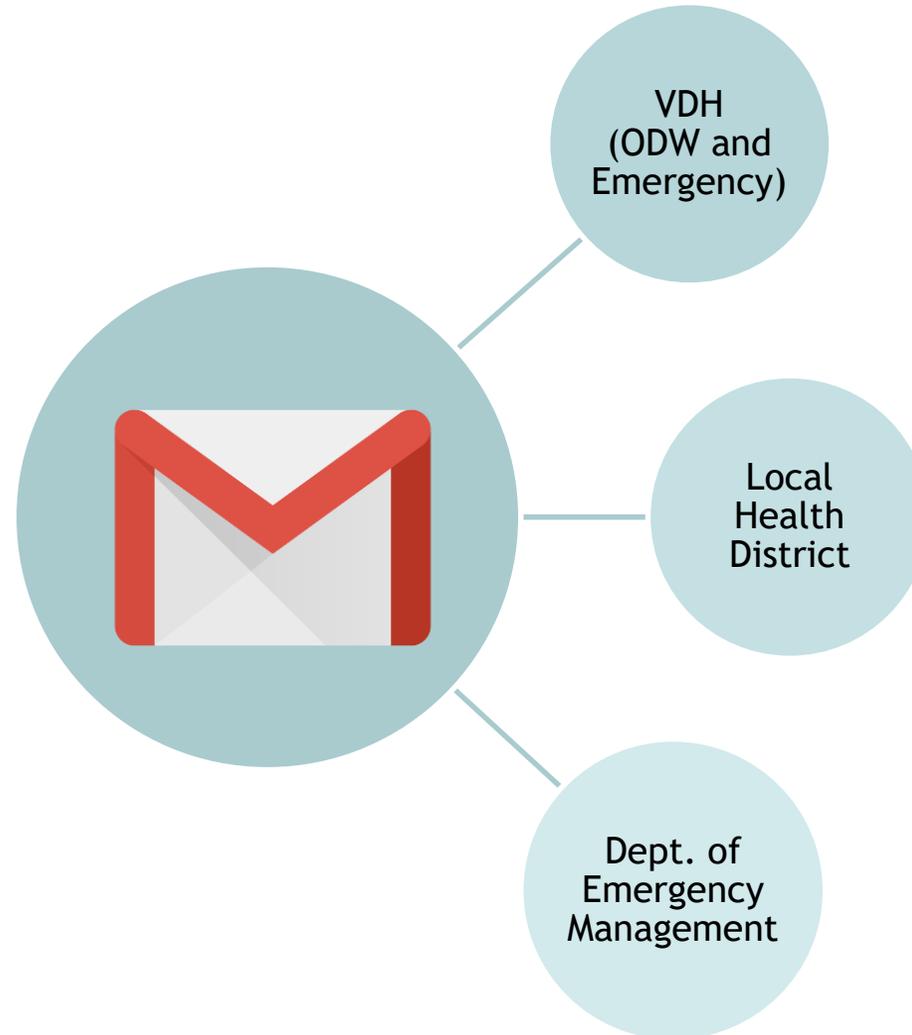
Additional Details:

Optional

### – Additional Information ▶

# Notifications

Once a report is submitted, alerts go out to all relevant parties at once.



Boil Water Advisories

**4**

◀ BW Advisory ▶

Do Not Drink Notices

**0**

◀ DND Notices ▶

Do Not Use Notices

**0**

◀ DNU Notices ▶

Low-Pressure Notices

**1**

◀ LP Notice ▶

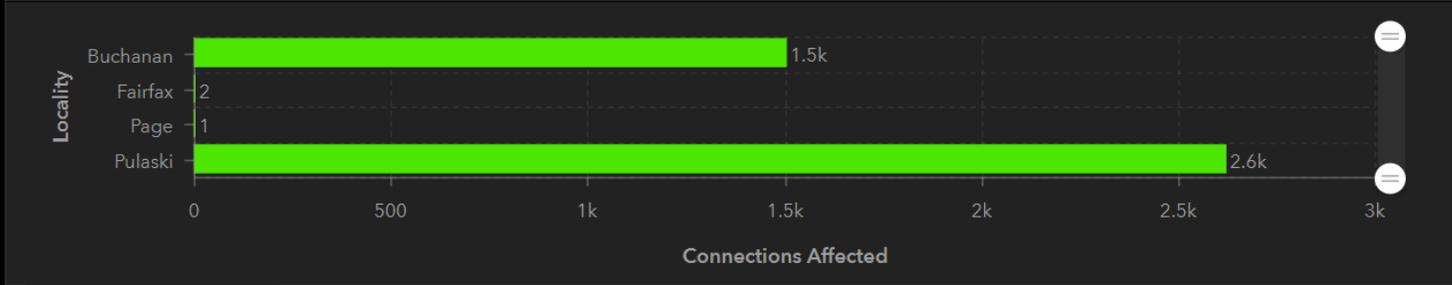
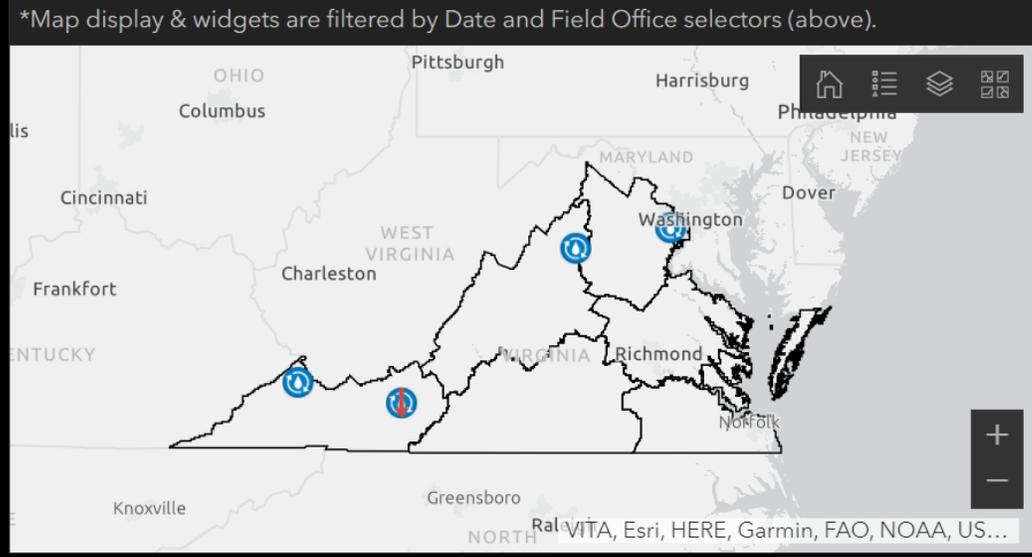
Power Status Reports

**0**

◀ Power Status ▶

### Utilities with Notices & Advisories

- 9/9/2020, 5:12 PM  
**Pohick Bay Comfort Station #1**  
Boil Water Advisory
- 9/8/2020, 2:04 PM  
**Riverside Mini Mart**  
Boil Water Advisory
- 9/1/2020, 8:53 AM  
**Buchanan County Public Service Authority**  
Boil Water Advisory



- Connections Affected**
- Customers Affected
- Healthcare Facilities Affected
- Restaurants Affected
- Schools Affected

Connections Affected

**4,123**

Customers Affected

**11,700**

Healthcare Affected

**2**

Restaurants Affected

**4**

Schools Affected

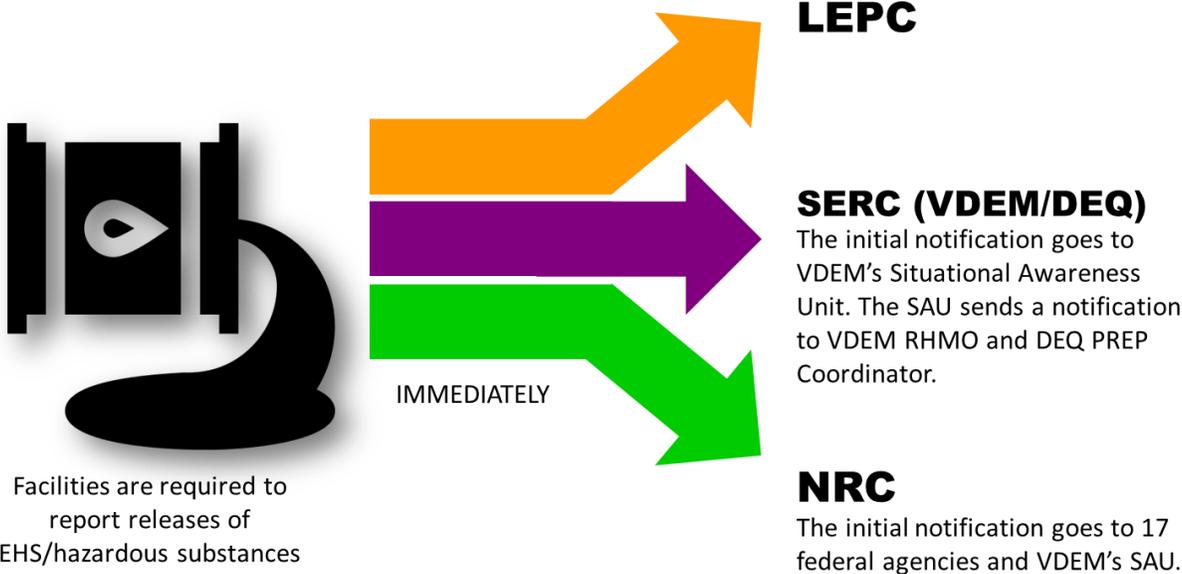
**3**

# Situational Awareness Dashboard

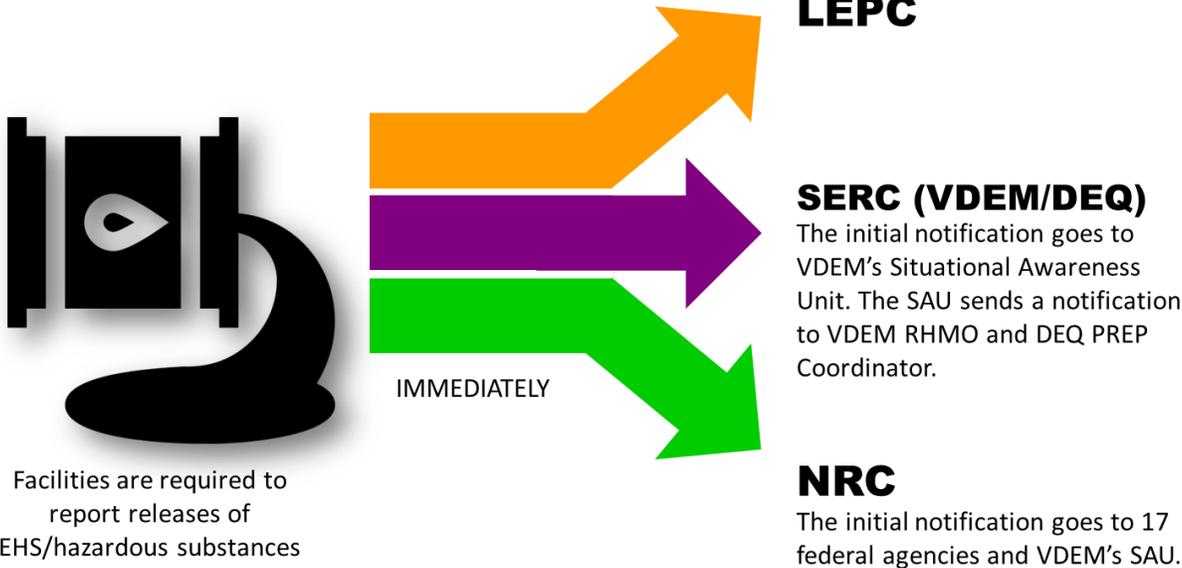
Data feeds into a dashboard that is used both by VDH and the Department of Emergency Management.

# AWIA Section 2018

# Before AWIA Update



# After AWIA Update

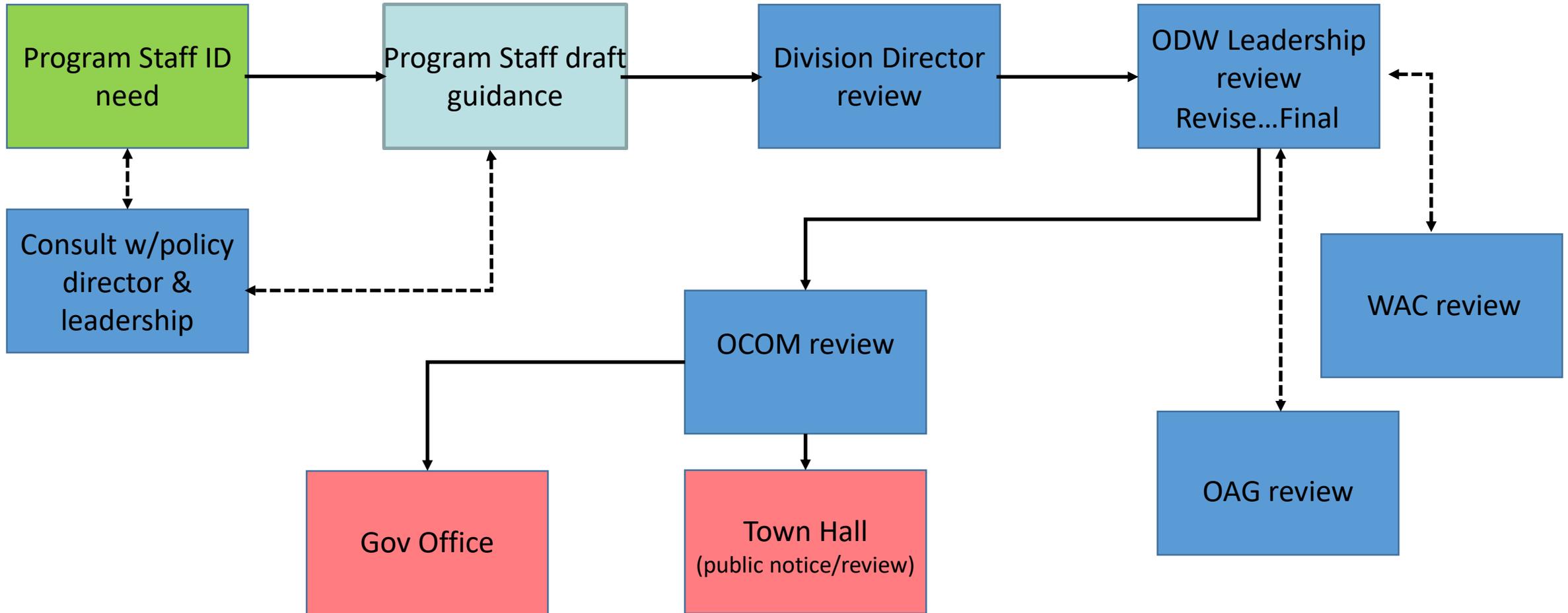


## \*NEW\* Section 304 Requirement



# Comments and Questions

# ODW Policy Review Process



# Making Waves

Office of Drinking Water July–September 2012

**OUR MISSION:** to protect public health by ensuring that all people in Virginia have access to an adequate supply of affordable, safe drinking water that meets federal and state drinking water standards.



## From Our New ODW Director, John Aulbach

I would like to thank Dr. Dempsey for the opportunity to lead the Office of Drinking Water as we protect public health by ensuring that all people in Virginia have access to affordable, safe drinking water.

I would like to thank Steve Pellei, P.E. for his service as the Acting Director and for assisting me in my transition. Also Dale Kitchen, P.E., for his service as the Acting FCAP Director, allowing Steve to focus on his acting role. I would be remiss if I did not recognize each and every ODW employee who has performed exceptionally and remained mission focused during this time, ensuring uninterrupted service to our waterworks.

I am pleased to return to ODW after nine very successful and fulfilling years with the VDH Office of Environmental Health Services. I look forward to meeting each of you, sharing my vision for ODW, and hearing your recommendations to sustain us, as well as improve our operations as we strive to exceed our already high level of commitment and service to the Commonwealth. ♦



## SEVFO Welcomes New Inspector

Holly Baumstark is now assigned as Inspector the Eastern Shore. She brings experience as an Environmental Health Specialist with the Chesapeake Health Department, chemical and microbial analyst technician, and compliance officer for a public service authority.

She earned her BS in Biology (minor in Environmental Sciences) from Texas Tech, and earned an MS in Environmental Management from University of Maryland – University College. ♦

## Former ODW Inspector Rejoins the SEVFO Team

Joseph A. (Tony) Dongarra has rejoined SEVFO as an Inspector, assigned to Southampton County and the cities of Chesapeake, Franklin, and Suffolk. From 2004 to 2007, he served as Inspector for the Eastern Shore.

Tony's resume includes time as a water quality specialist and compliance officer for the Portsmouth Department of Public Utilities, an environmental technician with a consulting engineering firm and as a consultant providing guidance and compliance assistance to water and wastewater works. ♦



## Parting Words: Carl Christianson



I would have to say that my 23 years as a public employee have been a wild ride at times. First, I can easily state that I have enjoyed this experience. Those persons that I have worked with in the Lexington Field Office, the unique lot that they are, have been a delight and entertainment and have made these 23 years pass quickly. I also want to recognize how much I have enjoyed my shared experiences with the Inspectors, OK Environmental Health Specialists, from the other Field Offices. There once was a time in ODW when inspectors from all over the State would get together to brainstorm and share war stories. These events were clearly high points in my career at ODW. I regret that they are no longer an event.

Twenty three years may not be a long time by ODW career standards but it has been long enough for me to see some very significant changes. I love that we have crawled from the trailing edge of technology up closer to the leading edge thanks to our talented IT folks. This welcome technological efficiency has come however at a cost. It has come with the erosion of any ability for the District Engineers or EHSs to use professional judgment. It is lamentable that (continued page 2, column 1)

**Christianson (continued from page 1)** software is now the undisputed “decider”. We now perform tasks to serve the computer and less the water drinking public.

I started working soon after I was able to walk. My parents owned a family business making cocktail and tartar sauce to serve the Jersey Shore seafood restaurant business. This started out in our basement in 1947 the year of my birth. At that time there were no child labor laws for family businesses. As anyone knows that grew up in a family business, holidays and especially Summer holidays were work days. My escape was to the Navy. I was incarcerated at the Naval Academy 6 days after high school graduation and on my 18<sup>th</sup> birthday. I was privileged to wear the Navy uniform for 24 years. At graduation I became a Surface Warfare Specialist but later became a Naval Oceanographer, my objective even while in high school.

My years of world travel while in the Navy and my own personal third world travels have led me to understand the importance of available, healthful and aesthetically pleasing water. In this country, it is widely understood that if you see a water fountain, or are served water in a glass from a piped public supply, it is safe. This is true but it is also unique to this country. Even in Western Europe there are few water fountains to be found and water served is from a bottle even though good piped water is generally available in Western Europe. I never lost sight of the fact that as a VDH/ODW employee, I was responsible for sustaining the public’s trust of (continued next column)

public water. Unfortunately, I have seen an erosion of the public’s trust of municipal water supplies over the years even as the quality of this water has improved. Through good marketing, the bottled water and water treatment businesses have convinced the public that they should drink bottled water. We at ODW know that this is not true and that it carries a high cost to the consumer and the environment. I would love to see VDH go on the offense and market the many benefits of public water.

Why am I retiring? I have never been without a job as far back as I have recollection. I’m tired and through the benefaction of the Navy and the State of Virginia, I am able to retire to do what pleases and relaxes me before I pass. I write this on the morning of September 6 while on my back porch with a cup of coffee and a croissant. My tee time is not until 10. There is no looking back. ♣

### Quote of the Quarter

A group becomes a team when each member is sure enough of himself and his contribution to praise the skills of others.  
~Norman Shidle, American Author

### Picture This

A pump station rehabilitation FCAP funded project in the town of Pound included replacing the pump control valve shown here.

Thanks to AFO’s Ray Whitner for sharing this photo. ♣



## ODW Staff Service Awards

The following ODW Staff will receive awards for their service to the Commonwealth of Virginia during 2012.



Bonnie Terry, 35 years  
Mark Perry, 25 years  
Azhar Mirza, 25 years  
Allen Addington, 20 years  
Daniel Botdorf, 20 years  
Renee Hall, 20 years  
Jeremy Hull, 20 years  
Jodi Krajc, 20 years  
Thomas Kuhar, 20 years

★ **HAPPY BIRTHDAY!** ★

### July

Brenda Beattie  
Susan Douglas  
Linda Irby  
Jesse Mayhew  
Dickie Puckett  
Laurel Reese  
James Simmons  
Thomas Thompson

### August

Clare Adams  
Gail Glass  
Cindy Herbert  
Ernie Johnson  
Dale Kitchen  
Barry Matthews  
Sam Neth  
Steve Pellei  
Randy Swartz  
Maya Whitaker

### September

Allen Addington  
Brian Blankenship  
Mitch Childrey  
Chuck Connor  
Shannon Dunlap  
Ashley Martin  
Aaron Moses  
Jeff Wells

# Making Waves

Office of Drinking Water

July—October 2013

**OUR MISSION:** to protect public health by ensuring that all people in Virginia have access to an adequate supply of affordable, safe drinking water that meets federal and state drinking water standards.

## From Our Director - John Aulbach

I hope that everyone had a great summer and are now enjoying the beautiful fall weather.

Now that the most recent fiscal crisis has passed, we can get back to business as usual. However, we may now have a new normal to include within our emergency planning activities. All VDH Offices, Health Districts, and associated activities are to conduct an evaluation of Mission Essential Tasks which will allow for us to determine which employees are then essential to ensure that we can conduct these tasks in the event of an emergency ... be it natural or man-made.

While the recent fiscal events were not enjoyable, I was encouraged at the detailed impact analysis and response options that our senior leadership led us through.

Recently we held the inspector-engineer meeting here in Richmond and I am looking forward to an upcoming presentation that will present the results and recommendations that came from this effort. I had the opportunity to sit in briefly each day and was encouraged with the depth and detail of discussions being held. We were fortunate to have Dr. Levine address the group and I am appreciative that she understands the importance of this meeting and fit it into a very busy schedule.

Staff training opportunities continue to rise and we had an excellent presence at Water Jam with Dan Horne and Mark Anderson providing presentations and Sarah Hinderliter serving as session moderator. Our presence was noted by industry personnel and their appreciation for our interaction was note worthy. I am hopeful for a good attendance next year and that we can increase staff presentations.

A number of retired staff visited with us at Water JAM which reminds us that our Office has the highest percentage of retirement eligible staff in VDH. This leads us to our next challenge to update our Strategic and Succession planning documents and evaluate employee retention.

As we've just recently completed the annual evaluation process I want to thank each of you for your dedication and job well done! ♦

## Quotable Quote

Submitted by Bennett K. Ragnauth

The height of your accomplishment will equal the depth of your convictions.

- William F. Scolavino



(Rochester, MN)

Over the next few months we will be sharing some examples of what cities and towns around the USA and the world do to make drinking water more attractive.

## Take a Look!

By John E. East

Most of the water storage in our Districts are well-constructed and functional, but boring.



(Gaffney, SC)

## ODW Attends Water JAM 2013

By Daniel Horne

A sizable contingent of ODW staff participated in the joint annual meeting of the Virginia Section of the American Water Works Association and the Virginia Water Environment Association, commonly called Water JAM. This contingent was the largest group of ODW staff to attend the meeting in many years, and included representatives of five Field Offices as well as the Central Office.

Water JAM 2013 was held at the Greater Richmond Convention Center, from September 8-12. The attendees had a wide variety of technical sessions to choose from, as well as opportunities to visit an extensive Exhibit Hall. There were 38 technical sessions (with a total of 195 presentations) to choose from.

Several staff members took active roles in the conference. Technology Transfer Director **Mark Anderson** presented "Water Treatment Specialists and What Veterans Bring to the Workforce". Engineering Field Director **Dan Horne** presented "Is That Light the End of the Tunnel or an Oncoming Train? A Regulatory Update". Director **John Aulbach** served as a session moderator and Workforce Development Coordinator **Sarah Hinderliter** served as a session monitor.

One of the highlights of Water JAM is always the Annual Student Water Challenge—this year's contest was the Tenth Annual. Three teams competed; two from Virginia Tech and one from Old Dominion. (continued top of next column)

At 8:00 a.m., teams were given a real-world problem statement: address meeting future water needs, either via plant expansion or purchasing water from the neighboring water utility. Then for five hours were sequestered to research the problem, develop a solution, and prepare a presentation outlining their research, the chosen solution and other alternatives. They had access to any textbooks they brought, plus the internet, but no contact with persons outside their study rooms.

Team 2 from Virginia Tech (all first semester grad students) was judged to be the winner, and Team 1 from Virginia Tech (mostly first semester grad students, but one senior as well) took second place. ODU's team consisted of first semester seniors. It is always instructive to see the interesting variations in thought processes and decisions between the teams. **Dan Horne** served as one of the judges for this event.

Water JAM 2014 is scheduled for September 7-11 2014, at the Hampton Roads Convention Center, in Hampton, Virginia. Call for papers will be issued 11 Nov 2013. Director Aulbach has expressed his hopes that more ODW staff will be interested in presenting papers, and will submit abstracts for consideration. ♦

## Picture This

By Steven J. Kvech

This is major construction at Ragged Mountain Reservoir in Charlottesville. A new, taller dam is being constructed downhill from the old one in the photos and the reservoir significantly enlarged in capacity. The project should be complete by next Summer. These type of projects do not happen very frequently. Notice the size of the vehicles! ♦



## Staff Attend CDC Drinking Water Fluoridation Training

Submitted by Bob Edelman

ODW ADE Thomas Thompson (LFO) and DE Bob Edelman (CFO) attended the *Water Fluoridation, Principles and Practices* training class presented by the U.S. Department of Health and Human Services (HHS), Centers for Disease Control (CDC) in Murfreesboro, TN. The course, held on September 24 through 26, was delivered by Kip Duchon, PE, National Fluoridation Engineer, CDC.

There were sixteen attendees, including representatives from the Wisconsin Department of Health Services, City of Sheridan, WY, Maryland Rural Water Association, Tennessee Department of Environment, and Summit County (Colorado) Public Health Manager. The roles of the attendees ranged from public utility manager to dental hygienist to technical assistance provider to waterworks operator and gave the opportunity to share differing viewpoints regarding fluoridation of public water supplies.

The training outlined the history of fluoridation, and the evidence and data supporting the value and efficacy of fluoridation of community drinking water supplies as a means to enhance dental health by reducing the incidence of dental caries (cavities). Issues related to fluoridation, including objections raised by those opposed to fluoridation were identified and addressed. Current developments, including finalizing the pending HHS fluoridation revised nationwide fluoride recommendation of 0.7 mg/L and the pending EPA regulation revision, were discussed.

An afternoon was spent at the Fleming Training Center, a purpose built training facility for water and wastewater operators, conducting hands-on testing of fluoride in water samples. We discovered some difficulties with the commonly used measurement methods (colorimetric or specific ion electrode) and the impact of interfering materials. We also visited the Gladeville water treatment plant which takes a GUDI source (from next to a large sinkhole) and provides conventional surface water treatment, including fluoridation.

Materials from the training include a notebook containing the PowerPoint presentations, a CD ROM containing the presentation files, and *Fluoridation Facts*, published by the American Dental Association. The PowerPoint presentations have been uploaded to the odwshare drive so that all ODW staff have access to the information at [Y:\01-Central Office\150-Technology Transfer \(Training\)\Fluoridation\MurfreesboroTN-09-13](Y:\01-Central Office\150-Technology Transfer (Training)\Fluoridation\MurfreesboroTN-09-13). ♦

## USEPA Drinking Water Workshop

Donna Chabot (CFO), James Simmons (LFO) and Wendy Roden (AFO) attended the Tenth Annual USEPA Drinking Water Workshop in Cincinnati, OH last month. The workshop focused on Small Drinking Water Systems Challenges and Solutions. The event was sponsored by the EPA in cooperation with the Association of State Drinking Water Administrators (ASDWA); ASDWA provided funding for two of them to attend.

People came from at least 40 of the 50 states; there was one person from Guam and two from Ontario, Canada. Donna, James and Wendy each shared just one of the many items they found most interesting.



**Donna Chabot**—I spoke to a gentleman from California about sampling required by the Department of Public Health before a well that had tested positive for total coliform could be put back into service. He said they are required to conduct a “cycle test” which consists of four samples being collected; one each at thirty seconds, one minute, five minutes and fifteen minutes after the well is started and being discharged to the atmosphere. All four samples must be total coliform absent to allow the well to be placed back on-line. I think that’s an interesting concept and has some merit, but; I can hear owners and operators screaming now!

**Wendy Roden**—I was able to attend a tour of EPA’s Environmental Research Center. The tour included pilot plant studies on: bio-filtration for the removal of nitrate, perchlorate and pesticides; nitrification biofilm research including microelectrodes, characterization and freeze drying of natural organic matter for DBP research; corrosion and biofilm of a full-scale home plumbing system; copper corrosion of a distribution system; and, the removal of VOCs by GAC. There was also a proto type filtration system for gray water reuse which was actually treating the Research Center’s gray water. Due to the complexity of operation, the filtration system would be for apartment or office buildings as opposed to home use.

**James Simmons**—One session I attended was “Consecutive Systems: How Should States Address Hospitals, Hotels, etc. That Have Installed Additional Treatment?” This was an open discussion providing insight on how other states handle this issue. Lots of hospitals are adding treatment such as (continued top of next column)

chlorine dioxide to provide additional disinfection.

The major focus is legionella. The EPA has admitted to not taking responsibility for defining treatment for these types of potential systems but allows each state to determine or define “treatment”. Therefore, Virginia will decide “what is treatment” and which hospital systems to regulate. One main point to note here is that there is no standardized testing for legionella. This must be completed to ensure that proper testing occurs and valid test results are obtained. ♦

## Engineer/Inspectors Meeting

By Harry M. Hughes

District Engineers, Assistant District Engineers, and Inspectors representing each Field Office gathered in Richmond on August 28<sup>th</sup> and 29<sup>th</sup> for a meeting. Mohsen Shahramfar, Deputy Field Director of the East Central Field Office and Susan Douglas, the Director of Technical Services moderated the meeting. Sarah Hinderliter, our Workforce Development Coordinator, also monitored and guided our efforts throughout the two day session.

Our Director, John Aulbach, attended as much as his schedule allowed and Dr. Marissa Levine, the Deputy Director of VDH, met with us also to share her words of encouragement.

Attendees raised numerous challenges that we face as an organization. But rather than becoming just a vent and complain session, the meeting format required attendees to provide suggestions for resolution for their concerns.

We did much of our preliminary brainstorming work in three working groups, with each field office having a single representative in each group. Each working group then reported to the entire group for general discussion. The pace was rapid, and for the sake of accomplishing all we could, we were not allowed to get bogged down in any single issue. Mohsen and Susan displayed wisdom and patience to keep the dialogue moving without squelching anyone’s opinion.

Mohsen and Susan compiled our potential solutions for further vetting; a term borrowed from English racing meaning veterinarian checks a horse to see if it can run. Our ideas must also be checked to see if they can run. John Aulbach will be presented with the meeting summary and will be the final arbiter of the true viability of the proposed solutions to our daily challenges.

Attendees also gained tremendous value during break times and a group dinner at a nearby Italian restaurant when informal discussions occurred. I believe it showed that the more dialogue we have at every level within ODW, the better we can function as an ODW team.

My favorite anecdote from the meeting was having a productive impromptu group discussion with John Aulbach after the dinner and then to assist him in providing a hapless motorist with a jump start. My hope is that this meeting, and similar meetings in the future, can be a jump start to greater efficiency and professionalism within ODW. ♦



Mitch Childrey (L) accepts service award from ODW office Director, John Aulbach (R)

## Farewell to Mitch Childrey

By Jeff Wells, DFO Acting FD

ODW recognizes Mitch Childrey for his recent retirement which has been 40 years in the making. ODW, and especially DFO, will miss Mitch as his contributions through the years have helped shape statewide ODW policy and impacted the way we regulate waterworks on a daily basis. Even more significant than that is that Mitch has been the cornerstone of the DFO for most of his career.

Serving as Deputy Field Director for most of that time until assuming the role of Field Director a few years ago, he has seen numerous engineers and inspectors come through the Office and all have come to respect Mitch for his technical abilities and the hands on approach he took for conveying that knowledge. Some of you may have worked at the Danville FO before moving to other areas of the State and most assuredly have fond memories of time spent working with Mitch. Mitch was a great boss, a concerned coworker, caring friend and an excellent mentor. His consistency and leadership throughout the years have made the DFO what it is today and that legacy stands on it's on.

So Mitch, our message to you is, as your glorious days at ODW and DFO slowly fade away, it is our hope that they are replaced with grand times spent with your family. ♣



## 2014 CVC

People across Virginia are in need of our help! This is

where [The Commonwealth of Virginia Campaign or CVC](#) comes in. For some givers, it's literally one or two dollars each payday. For others it's more, but neither amount alone can accomplish the goal.

Only when we add them all together can we raise **millions of dollars** to help bring about positive change locally and globally. Last year, the entire Commonwealth of Virginia state employees raised over \$4million which is awesome!

Won't you join us this year? ♣

## Welcome Aboard!

### Michelle Caruthers

Please welcome back Michelle Caruthers, who joined ODW's Technical Services Division as a Field Services Engineer.



One of her primary duties will be administering the project review and permitting programs for the ODW, as well as providing support and training to staff in the evaluation and application of various technologies and operations used in production/distribution of drinking water. We are very happy to have Michelle in this role.

Michelle was a District Engineer in the Lexington Field Office for 6 years prior to her 'defection' to VDOT as a project coordinator for roadway projects administered by their Salem, VA office. Before state government service, she worked for 7 years as a consulting engineer in the evaluation and design of many water and wastewater projects. Michelle is a P.E. and earned her BS degree from Virginia Tech.

Michelle started work on September 10, 2013. She will be working primarily from the Lexington Field Office, traveling to the Richmond Central Office as required (similar to Dale Kitchen). ♣

### Roy Soto

Please welcome Roy Soto, Special Projects Engineer, to the ODW September 25<sup>th</sup>. Roy will assuming many of the duties of Barry Matthews here in the Central Office, but will be in the Division of Technical Services.



Roy Soto earned a B.S. degree in Civil Engineering from the Polytechnic University of Puerto Rico, and is a registered P.E. in Virginia. He has six years of experience with a consulting engineering firm specializing in water and wastewater design and operation. This experience has been one of progressive responsibility, beginning as a project engineer and advancing to operations director, technical director, and finally as an independent consultant to the firm.

He has hands-on experience assessing water treatment facilities, optimizing water treatment plant operations, plant design, project management (planning, scheduling and budgeting), operator training, and writing technical reports. He has developed and delivered project proposals and presentations.

Roy will be re-starting our Source Water Assessment Program, and be an active member to the VOP team, among other duties. ♣

### Nate Mathis

Nate Mathis has joined ODW as the SRF Project Engineer in the central office. In general Mr. Mathis will be responsible for all of the SRF projects in the CFO, ECFO, and SEFVO offices (depending on the workload).



Since 2009, Mr. Mathis has served as a Civil Engineer/Project Manager with Austin Brock-enbrough engineering consulting. Prior to that he worked for Timmons as a Project Engineer III in the utilities department starting in 1998. He earned his BSCE from Virginia Tech.

Mr. Mathis holds a Professional Engineering license here in Virginia. He enjoys working with Water JAM and training new staff. ♣

### Roselyn Carlton

Ms. Roselyn Carlton has been hired as our Human Resource Analyst with an effective start date of October 25, 2013.



In this position she will support the ODW Human Resource activities, including employee relations, performance management, recruitment and selection, compensation and classification, EEO, and benefits administration. Additionally, she will serve as a liaison with the Office of Human Resources and will provide guidance and a wide range of HR services to our employees and managers.

Ms. Carlton has nine years of working experience within state government. Ms. Carlton is presently working as an HR Liaison with the Department of Social Services-Child Support Division. She has assisted in employee training and orientations, recruitment and selection, benefits, employee performance, and salary analysis.

Ms. Carlton possesses a Master of Science degree in Human Resources from Strayer University and a Bachelor of Science degree in Human Resources from Virginia Commonwealth University. Additionally, she has attended the Fundamentals for Supervisor and Virginia Supervisory Institute at the Virginia Commonwealth University. Ms. Carlton is also a Veteran of the United States Air Force. ♣

## THANKS!

A special "THANK YOU" to all who contributed items to our newsletter. Your input is what helps makes it successful.

And to each of you, please feel free to submit your ideas and suggestions to me at [laurel.reese@vdh.virginia.gov](mailto:laurel.reese@vdh.virginia.gov). ♣

## Caption It Winner

Congratulations to Allen Hammer  
for his caption -



“I ‘herd’ this was a good place to get a drink of water.”

Allen stated that one of our earliest civil enforcement cases involving the Office of the Attorney General, was at Ida Valley, in Page County. The source of drinking water was a stream to which cows had uninhibited access. The residents had been drinking from this untreated source for years. Most of the residents had been relocated to Ida Valley from their original homesteads when the Skyline Drive was founded. The picture of the cows standing in the water reminded him of this event. ♦

## New Caption It



Help us give this photo, submitted by Doug Meyer, ECFO DE, an ODW-related caption as part of our new contest.

Please submit all entries to  
laurel.reese@vdh.virginia.gov  
Due to current policy limitations, future winners receive bragging rights.

## ODW Representative Wins VDH Emergency Kit Cook-Off

Angie McGarvey, Technical Services Environmental Health Specialist Consultant, won the VDH Central Office Emergency Kit Cook-Off on Friday September 27. Angie’s Dumplings with Blackberry Sauce took top honors in the contest which challenged entrants to create a recipe that uses only nonperishable pantry items and manual appliances.

Angie’s winning recipe is below.

### Dumplings with Blackberry Sauce

*When the lights go out but your dessert craving is still bright, try this simple recipe sure to be a delight. Using a Dutch oven on a camp stove, it will be ready in about 30 minutes. Canned fruit has a shelf-life over 1 year and offers a great fallback when fresh fruit is not in season. Vegan friendly. Free of preservatives and artificial ingredients.*

#### Sauce Ingredients:

2 cans Oregon Fruit Products Blackberries  
4 T sugar

#### Dumplings Ingredients:

1 cup all-purpose unbleached flour  
1 ½ t baking powder  
½ t salt  
¼ cup sugar  
2 T coconut oil  
½ t vanilla  
½ cup almond milk

#### Directions:

To prepare sauce: combine berries with syrup and sugar in a Dutch oven. Heat to boiling, simmer gently while preparing dumplings.

To prepare dumplings: combine the flour, baking powder, salt, and sugar. Mix in the coconut oil. Add vanilla and almond milk to the flour mixture, stirring to make a thick batter. (If it seems too thick, add a little bit more almond milk).

Drop by spoonfuls into the boiling sauce, then cover and steam the dumplings gently in the sauce for 25 minutes. (Do not lift cover during the steaming process!) Serve the dumplings and sauce warm. ♦

# HAPPY BIRTHDAY!

### July

Brenda Beattie  
Roselyn Carlton  
Linda Irby  
Jesse Mayhew  
Dickie Puckett  
James Simmons  
Thomas Thompson

### August

Clare Adams  
Julie Floyd  
Gail Glass  
Cynthia Herbert  
Ernie Johnson  
Dale Kitchen  
Barry Matthews  
Sam Neth  
Steve Pellei  
Randy Swartz  
Maya Whitaker

### September

Allen Addington  
Brian Blankenship  
Michelle Caruthers  
Mitch Childrey  
Chuck Connor  
Shannon Dunlap  
Wes Kleene  
Ashley Martin  
Aaron Moses  
Jeff Wells

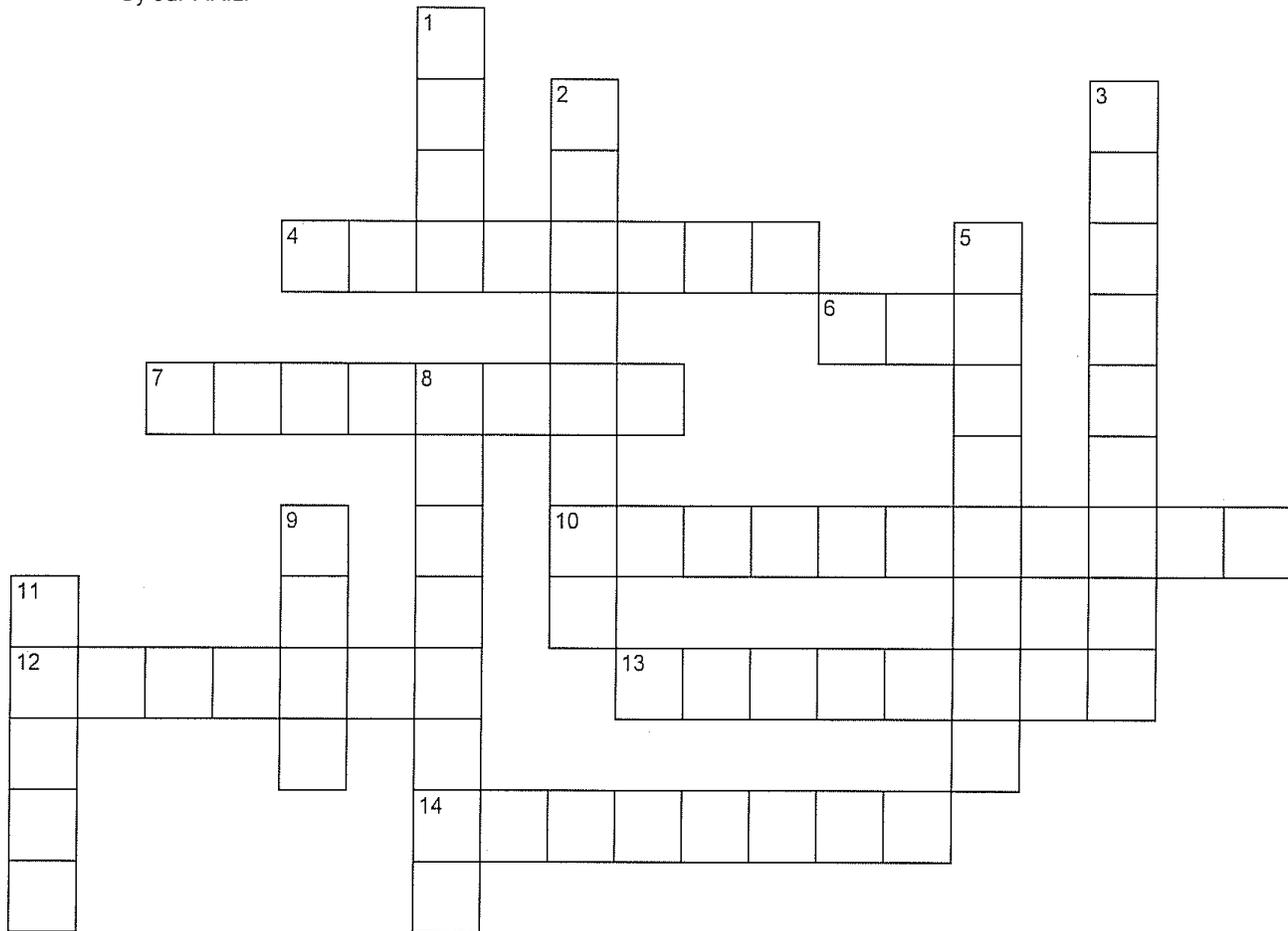
### October

John Alexander  
Mark Anderson  
Allen Hammer  
Dean Henderson  
Steve Kvech  
Barbara Masiello  
Charles Rest  
Wendy Roden  
Tom Slack  
Dixon Tucker  
Arlene Warren



# It's Puzzling!

By our P.A.L.

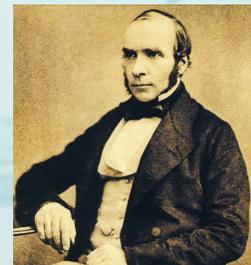


## ACROSS:

4. Reduce concentration
6. TTHM
7. Wrong way
10. Liquid to vapor
12. Water source
13. Source test
14. ODW regulates public \_\_\_\_\_ water

## DOWN:

1. Drilled underground conduit
2. Ecoli
3. Gradual destruction of metal (s) by chemical reaction with environment
5. Licensed under DPOR to insure proper water treatment
8. Regulated inorganic constituent with a PMCL of 4 mg/l.
9. ODW Field Office that is most culturally diverse
11. Underground limestone land formation



## Did you know?

Submitted by  
Bennett K. Ragnauth

English physician John Snow (1813-1858) is considered one of the fathers of modern epidemiology, in part for his work in elucidating the connection between the cholera outbreak in London in 1854 and water quality associated with a fecal contaminated source comprised of a dug well and its publicly accessible water pump. ♦

# Division of Technical Services Briefing

Robert Edelman

Director, Division of Technical Services

# Compliance Monitoring Data Portal (CMDP)

- EPA's electronic laboratory result portal
- ODW requirement issued - all compliance results through CMDP after Sept 1, 2020

## Why?

- Required for future versions of SDWIS
- Cross-Media Electronic Reporting Rule (CROMERR) compliance
- Reduce errors - improve customer service to waterworks
- Reduce ODW staff time
  - Data entry
  - Error resolution

# Compliance Monitoring Data Portal

- Issued requirement for use by 9/1/20
- Providing leniency to labs actively transitioning
- Will provide list of participating labs to non-participating labs for outsourcing on request
- Current stats:
  - Completed transition: 99
  - Actively transitioning: 11
  - Not participating: 42
  - Unresponsive: 5

# Permit Manual Update

- ODW has submitted to Commissioner's Office for approval to post on Town Hall.
- Targeting Oct for 30-day public comment period.
- Providing to WAC to allow additional review time. Commissioner's Office may request some editorial changes.
- Major changes reviewed with WAC 4/30/19.

# Other Manuals in Progress

- Enforcement Manual
  - Sampling Manual
    - Field Manual
- Compliance Determinations Manual

# Drinking Water Watch

- [https://odw.vdh.virginia.gov/DWW-VA/DWW\\_login.jsp](https://odw.vdh.virginia.gov/DWW-VA/DWW_login.jsp)
- Real-time access to sample data
- Registered users can:
  - View sample results
  - Determine if results meet standards
  - View sample schedules
- ODW will no longer send chemical results

# Levels of Access

## Registered Users:

- See immediately after submitted by the laboratory:
  - sample results
  - compliance calculations

## Public Access:

- Allows viewing after 45 days

# Drinking Water Watch

[https://odw.vdh.virginia.gov/DWW-VA/DWW\\_login.jsp](https://odw.vdh.virginia.gov/DWW-VA/DWW_login.jsp)

# Information on Water Management Legislation and Building Startup

SB410: Public schools will now be required to do three main things (Effective July 1, 2021):

1. Develop and maintain a water management program for the prevention of Legionnaires' Disease
2. Validate the program at least on an annual basis
3. Maintain files on the program documenting program activities, including validation results and remediation activities, and make them available for review

# Website Demo

<https://www.vdh.virginia.gov/drinking-water/implementing-sb-410-in-school-building-startup/>

## **Project Review & Permit Procedures Manual**

**Version 4.0**

**September 30, 2020**

**ODW-2020-01-Project Review & Permit Procedures Manual-9/30/20**



## **Project Review & Permit Procedures Manual**

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**Summary**

This manual provides procedural guidance to the Office of Drinking Water (ODW) staff for the review and approval of design engineering documents and the issuance of all permits, as prescribed in the Waterworks Regulations. It does not include the following subjects, which are covered in these Working Memos<sup>1</sup>:

WM 813 – Well Development

WM 896 – Policy for Issuing Operation Permits

WM 902 – Exceptions to Surface Water Treatment Plant Loading Rates

WM 906 – Procedures for Arsenic Removal Treatment Systems

**Disclaimer**

The purpose of this manual is to provide consolidated guidance on the project review program and permit procedures administered by the Office of Drinking Water as authorized in the Waterworks Regulations. It does not replace the requirements of the Regulations. The Project Review and Permit Procedures Manual is intended for ODW staff use, and should not be provided to the waterworks or consultants in lieu of technical assistance from ODW staff.

**Revisions Summary**

DATE	DESCRIPTION OF CHANGES
April 4, 2012 (Version 2.0)	Original Issuance
July 16, 2012 (Version 2.1)	<ol style="list-style-type: none"> <li>1. Added APPENDIX 4 – Document Management Process</li> <li>2. Added standard language to the engineering description sheet (EDS) for DEQ withdrawal permits.</li> </ol>
July 18, 2014 (Version 3.0)	<ol style="list-style-type: none"> <li>1. Revised Section 1. Introduction: Eastern Groundwater Management Area has expanded to include new cities and counties.</li> <li>2. Revised Section 2. Preliminary Engineer Conference &amp; Report: Engineers are to submit electronic copies of final PER.</li> <li>3. Revised Section 3. Waterworks Business Operations Plan: Qualifications, Resources and Procedures modified.</li> <li>4. Revised Section 4. Project Review: Added plan review time expectations, electronic plan submittal requirement, and provided clarification for record drawing review requirements.</li> <li>5. Revised Section 5. Construction Permit: Engineers are to submit electronic copies of final plans. “Engineering Description Sheet” has been renamed “Description Sheet of Proposed Construction”. Added new subsection “5.4. Well Data for DEQ”.</li> </ol>

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<sup>1</sup> These Working Memos will be incorporated into future versions of the Permit Manual.

	<ol style="list-style-type: none"> <li>6. Revised Section 6. New or Nonconventional Methods, Processes, and Equipment: Temporary Permits will be issued in place of the former Provisional Permits.</li> <li>7. Revised Section 7. General Permits and Standard Specifications: Additional guidance and templates provided.</li> <li>8. Revised Section 8. Operation Permit: Temporary Permits will be issued in place of Provisional Permits. EDS will no longer be an attachment to Operation Permits. The EDS has been replaced with “Operation Permit Conditions”, attached to the Permit. A separate “Waterworks Description Sheet” will be issued.</li> <li>9. Revised Section 9. Capacity Evaluation of Waterworks: ERCs will no longer be utilized in calculations. Additional guidance for estimating water demand provided. Removed alternate 24-hour well yield test procedures. Removed <math>Q=11.4N^{0.544}</math> peak hour equation. Replaced example calculations in subsection 9.11.</li> <li>10. Deleted Appendix 1 – MOU with DEQ</li> <li>11. Revised Appendix 4 (now Appendix 3) – Document Management Process</li> <li>12. Revised Attachment organization and numbering. Revised content of the following Attachments:             <ul style="list-style-type: none"> <li>• PER Approval Letter</li> <li>• Operation Permit Transmittal Letter to Owner</li> <li>• Design Exception Memo</li> <li>• Construction Permit</li> <li>• Description Sheet of Proposed Construction</li> <li>• Operation Permit Waterworks Description Sheet (formerly EDS)</li> <li>• Transmittal Checklist – Central Office Files</li> <li>• Transmittal Checklist – Central Office Project Approval</li> <li>• Standard Operation Permit</li> <li>• Memorandum of Understanding for General Permit</li> <li>• Transmittal Checklist Operation Permit</li> <li>• Temporary Operation Permit Requirements</li> </ul> </li> <li>13. Added the following new Attachments:             <ul style="list-style-type: none"> <li>• Central Office Plan Approval Transmittal Checklist</li> <li>• Temporary Operation Permit</li> <li>• Operation Permit Conditions</li> <li>• Estimated Maximum Daily Water Demand</li> <li>• General Permit &amp; Local Review Audit</li> <li>• General Permit Annual Report</li> <li>• General Permit - Project Summary Report</li> <li>• PEC Meeting Minutes Template</li> </ul> </li> </ol>
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<p>April 6, 2015 (Version 3.1)</p>	<ol style="list-style-type: none"> <li>1. Revised Attachment organization and numbering. Revised content of the following Attachments: <ul style="list-style-type: none"> <li>• PER Approval Letter</li> <li>• Scope and Detail Checklist</li> <li>• Design Exception Memo</li> <li>• Record Drawings Approval Letter</li> <li>• Change Order / Addenda Approval Letter</li> <li>• Construction Permit</li> <li>• Transmittal – Central Office Approved Plans</li> <li>• Transmittal – Field Office Approved Plans</li> <li>• General Permit MOU</li> <li>• Operation Permit Conditions</li> <li>• Waterworks Description Sheet</li> <li>• Operation Permit Transmittal Letter</li> </ul> </li> <li>2. Added the following new Attachments <ul style="list-style-type: none"> <li>• Summary of Final Inspection</li> </ul> </li> <li>3. Revised the following: <ul style="list-style-type: none"> <li>• Figure 2</li> <li>• Figure 4</li> <li>• Appendix 3. ODW will no longer be scanning engineering plans</li> </ul> </li> <li>4. Revised Section 3. Waterworks Business Operations Plan: Applicability, Qualifications, Resources and Procedures</li> <li>5. Added Section 5.7 Expired Construction Permits</li> <li>6. Added Section 5.8 Completed Construction Projects</li> <li>7. Revised Section 7.6 to provide additional guidance for processing General Permits</li> <li>8. Revised 8.5 to clarify voluntary treatment specified in Operation Permit Conditions</li> <li>9. Revised 8.11 to clarify that Temporary Permit Requirements are not to be issued to TNCs for failure to submit a WBOP</li> <li>10. Revised 8.12 to provide additional guidance for processing Permit Revocations</li> <li>11. Revised Section 9. Capacity Evaluation of Waterworks as follows: <ol style="list-style-type: none"> <li>a) permit capacity may be limited by Office of Environmental Health Services permit limits,</li> <li>b) removed the 1.8 Safety Factor for wells within 2 GWMA's,</li> <li>c) provided clarification on DEQ's VWP permits, safe yield, and waterworks source capacity,</li> <li>d) revised format of multiple well capacity table,</li> <li>e) added capacity evaluation calculation examples, and</li> <li>f) provided a table of standard calculation units.</li> </ol> </li> </ol>
<p>January 5, 2016 (Version 3.2)</p>	<ol style="list-style-type: none"> <li>1. Revised Section 4.8.3 to include field office approval of exceptions for noncommunity well lot plats and dedication documents</li> <li>2. Revised Section 5.4 to include GW-2 form and "VA Hydro" database/web portal</li> </ol>

	<ol style="list-style-type: none"> <li>3. Added Section 5.10 Alternate Project Delivery</li> <li>4. Revised Section 8.12 for electronic processing of Permit Revocations</li> <li>5. Added Attachment A.18 Example Noncommunity Well Lot Plat &amp; Dedication Document Exception</li> <li>6. Added Attachment A.19 Example of Alternate Delivery Project Construction Permit with Conditions</li> <li>7. Revised Attachment C.3 Operation Permit Conditions (revised LT1 &amp; LT2 treatment requirements, added treatment options, clarified VDH Sewage Disposal permit inclusion and added Sewage Disposal permit capacity option)</li> <li>8. Revised Attachment C.5 Waterworks Description Sheet to include options for other VDH permits</li> </ol>
<p>September 30, 2020</p>	<ol style="list-style-type: none"> <li>1. Formatted to conform to 2019 Technical Manual format</li> <li>2. A short list of PER contents has been added.</li> <li>3. Procedures for Project Returns have been modified.</li> <li>4. Field offices have been authorized to issue design exceptions for bentonite grout in lieu of neat cement in wells serving noncommunity waterworks.</li> <li>5. Procedures for Change Orders and Addenda have been modified.</li> <li>6. Field offices have been authorized to approve distribution system storage tanks &gt; 1 million gallons capacity.</li> <li>7. General Permit limits have been extended to 10 years, if after the initial issuance and program audit, the waterworks is found to be in compliance with the MOU.</li> <li>8. Waterworks Description Sheet content and capacity evaluation requirements clarified.</li> <li>9. Operation permit revocation procedures have been changed. A “Change of ownership” agreement form and transmittal letter have been added.</li> <li>10. All permit processing procedures have been updated to reflect field office delegation of authority.</li> <li>11. Replaced single Waterworks Permit Application with separate Waterworks Construction Permit Application and Waterworks Operation Permit Application for Existing Facilities.</li> </ol>

## **List of Abbreviations**

AWWA	American Water Works Association
Board	State Board of Health
Commissioner	State Health Commissioner
DCLS	Virginia Department of General Services, Division of Consolidated Laboratory Services,
DEQ	Virginia Department of Environmental Quality
DPOR	Virginia Department of Professional and Occupational Regulation
DWSRF	Drinking Water State Revolving Loan Fund
EPA	Environmental Protection Agency
FO	Field Office
GUDI	Groundwater Under the Direct Influence of Surface Water
GWMA	Groundwater Management Area
MOU	Memorandum of Understanding
NTNC	Nontransient, Noncommunity Waterworks
ODW	Office of Drinking Water
PDF	Portable Document Format
PE	Licensed Professional Engineer
PEC	Preliminary Engineering Conference
PER	Preliminary Engineering Report
PF	Peaking Factor
PWS	Public Water System
PWSID	Public Water System Identification Number
Regulations	<i>Waterworks Regulations, 12VAC5-590-10 et seq.</i>
S&D	Scope and Detail Review
SDWIS	Safe Drinking Water Information System
SF	Safety Factor
TNC	Transient Noncommunity Waterworks
VAC	Virginia Administrative Code
Va. Code	<i>Code of Virginia</i>
VDH	Virginia Department of Health
VWP	Virginia Water Protection (Permit)
WBOP	Waterworks Business Operations Plan
WDS	Waterworks Description Sheet
WM	Working Memo

## **Glossary of Terms**

Community Waterworks	Defined in the Regulations as "...a waterworks that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents."
Consecutive Waterworks	A waterworks that has no water production or source facility of its own and that obtains all of its water from another permitted waterworks or receives some or all of its finished water from one or more wholesale waterworks. Delivery may be through a direct connection or through the distribution system of one or more consecutive waterworks. 12VAC5-590-10.
Exception	Defined in the Regulations as "...an approved deviation from a "shall" criteria contained in Part III (12VAC5-590-640 et seq.) of this chapter."
Design Engineer	For the purposes of this document, the term "design engineer" is used to describe an agent of the waterworks, or proposed waterworks, owner responsible for the engineering of the waterworks or modifications of the waterworks.
Nontransient Noncommunity Waterworks	Defined in the Regulations as "...a waterworks that is not a community waterworks and that regularly serves at least 25 of the same persons over six months out of the year. When used in the context of an NTNC, "regularly serves" means four or more hours per day, for four or more days per week, for 26 or more weeks per year."
Owner	Defined by Va. Code § 32.1-167 and 12VAC5-590-10. as "an individual, group of individuals, partnerships, firm, association, institution, corporations, governmental entity, or the federal government, that supplies or proposes to supply water to any person within [the] Commonwealth from or by means of any waterworks."
Transient Noncommunity Waterworks (TNC)	Defined in the Regulations as "a noncommunity waterworks that is not a nontransient noncommunity waterworks. A TNC serves at least 25 persons daily for at least 60 days out of the year."
Wholesale Waterworks	A waterworks that treats source water as necessary to produce finished water and then delivers some or all of that finished water to another waterworks. Delivery may be through a direct connection or through the distribution system of one or more consecutive waterworks. 12VAC5-590-10.
Waterworks	In Virginia, a "waterworks" is defined in the Public Water Supplies Law as "a system that serves piped water for human consumption to at least 15 service connections or 25 or more individuals for at least 60 days out of the year." Va. Code § 32.1-167. The definition includes "all structures, equipment, and appurtenances used in the storage, collection, purification, treatment, and distribution of pure water except the piping and fixtures inside the building where such water is delivered."



## Chapter 1 - Introduction

### **1. Permit Process Overview**

In Virginia, the Public Water Supplies Law, *Code of Virginia* (Va. Code) §§ 32.1-167 through 32.1-176, defines a “waterworks” as “a system that serves piped water for human consumption to at least 15 service connections or 25 or more individuals for at least 60 days out of the year.” The definition includes “all structures, equipment, and appurtenances used in the storage, collection, purification, treatment, and distribution of pure water except the piping and fixtures inside the building where such water is delivered.” Va. Code § 32.1-167. All waterworks are required to have a written permit from the State Health Commissioner (Commissioner)(Va. Code § 32.1-172, 12VAC5-590-190) unless exempted because a waterworks meets all four of the conditions specified in Va. Code § 32.1-168, or construction involves the extension of water distribution piping having a diameter of 8 inches or less and serving less than 15 equivalent residential connections. Va. Code § 32.1-172 A.

The *Waterworks Regulations* (Regulations), 12VAC5-590-10 *et seq.*, include requirements and procedures for the issuance of permits required by the Public Water Supplies Law. 12VAC5-590-200, requires an owner or authorized agent to submit an application for a permit from the Virginia Department of Health (VDH) to establish, construct, expand, modify, and/or operate a waterworks or water supply. The permitting process includes the following steps:

1. Completion of a Preliminary Engineering Conference (PEC)
2. Submittal and approval of a Waterworks Business Operations Plan (WBOP)
3. Submittal and approval of a Preliminary Engineering Report (PER)
4. Submittal of a Permit Application
5. Submittal, review and approval of Final Plans, Specifications, and Design Criteria
6. Issuance of a Construction Permit
7. Final inspection of construction by ODW
8. Issuance of a new or amended Operation Permit

However, not every applicant will be required to go through each of the eight steps identified above to receive an Operation Permit.

There is a permit application form for construction of a new waterworks or the modification of an existing waterworks (See PM-C5-Attachment 7).

There is a separate permit application form for change of ownership of an existing waterworks (See PM-C8-Attachment 13). The application form and instructions, which are posted on the Office of Drinking Water’s (ODW) external webpage, can be filled out on-line and printed, signed, and submitted to VDH. VDH requires a signed copy of the application for a waterworks’ official file at the appropriate ODW field office. A printout or digitally signed PDF file of a completed electronic application satisfies this requirement.

There is also a separate permit application form for existing facilities to apply for an Operation Permit (See PM-C8-Attachment 15). This application includes questions that will aid field staff in determining whether the facility meets the definition of a waterworks.

## **2. New Wells**

If a new well source is proposed, the field office<sup>1</sup> will require the following two steps in addition to those listed above (see 12VAC5-590-280, -840 and [Working Memo 813](#)):

1. Well Site Approval
2. Well Construction

Field office staff should refer owners or engineers considering the construction of a new well to ODW's "Handbook for Developing a Public Water Supply Well" located at: <http://www.vdh.virginia.gov/content/uploads/sites/14/2016/07/Attachment-1-Well-Development-Handbook.rev-8-23-16.pdf>

The Department of Environmental Quality (DEQ) manages groundwater through a program regulating the withdrawals of groundwater in certain areas called Groundwater Management Areas (GWMA). See Va. Code §§ 62.1-254 to 270. In a designated GWMA, 9 VAC25-610-40 specifies that no person shall withdraw, attempt to withdraw, or allow the withdrawal of groundwater, except as authorized pursuant to a groundwater withdrawal permit, or as excluded in 9VAC25-610-50. Withdrawals of less than 300,000 gallons per month do not require a Groundwater Withdrawal Permit. 9VAC25-610-50. There are presently two Groundwater Management Areas in Virginia, per 9VAC25-600-20:

1. Eastern Shore: Counties of Accomack and Northampton;
2. Eastern Virginia: Counties of Charles City, Essex, Gloucester, Isle of Wight, James City, King George, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Prince George, Richmond, Southampton, Surry, Sussex, Westmoreland, and York; the areas of Caroline, Chesterfield, Fairfax, Hanover, Henrico, Prince William, Spotsylvania, and Stafford counties east of Interstate 95; and the cities of Chesapeake, Franklin, Hampton, Hopewell, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg.

A "withdrawal system" is defined in DEQ's Groundwater Withdrawal Regulations (9VAC5-25-610-10) as follows:

"Withdrawal system" means (i) one or more wells or withdrawal points located on the same or contiguous properties under common ownership for which the withdrawal is applied to the same beneficial use or (ii) two or more connected wells or withdrawal points which are under common ownership but are not necessarily located on contiguous properties."

If a Groundwater Withdrawal Permit is required, the waterworks owner should obtain a draft permit from DEQ *prior to* constructing the well. DEQ may require specific construction features if a well is drilled through multiple aquifers (typical of the Coastal Plain region). Also, DEQ's

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<sup>1</sup> Unless specified otherwise, references to the "central office" or "field office" refer to ODW's central office in Richmond Virginia and six regional field offices in Norfolk, Richmond, Culpeper, Lexington, Danville, and Abingdon.

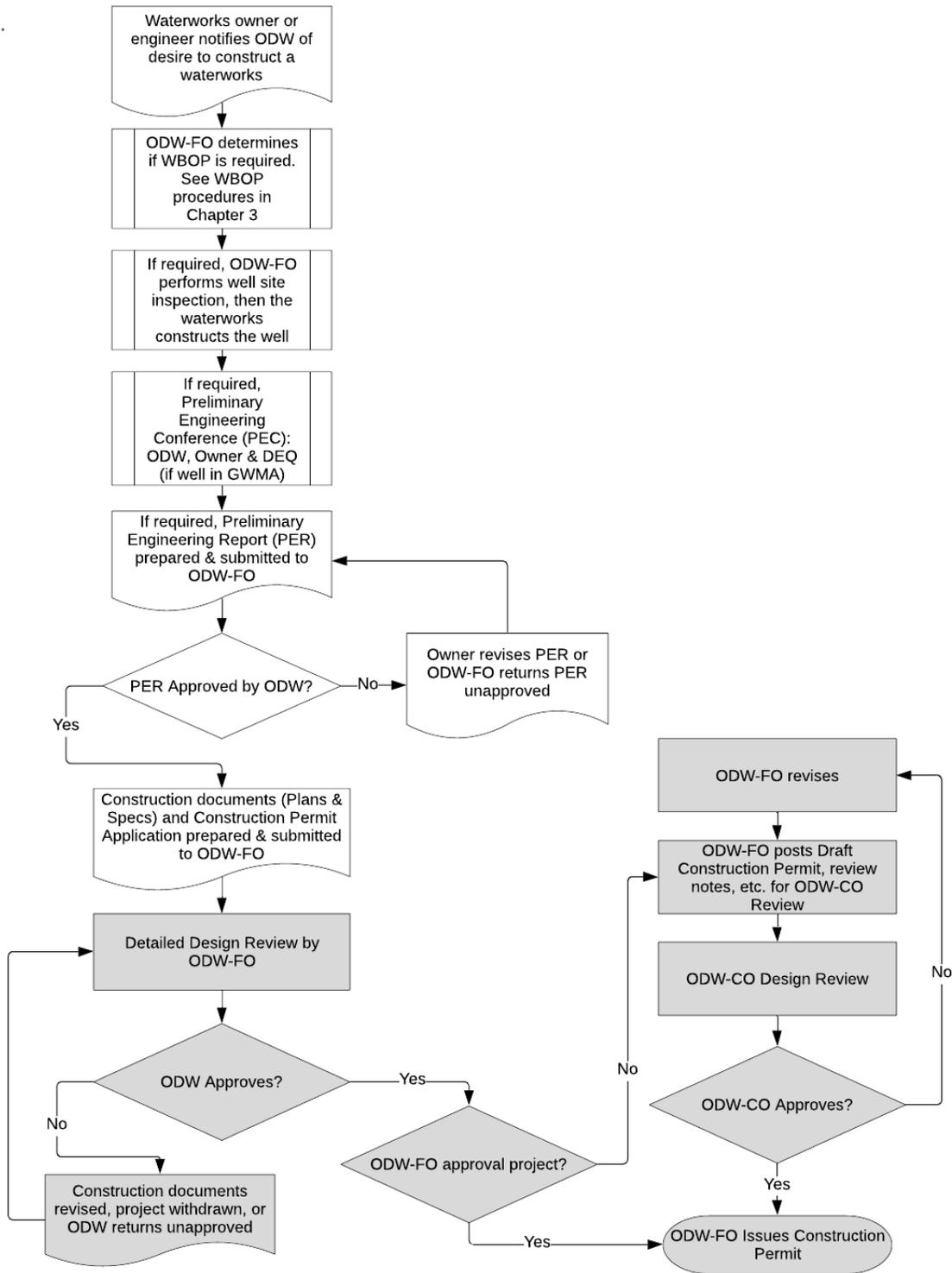
Aquifer Test Plan differs from the well yield and drawdown testing typically required by ODW. The waterworks should consult DEQ to determine what construction and testing requirements will apply before drilling and developing a public water supply well.

More information on DEQ water withdrawal permitting and Groundwater Management Areas can be found on the DEQ Water Withdrawal Permitting and Compliance Program website here: <https://www.deq.virginia.gov/Programs/Water/WaterSupplyWaterQuantity/WaterWithdrawalPermittingandCompliance.aspx>

### **3. Permit Types**

ODW issues four types of permits, summarized in the following table. A further description of these permits, the purpose of each, and their attachments is provided in this manual.

<b>PERMIT</b>	<b>ATTACHMENTS</b>	<b>CHAPTER</b>
Construction	Description Sheet of Proposed Construction (not required for some projects)	5
General (Local Review Program for construction of water distribution mains)	Memorandum of Understanding with ODW	7
Operation – Standard	Operation Permit Conditions. May also have Variance or Exemption	8
Operation – Temporary	Operation Permit Conditions, Temporary Operation Permit Requirements. May also have Variance or Exemption	8, Section 11



*Flow Chart. Construction Permit Issuance Process*

## Chapter 2 - Preliminary Engineering Conference & Report

The Preliminary Engineering Conference (PEC) is a feasibility discussion that establishes the project's direction and scope for construction of a new waterworks or modification or expansion of an existing waterworks. Field office staff may discuss the following elements with the applicant and design engineer<sup>1</sup> at the PEC:

1. Service description and water demand;
2. Estimated construction development time frame and completion date;
3. Alternatives considered;
4. Issues related to the source of supply, *e.g.*, for wells: located in a GWMA, located in karst terrain, well development procedures, anticipated treatment needs, etc.;
5. Construction of storage and distribution facilities;
6. Permits and authorizations required from DEQ for surface or ground water withdrawal, treatment process wastewater discharge and/or disposal;
7. Proposed treatment processes to meet water quality standards;
8. Complex hydraulics;
9. Any potential design exceptions to the Regulations;
10. Future/anticipated monitoring and reporting requirements; and
11. Operator requirements.

For prospective owners who intend to purchase an existing waterworks or develop a new one, as well as owners who are proposing an expansion or modification to an existing waterworks, field office staff should also review the owner's ongoing responsibilities and regulatory requirements after operation commences, including monitoring, reporting, operator requirements, etc. At this stage, it may be useful to review a draft Waterworks Business Operations Plan (WBOP) for new waterworks owners (covered in Chapter 3). An example PEC meeting minutes template is in PM-C2-Attachment 1.

A Preliminary Engineering Report (PER) is normally required by the ODW field office for projects involving:

1. Treatment processes (other than simple chemical solution feeders);
2. Pumping;
3. Storage;
4. Distribution system expansions or modifications that have the potential to result in exceeding 80% of a waterworks' permitted capacity or negatively impacting distribution system pressures; and
5. Receipt of Drinking Water State Revolving Funds (DWSRF).

The field office will coordinate with the central office on a PER that includes innovative/alternative technology or design exceptions to the Regulations. ODW requires a minimum of one paper copy of the PER and an electronic PDF file of the final report. Upon approval, the field office will stamp the report approved and retain it in the field office records. If central office coordination

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<sup>1</sup> For the purposes of this document, the term "design engineer" is used to describe an agent of the waterworks owner responsible for the engineering of the waterworks or modifications of the waterworks.

will be required for the project, the field office will forward an electronic copy of the final PER to the Division of Technical Services following field office approval. Field office staff will utilize the template for an approval letter for a PER in PM-C2-Attachment 2.

The field director has the discretion of waiving the requirement for a PER. This would be appropriate when the project consists of only simple additions or modifications that do not require analysis to determine the impact on the ability of the waterworks to comply with the Regulations and the proposed project design concept is typical and does not need analysis or further justification. Field office staff will provide appropriate justification and document such decision to waive the PER in the project review notes, memo to the files or on the Scope and Detail checklist (PM-C4-Attachment 1).

## **Appendix**

Attachments are located at: <\\odwsrv1\odwshare\13-Manuals\02-Permit Manual>

PM-C2-Attachment 1- PEC Meeting Minute Template

PM-C2-Attachment 2- PER Approval Letter

## **Chapter 3 - Waterworks Business Operations Plan (WBOP)**

### **1. Authority**

The requirement for a waterworks to complete a WBOP is established in Va. Code § 32.1-172 B, which states that an application for a permit "...shall include a comprehensive business plan detailing the technical, managerial, and financial commitments to be made by the owner in order to assure that system performance requirements for providing the water supply will be met over the long term." Section 32.1-172 B further states that the State Board of Health (Board) "may require the submission of a business plan by those existing waterworks that have demonstrated significant noncompliance with the Waterworks Regulations." The term "comprehensive business plan" is synonymous with "Waterworks Business Operations Plan" and ODW acts on behalf of the Board to implement the Public Water Supplies Law.

The field office may waive the WBOP portion of the application if an applicant has "demonstrated a history of acceptable compliance with waterworks regulations." Va. Code § 32.1-172 B. "Acceptable compliance" is not defined in the Public Water Supplies law or Regulations and it is up to the discretion of the field director to determine, with the assistance of the central office if necessary.

### **2. Applicability**

Field directors, based on field staff recommendations, determine if a waterworks owner is required to submit a WBOP pursuant to Va. Code § 32.1-172. Under the following circumstances, field directors will generally require waterworks owners to submit a WBOP:

#### **2.1. First-Time Owners**

ODW requires first-time owners of any new or existing waterworks to submit a WBOP. This also applies to transient noncommunity (TNC) waterworks owners because they generally need technical assistance to understand their obligations. These owners must recognize themselves as waterworks owners, understand the operational requirements of the Regulations, and have a budget (or reserve account) in place to cover the waterworks' expenses.

#### **2.2. Previous or Current Owners of Waterworks with Poor Compliance History**

ODW requires any previous owner of a waterworks that the field director has identified as "chronically noncompliant"<sup>1</sup> to complete a WBOP when acquiring another waterworks. The field office will notify the owner of the requirement to complete a WBOP during the permit application process.

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<sup>1</sup> "Chronically noncompliant" is defined at Va. Code §32.1—167 and 12VAC5-590-125 as a waterworks that is unable to provide pure water for any of the following reasons: (i) the waterworks' record of performance demonstrates that it can no longer be depended upon to furnish pure water to the persons served; (ii) the owner has inadequate technical, financial, or managerial capacity to furnish pure water to the persons served; (iii) the owner has failed to comply with an order issued by the Board or Commissioner pursuant to § [32.1-26](#) or [32.1-175.01](#); (iv) the owner has abandoned the waterworks and has discontinued supplying pure water to the persons served; or (v) the owner is subject to a forfeiture order pursuant to § [32.1-174.1](#).

ODW may also require a WBOP from the current owner of an existing waterworks that the field office director has identified as being chronically noncompliant. This will typically be part of an enforcement order issued by the Commissioner, and NOT part of the permit process.

### **2.3. Current Waterworks Owners Applying for Funds from the Drinking Water State Revolving Fund (DWSRF)**

ODW may require applicants for DWSRF support to complete a WBOP or update an existing plan prior to receiving funds from the DWSRF. ODW DWSRF staff may request that field office staff review the DWSRF applications to make this recommendation. Capacity Development Division staff may also make this recommendation based upon their review of DWSRF applications. The determination should be based on a satisfactory history of compliance, and consistently good operation and maintenance practices. A review of the owner's financial capacity is also needed, and will likely require assistance from the Capacity Development Division and/or DWSRF staff. The financial review should include, but is not limited to, review of financial credit ratios, established reserve funds, and properly set rates.

### **3. Preparer's Qualifications**

In order to meet the intent and purpose of the WBOP, the plan should be prepared by skilled individuals who are knowledgeable in sound business practices as well as the complexity of waterworks business operations. ODW staff, providing technical assistance, may provide guidance to waterworks owners as they prepare the WBOP. The waterworks owner is ultimately responsible for the preparation, accuracy, and final certification of the WBOP. However, the owner may seek advice and counsel from others having the appropriate business skills, knowledge, and expertise in waterworks operations.

### **4. Resources and Assistance**

WBOP resources for the three waterworks types (community, nontransient noncommunity (NTNC), and TNC) consist of handbooks, templates, worksheets, and related information. WBOP preparers should use the appropriate resources to develop the submittal for review and acceptance by the field office. Resources are located at <http://www.vdh.virginia.gov/drinking-water/capacity-development/waterworks-business-operations-plan/> and a WBOP review guide is located at <\\odwsrv1\odwshare\01-Central Office\180-Capacity Development\06 - Waterworks Business Operations Plan\WBOP Community Staff Review Guide FINAL June 2016.pdf>

Field office staff should provide technical assistance to direct waterworks to resource materials. Field office staff typically offer this assistance during the PEC with prospective waterworks owners. Field office staff may also recommend that the waterworks owners seek one-on-one technical assistance from Capacity Development Division staff.

### **5. ODW Review Procedures**

Review of the technical, managerial, and financial portions of the WBOP is required for every WBOP submitted in accordance with Va. Code § 32.1-172. Capacity Development Division staff are available to assist field office staff in reviewing the WBOP.

Field offices will return WBOPs that are incorrect, incomplete, or fail to demonstrate acceptable technical, managerial, and financial capacities to the owner/preparer for revision.

If a new community waterworks owner fails to submit an acceptable WBOP, one condition of a Temporary Operation Permit can be the requirement to submit a WBOP. ODW will not issue Temporary Operation Permits to a TNC or NTNC waterworks based solely on failure to submit a WBOP.

Field office staff will utilize PM-C3-Attachment 1 – WBOP Acceptance Letter to notify the waterworks owner when the field office determines that a WBOP is acceptable. Field office staff will then notify the directors of the Capacity Development Division and the DWSRF program, and save as scan of the signed document to <\\odwsrv1\odwshare\08-Documents and Data Files\809-Waterworks Business Operation Plans> using a file naming format of PWSID\_WBOP\_AP\_YYYY\_DD\_MM.pdf. Field office staff will also enter the WBOP acceptance date into SDWIS in accordance with the ODW SDWIS Manual.

## **Appendix**

Attachments are located at: <\\odwsrv1\odwshare\13-Manuals\02-Permit Manual>

PM-C3-Attachment 1- WBOP Acceptance Letter

## Chapter 4 - Project Review

### **1. Project Tracking**

ODW staff will use the project tracking database, PTLLog, to account for all activities related to the handling of reports, plans, specifications, addenda, and change orders. ODW staff will enter projects into PTLLog immediately upon receipt of documents, and update the system as actions are taken. The PTLLog Manual is located at: <\\odwsrv1\odwshare\03-Memos\301-Active Working Memos\301.02-Forms Letters Manuals\WM793- PTLLOG>

### **2. Review Time Expectations**

ODW staff will make every effort to review plans and submittals within a reasonable time. 12VAC5-590-210, states “All reports, plans, specifications shall be submitted to the field office at least 60 days prior to the date upon which action by the division is desired.” This implies that ODW will respond to submittals within 60 calendar days. Although the complexity of proposed projects and the available staff resources may prove the 60-day response time to be challenging or unattainable, every effort shall be made to meet this time frame.

PTLog determines a Priority status for each active project. Any new or revised submittal that has not had ODW staff action taken within 60 days will be assigned Priority 1 status. If a project is assigned a Priority 1 status, the comment section in PTLLog must be completed by ODW staff to include dates indicating when ODW staff comments or approval are expected to be made to the permit applicant. Additional information that explains the review delay may also be included in the comment section.

### **3. Submittals**

Construction permit application: A construction permit application must be completed and submitted to the ODW field office prior to the review of engineering documents for a construction permit. Applicants can download the application from the ODW webpage at: <https://www.vdh.virginia.gov/drinking-water/permits-and-design/>

Engineering reports submitted to ODW for review and approval may include: Demonstration Studies, Treatability Studies, Alternative Design Evaluations, and Preliminary Engineering Reports. ODW requires one paper copy and one electronic PDF file of the final approved report.

Construction drawings, record drawing, and specifications: ODW requires one set of paper documents for initial review. For final approval, ODW requires one set of paper documents and an electronic PDF file of the final approved drawings and specifications. The process for document processing is presented in Appendix 3.

Change orders and addenda: ODW requires one set of paper documents for initial review. For final approval, ODW requires one set of paper documents and an electronic PDF file of the final approved plan sheets.

Final design calculations, design memoranda, and hydraulic analyses (computer model simulations) may be provided by the design engineer with the construction plans and specifications. ODW requires one paper copy and an electronic PDF file of the final approved report.

Waterworks, particularly privately-owned ones, may not always bid a project. Instead, the owner may pre-purchase equipment and include the manufacturer's literature (such as data sheets and shop drawings) in place of specifications and detailed drawings. The submittal must have sufficient detail that the contractor can construct the project and ODW can determine if the project complies with the requirements in Part III of the Regulations. ODW requires that these be submitted together as a bound document, with the cover sheet sealed, signed and dated by a licensed professional engineer.

### **3.1. Replacement-in-Kind**

ODW does not generally require submission of design documents for approval of maintenance activities and "replacement-in-kind" items. Some examples include, replacing a 1,000 gallon pressure tank with another 1,000 gallon pressure tank of the same dimensions, replacing a chemical metering pump with a chemical metering pump of equal or greater capacity, or replacing a 2-inch water main with a 2-inch water main in the same street. Replacement items must comply with all requirements of Part III of the Regulations.

### **3.2. Laboratories**

ODW requires submission of plans and specifications for the construction of a chemistry or biological laboratory at a waterworks. However, the ODW does not issue a Construction Permit if the laboratory is a separate project. If the laboratory is a separate project, field office staff will review the plans and specifications for conformance with 12VAC5-590-760, and notify the owner of any comments or notify the owner that ODW does not have any comments. When the laboratory is included in the construction documents for a new / upgraded / modified waterworks, field office staff will review this portion of the project for conformance with 12VAC5-590-760 and will require revisions if necessary prior to issuance of a construction permit. ODW staff will advise the owner and engineer that the Department of General Services, Division of Consolidated Laboratory Services certifies laboratories performing drinking water testing for microbiological and/or chemistry parameters for compliance with federal and state Safe Drinking Water Program (SDWP) requirements. ODW accepts data for SDWP compliance from laboratories either certified under 1VAC30-41 or accredited under 1VAC30-46.

### **3.3. Requirements for certification/sealing work prepared by a licensed Professional Engineer (PE)**

In accordance with Va. Code § 54.1-410 B, ODW is required to ensure that plans, specifications or calculations prepared in connection with water treatment and distribution systems be prepared by a professional engineer licensed or authorized pursuant to Chapter 4 (§ 54.1-400 *et seq.*) of Title 54.1 of the Code of Virginia. The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA) is responsible for promulgating and regulations for licensure. The Department of Professional and Occupational Regulation (DPOR) serves as staff to the APELSCIDLA Board.

The APELSCIDLA Board has issued regulations which call for all final documents prepared by a licensed professional to carry that person's seal (18 VAC 10-20-760 B).

ODW requires that electronic PDF documents submitted bear the Professional Engineer's digital signature.

### Plans and specifications:

In specific reference to the requirement for a PE seal, ODW will process the plans and specifications only if the cover sheets to all plans and specifications bear an "original" seal and signature, and are dated. The remaining plan sheets need only have facsimiles of the seal, signature, and date. ODW requires that any plan sheets prepared by a PE, who is not the PE sealing the cover sheet, must bear facsimiles (as a minimum) of the seal and signature of that engineer.

### Addenda:

ODW requires submission of plans and specifications addenda must bear an "original seal", signature and date, or the transmittal letter must be dated and signed by the PE.

### Change Orders:

ODW does not require a seal for change orders, but a PE's signature is required. ODW may review and approve change orders that have not been executed (signed by representatives of the owner and contractor) if the field office confirms that the owner supports the change order through communication with the owner.

### Technical Reports and Other Documents:

The cover sheet of all Preliminary Engineering Reports shall bear an "original" PE seal, signature, and date. Other documents which are not engineering documents, such as compliance sampling reports, do not have to be prepared by or bear the seal of a PE.

### Land surveyors:

Va, Code § 54.1-408 authorizes land surveyors to prepare plans and profiles for (among other things) sanitary sewer extensions and waterline extensions, but only for subdivisions, site plans, and development work. Va. Code § 54.1-408 does specifically prohibit land surveyors from engaging in the design of pressure hydraulic systems, and states that the allowed work must involve the use and application of standards prescribed by local and state authorities.

Based on guidance received from staff of the Office of the Attorney General, surveyors who were licensed under the prior law, former Va. Code §54-17.1(3)(b), or who have passed the appropriate exam given by APELSCIDLA may lay out the routing of a waterline on plans, but may not select the size or materials for that waterline. This work must be performed by a PE. ODW will accept plans and specifications for waterlines prepared by a licensed surveyor, as long as they are accompanied by hydraulic calculations (covering size and material selection) prepared and stamped by a PE.

## **4. Scope and Detail Review**

Field staff will perform a Scope and Detail (S&D) review for all plans and specifications submitted for review within 10 calendar days of receipt of submittal. A S&D review is not required for engineering reports, addenda, record drawings, or change orders. The form for the S&D review is located in PM-C4-Attachment 1.

If a “NO” response is given for any of the items<sup>1</sup> listed on the S&D review checklist, the project becomes a technical “Return”, and ODW staff will update PTLLog with this information. Field office staff send a return letter (see PM-C4-Attachment 2) to the design engineer, with a copy to the project owner and funding agency, if appropriate. Project documents may be included with the return letter, or held for later review when required submittals are received by the field office.

The field office may use discretion in the decision to return plans or to proceed with the technical review and include scope and detail deficiencies in the first comment letter (such as a missing application). This needs to be justified and documented by the field office.

## **5. Technical Review**

All reviews shall include clear, detailed notes and relevant calculations. ODW staff will check all engineering calculations critical to the process, including critical volumes, detention times, pump selection calculations and hydraulics. At a minimum, the proposed design must comply with the design criteria in Part III of the Regulations. Field offices will save notes and relevant calculations in the agency records for the waterworks in addition to the plans and specifications.

ODW will not approve water line extensions, etc. unless there is sufficient source capacity. If there is insufficient source capacity, ODW staff should return the project unapproved, with a statement that it may be resubmitted with documented provisions of an acceptable source that meets drinking water standards.

## **6. Comment Letters**

Upon completion of the review, ODW staff will send comments on the design in writing, with a copy to the owner and funding agency, if identified. The comments should include a request for a response within 30 days. ODW staff should clearly identify comments as requirements or recommendations. A comment letter template is located in PM-C4-Attachment 3. ODW staff may provide less significant comments or suggestions verbally or by e-mail. ODW staff may also call the design engineer to discuss the comments and ensure that the design engineer understands what actions are necessary to obtain a Construction Permit.

## **7. Project Returns**

If the permit applicant or design engineer does not address review comments within 30 days of the date of the comment letter, the following process should be followed by field staff until the review comments are addressed or a written request to delay the project is received.

1. Field staff will contact both the permit applicant and design engineer by telephone, email, or letter to request that, within 15 days, the permit applicant or engineer submit a written response and revisions, as appropriate, or a written request to delay the project review for a specific time period.
2. If the permit applicant or engineer does not respond to ODW within 15 days after the attempt to follow-up with both of them, the district engineer may contact the permit applicant and engineer again by telephone, email, or letter to request that, within 15 days,

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<sup>1</sup> Other than “permissions”.

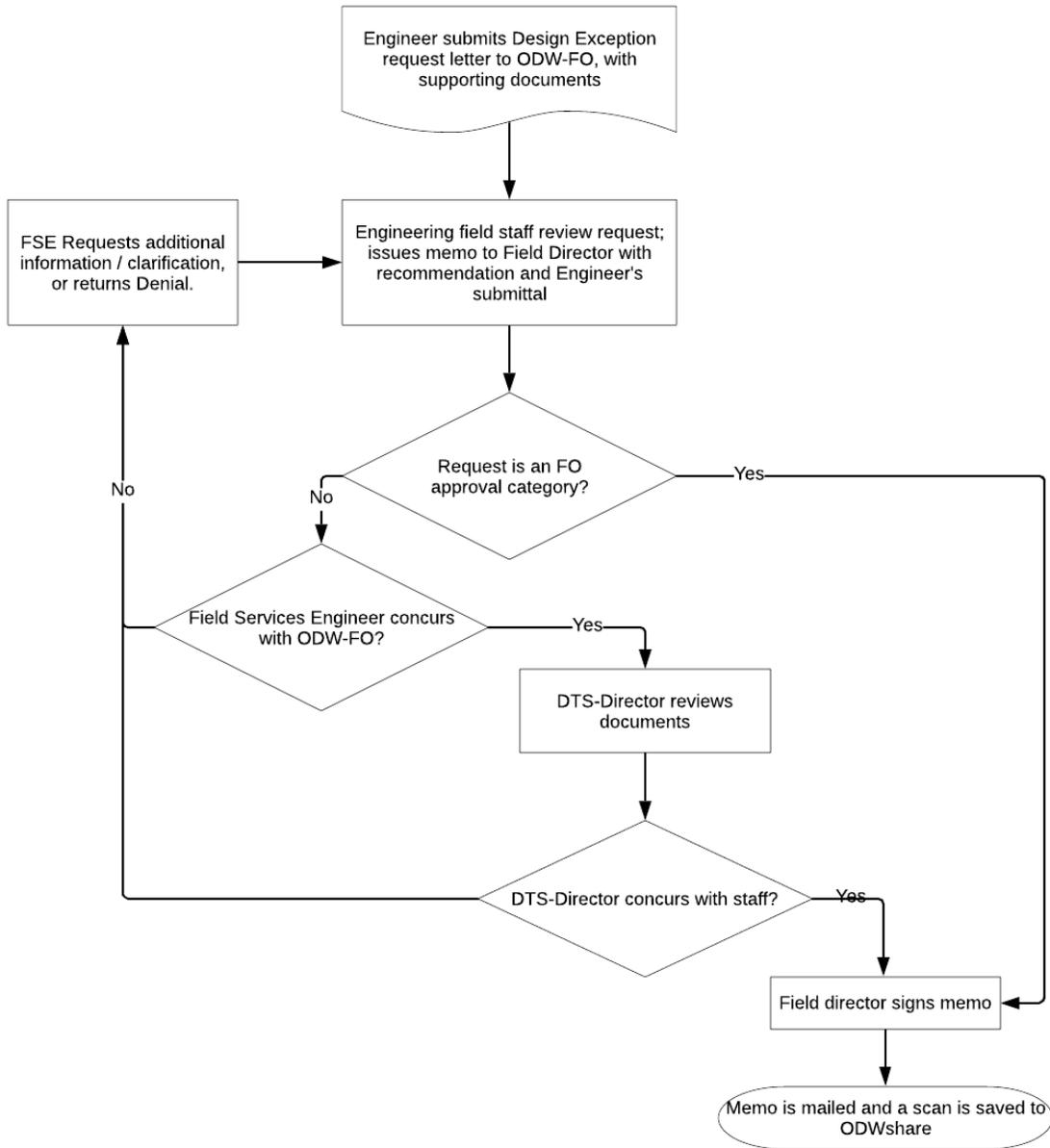
the permit applicant or engineer submit a written response and revisions, as appropriate, or a written request to delay the project review for a specific time period.

3. If the permit applicant or engineer does not respond to ODW within 120 days of the issuance of the comment letter, the district engineer will mail the permit applicant and engineer a "Project Return Letter". The district engineer may choose to return the project documents with this letter. Use the Project Return letter template provided in PM-C4-Attachment 4. The district engineer is to document this in the status section of PTLog as "Disapproved/Returned (R)".
4. If the district engineer receives a written response to delay the project for a specific time period and the district engineer approves this request, the district engineer will notify the permit applicant and engineer by telephone, email, or letter, and the hold status and end date will be noted on the "comments" section of the PTLog record. In this case, the district engineer will not proceed with the project return process unless a response is not received within the specified time period.

## 8. Design Exceptions

### 8.1. Procedure

Field office staff follow the procedure for evaluating a design exception request depicted in the following schematic:



*Flow Chart. Design Exception Approval / Denial Process*

## **8.2. Criteria**

“Exception” is defined in the Regulations as “...an approved deviation from a “shall” criteria contained in Part III (12VAC5-590-640 et seq.) of this chapter.” ODW may grant certain exceptions if the design engineer provides adequate justification, and the resulting nonconformity will not affect the waterworks ability to comply with the requirements for reliability specified in Part II (Operation Regulations for Waterworks) of the Regulations.

## **8.3. Approval and Documentation**

Where exceptions are specifically allowed in the Regulations (i.e., Part IV of the Regulations), ODW does not require an applicant to submit a formal Design Exception Request (described subsequently), provided that the design engineer submits the supporting documentation/evaluation as prescribed in the Regulations to the field office with the design submittal.

ODW documents all other design exceptions as follows:

1. Central office approval - The field office provides a Design Exception Request memorandum to the central office using the form in PM-C4-Attachment 5. Field office staff will submit the request at the earliest possible time in the project review process (preferably at the PEC or PER stage), to allow the design engineer sufficient time to incorporate the Division of Technical Services director’s decision into the final design.
2. Field office approval – The central office delegates the following types of design exceptions to the field office:
  - a. Air backwash of gravity filters in lieu of surface wash
  - b. Reduction in maximum chlorine feed capacity from Regulations’ requirement of 15 mg/L
  - c. Reduction in 30-day onsite supply of sodium hypochlorite
  - d. Well lot plats and dedication documents for noncommunity waterworks (an exception request memo template is provided in PM-C4-Attachment 10)
  - e. Class IIIB well construction instead of Class IIB or better well construction for noncommunity waterworks

The field office evaluates and documents these design exceptions with a Design Exception Request memorandum.

## **8.4. Tracking**

Field offices will log all Design Exceptions into one Excel Workbook on “odwshare” maintained by the Division of Technical Services. The Design Exceptions log is located at:

<odwsrv1\odwshare\14-Permits%20&%20Project%20Review\08-DESIGN%20EXCEPTIONS.xlsx>

## **9. Exemptions for TNC Waterworks**

ODW may exempt plans for construction permits for TNC waterworks from the professional engineer licensure requirements under the following conditions:

1. The waterworks is a TNC waterworks with actual or proposed service to no more than 100 persons per day.
2. The waterworks is a direct delivery system without any treatment, meaning that the system consists only of one groundwater source, pressure storage tank, and a single service connection (one structure). NOTE: The field office will require engineering plans and specifications for Point of Entry (POE) treatment.
3. The single service connection consists of a structure with area less than 5,000 square feet calculated using the outside dimensions of the structure.

Example #1: Allowed Exemption: A single story structure is 80 ft long and 50 ft wide

$$80 \text{ ft long} \times 50 \text{ ft wide} = 4,000 \text{ square feet}$$

Example #2: Not Allowed for Exemption: A 5-story structure is 80 ft long and 50 ft wide

$$80 \text{ ft long} \times 50 \text{ ft wide} \times 5 \text{ (stories)} = 20,000 \text{ square feet}$$

4. Construction of the well must be by a well driller with Class A contractor license. Field office staff can verify a well driller's license using the DPOR website.
5. Construction of the remainder of the waterworks must be by a master's level plumber or Class "A" contractor.
6. ODW requires that the information described in the checklist in PM-C4-Attachment 6 be submitted by the waterworks owner in lieu of plans, specifications, documents, and designs normally prepared by a licensed professional engineer. This information may also be better completed by the well driller or Class A contractor since they would normally be more knowledgeable in the completion of the checklist and diagram.

This exemption applies to new waterworks and modifications to existing waterworks that satisfy all the conditions listed above.

### **10. Record Drawings (As-Built Plans)**

ODW does not require, but often receives record drawings ("as-built" plans) for projects that have a construction permit, unless the actual construction/field conditions were substantially different from the approved plans. In this case, ODW requires that record drawings accompany a fully executed change order. ODW cannot approve record drawings unless the drawings are sealed by a PE.

If construction was in substantial compliance with the approved project (ODW field office receives an engineer's letter of substantial completion, which verifies this), ODW does not require further action. Otherwise, the field office will review the project and modify the approval letter according to the circumstances. For projects constructed prior to formal approval due to emergency conditions, field offices will review the record drawings, and modify the approval letter accordingly. Refer to PM-C4-Attachment 7 for an example letter.

Field offices will review record drawings ("as-built" plans) for projects constructed illegally with no prior approvals as though they were for a new project. This may result in significant comments that necessitate field modifications or reconstruction. If major reconstruction is necessary, the field office may require a construction permit. Otherwise, once an approval is possible, the field

office will NOT issue a construction permit. A new/revised operation permit may be required. Field office staff will evaluate and document minor deviations from the Regulations in the review notes. ODW will not issue design exemptions for minor deviations from the Regulations on record drawings.

If ODW approval of record drawings is necessary, ODW requires the design engineer to submit final approved record drawings in electronic PDF format. The field office will keep the PDF in its files for the waterworks. [Note: At times record drawings are submitted to ODW because the contract documents require the contractor to submit record drawings. If the project was in substantial compliance with the approved documents, then no further review is necessary.]

Record drawing approvals may be issued by the field office without central office review if the constructed facilities are listed in Chapter 5, Section 3 - Projects Approved by Field Office. Otherwise, central office design review will be required.

### **11. Change Orders and Addenda**

Addenda are modifications to the construction documents after the notice to bidders is issued, but before the contract is awarded. Change orders are modifications to the documents made after the project is awarded. If these items are received prior to project approval, the field office will process them with the entire package. If the field office receives either after project approval, staff will process them as a separate project. If the changes are major, the field office may issue a new construction permit. Otherwise, the field office will issue the approval without another permit and reference the original construction permit in the approval letter. Technical change orders and addenda for construction projects originally approved in the field office can also be approved by the field office. Otherwise, field office staff must submit them to the central office for approval. Field offices will utilize the letter format in PM-C4-Attachment 8. When change orders or addenda include revised drawings, ODW requires that these be labeled as described in section 5.5 of this manual.

ODW does not require approvals of change orders and addenda (CO&A) that are non-technical, or do not fall under the purview of Part III of the Regulations. ODW requests that design engineers submit all CO&A for DWSRF projects directly to the DWSRF project engineer. The DWSRF project engineer will coordinate with field office staff to determine if the field office needs to review and approve the change order or addenda. The DWSRF project engineer will also provide quantity adjustment change orders to field staff to decide whether quantity changes may require technical review.

The following are examples of CO&A's that DO NOT require ODW approval:

1. Non-technical: Changes in bid documents to include contract dates, bonding, bidding instructions, Davis Bacon, unit costs, etc.
2. Technical changes that are minor or do not fall under the purview of Part III of the Regulations:
  - a. Changes to building paint color
  - b. Changes to erosion and sediment control
  - c. Changes to road compaction and material
  - d. National Electrical Manufacturers Association (NEMA) enclosure

e. Adding additional pipe supports to contract

The following are examples of CO&A's that DO require ODW approval (review and approval letter):

1. Changes in pipe material
2. Changes in tank interior coating
3. Treatment unit changes
4. Waterline alignment, length, and diameter changes
5. Changes to control settings
6. Changes to pumps or pump motors

## **12. Specific Evaluation Topics**

### **12.1. DEQ Notification Prior to Well Abandonment**

The DEQ Ground Water Characterization Program is interested in re-using former production wells for groundwater monitoring purposes under the State Observation Well (SOW) network. If an owner plans to take a public water supply well out of service permanently, field offices will recommend to the waterworks that they contact the DEQ Ground Water Characterization Program regional geologist to determine if the well may be of interest to them, prior to permanent well closure.

If a well is permanently abandoned, ODW requires that the well driller document the abandonment procedure using DEQ's form GW-5 (Well Abandonment Report) and submit the form to ODW and to DEQ.

### **12.2. Waste Disposal**

Wastewater discharged by the water treatment plant to a receiving stream/surface water or soil adsorption system MAY require a permit from DEQ and/or EPA. Field offices will notify the DEQ Regional Office, by letter, of the proposed discharge at the earliest possible time. Field offices will utilize the letter template in PM-C4-Attachment 9. During the PEC, field offices will advise the waterworks owner to follow up with DEQ regarding waste disposal.

Disposal restrictions that may be imposed by other agencies' permits (such as spent adsorption media, particularly if radionuclide removal is performed) should be addressed by the design engineer.

### **12.3. Internal Plant Recycle**

The Filter Backwash Recycling Rule, 40 CFR § 141.76, applies to all surface water or groundwater under the direct influence of surface water (GUDI) systems that use conventional filtration or direct filtration and that recycle spent filter backwash water, thickener supernatant, or other dewatering process flows. Design engineers must take caution when considering the recycling of process waste flows within the treatment plant. When recycling is proposed, ODW requires that recycle must be returned prior to the point of primary coagulant addition, and must receive full treatment through all of the plant processes. (See 12VAC5-590-990)

ODW requires that recycle streams be controlled to prevent a hydraulic surge or a hydraulic loading in excess of plant capacity. The rate of recycle return should be no greater than 10 % of the plant influent (actual flow). ODW recommends additional settling of the recycle stream or recycle return to a pre-sedimentation basin as a minimum, to obtain a more consistent influent water quality to the plant. If alternative return locations are proposed, supporting justification from the design engineer is required by ODW, and the central office must approve the alternate location. (See 12VAC5-590-420 K)

ODW does not permit lagoon water receiving flow from plant floor drains, pump drains, etc., to be returned to the water treatment plant process flow stream, or upstream of a public waterworks' intake.

#### **12.4. Distribution Systems**

ODW will not permit a new or expanded distribution system unless an adequate water source exists or is proposed.

ODW requires that design fire flow (rate and duration) be documented by the design engineer indicating that the appropriate officials (Fire Marshall or local government building official) were consulted to establish the design fire flow.

Va. Code § 32.1-172 A exempts projects that consist of “the extension of water distribution pipes having a diameter of 8 inches or less and serving less than fifteen equivalent residential connections” from obtaining a permit. Because the Regulations define an equivalent residential connection as “a volume of water used equal to a residential connection that is 400 gallons per day unless supportive data indicates otherwise,” 12VAC5-590-10, field offices may use census data, historic water demand, or other information to determine an appropriate value for an equivalent residential connection if less than 400 gallons per day.<sup>1</sup> The 15 equivalent residential connections are the determining factor, NOT the fire flow. The exception was not intended to allow owners to phase construction of large waterline extension projects, in order to circumvent the permit requirement. A PE must design exempt projects, as stipulated in the Code of Virginia. Enforcement of the license requirements is DPOR's responsibility.

The waterworks owner may obtain VDH approval for Standard Specifications and Plan Details. Thereafter, ODW only requires submission of the plans, provided that the plans reference the approved standards and details.

#### **12.5. AWWA Disinfection Standards**

Engineering specifications for disinfection of water treatment plants, wells, storage tanks and waterlines may reference the applicable AWWA standards or the Regulations. Since the AWWA Standards are copyrighted, duplication of the AWWA Standards in the specifications is in violation of the copyright, and is not required by ODW. Refer to WM-918 for additional information about

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<sup>1</sup> The final amendments to the Regulations will remove the definition of “equivalent residential connection.” Once the amendments are effective, ODW will not use the equivalent residential connection in in demand evaluation. ODW interprets this exemption as applying to projects composed of pipe no greater than 8 inches in diameter, serving no more than 15 total connections, and serving an average daily demand of no more than 6,000 gallons.

requirements for disinfection and bacteriological sampling procedures following construction, maintenance, and repair of waterworks facilities.

## **Appendix**

Attachments are located at: <\\odwsrv1\odwshare\13-Manuals\02-Permit Manual>

PM-C4-Attachment 1- Scope and Detail Checklist

PM-C4-Attachment 2- Scope and Detail Return Letter

PM-C4-Attachment 3- Project Review Comment Letter

PM-C4-Attachment 4- Project Return Letter

PM-C4-Attachment 5- Design Exception Memo

PM-C4-Attachment 6- TNC Design and Construction Checklist (for Non-PE Design Projects)

PM-C4-Attachment 7- Record Drawings Approval Letter

PM-C4-Attachment 8- Change Order / Addenda Approval Letter

PM-C4-Attachment 9- DEQ Notification of Wastewater Discharge

PM-C4-Attachment 10- Example Noncommunity Well Plat & Dedication Document Exception

## **Chapter 5 - Construction Permit**

### **1. Permit and Description Sheet of Proposed Construction**

A construction permit number is assigned in the field office when a construction permit is issued. The construction permit number contains six (6) digits. The first digit is the assigned field office number (1-Abingdon, 2-Lexington, 3-Southeast, 4-Richmond, 5-Danville, 6-Culpeper). The next three numbers are sequential numbers, with each new calendar year beginning a new sequence, starting at 001. The last two digits represent the calendar year in which the permit is issued.

Field office staff write construction permits following the template in PM-C5-Attachment 1. Construction permits expire five years from the date of issuance. The field director must sign all construction permits. In the absence of the field director, the deputy field director may sign a construction permit on behalf of the field director, if the required QA/QC checks are completed.

As specified below, field offices will prepare a Description Sheet of Proposed Construction to accompany the construction permit. The Description Sheet of Proposed Construction is optional for other projects. A template for the Description Sheet is provided in PM-C5-Attachment 2. The Description Sheet, when used, must contain an evaluation of the design capacity of the project only, and wording in the final paragraph that indicates to the owner that the capacity will be re-evaluated for the waterworks' operation permit.

Projects that require a separate Description Sheet of Proposed Construction include the following:

1. Projects resulting in changes to the waterworks operation permit capacity.
2. Projects approved by the central office.
3. Projects that require a capacity evaluation of more than one process or component.
4. Projects that involve installation or changes to treatment, except as noted below.

Projects that are approved in the field office and do not require a separate Description Sheet of Proposed Construction include the following:

1. Waterline extensions and transmission mains.
2. Projects that do not affect waterworks capacity, such as solution-type chemical feed systems and filters without backwash features.

The projects without a separate Description Sheet of Proposed Construction must be described sufficiently in the permit, e.g., “This project consists of the addition of a sodium hypochlorite feed system which includes a 50-gallon solution tank and diaphragm metering pump rated at 20 gallons per hour.”

### **2. Projects Approved by Central Office**

Projects to be approved by the central office are scanned and uploaded to “odwshare” by the field office. If the proposed construction at a waterworks is not listed in the projects approved by the field office, staff must notify the Division of Technical Services and request they make a determination of whether Technical Services, or the field office, will approve the proposed construction project. Field offices will supply the following electronic documents:

Transmittal Checklist – Central Office Project Approval (see PM-C5-Attachment 3)

1. Permit Application
2. Plans, specifications, addenda and change orders
3. Design notes and calculations
4. All correspondence and emails
5. Review notes
6. Any Design Exceptions
7. Draft Construction Permit
8. Draft Description Sheet of Proposed Construction

### **3. Projects Approved by Field Office**

The field offices will generally approve the following types of projects:

1. Water line extensions
2. Raw water lines and transmission mains
3. Distribution system booster pump stations
4. Distribution system storage tanks
5. A groundwater system consisting of wells, transfer booster pumps, hydropneumatic tanks (including bladder tanks), and/or gravity storage tanks
6. Metering pump and solution tank – type treatment systems, such as sodium hypochlorite for disinfection, phosphate for sequestration or corrosion control
7. Anion and cation exchange units
8. Sodium Fluoride Upflow Saturator
9. Iron and Manganese removal filters
10. Standard utility specifications. (Local Review Programs / General Permits must be approved by the central office)
11. Preliminary Engineering Reports. If a Design Exception request is included, central office approval is required. If the design exception was granted prior to submission of the PER, or if the design exception can be granted by the field office, then the field office may approve the PER.
12. Pilot Plant study reports. Discuss results and conclusions with the Division of Technical Services and obtain concurrence prior to approval.
13. Evaluation reports of full-scale technology (demonstration studies). Discuss results and conclusions with the Division of Technical Services and obtain concurrence prior to approval.

Field offices may issue approvals for engineering reports, standard utility specifications, and record drawings for permitted projects without central office document review.

### **4. Construction Permit Processing**

The district engineer is responsible for the permit program within the district. The district engineer will prepare or supervise the review of submittal document and the preparation of a construction permit and necessary documents for each waterworks within the district. The deputy field director shall provide a technical review of the construction permit and all attachments before forwarding to the field director.

The field director is responsible for all aspects of the permit program within the field office region. The field director reviews the permit and associated documents.

Construction permits and other project approval documents will be processed by ODW as follows when central office approval is required:

1. The field office will post the electronic document file of the draft construction permit on “odwshare”, and update the tracking spreadsheet.
2. The Field Services Engineer and the Director of Technical Services will review the documents. The Field Services Engineer and Director of Technical Services may make edits to the document, using the track changes feature in Microsoft Word, or ask the field office to provide more information or corrections to the document.
3. After the Field Service Engineer and/or Director of Technical Services approve the permit, they notify the field office will be notified and the spreadsheet will be updated by central office staff.
4. Field office administrative staff will print the version of the document reviewed by the Field Services Engineer, including edits to the document, if any. If the field office wishes to make additional or different changes to the document, the field office will contact the Field Services Engineer. The Field Director will sign the approved construction permit.
5. The field office will scan the signed permit documents and upload to “odwshare” and update the tracking spreadsheet. The field office will mail the original permit documents to the waterworks owner. The field office will also make and mail copies of the permit documents to all parties listed on the list of permit recipients. The field office will not return submittal documents to the owner with the signed construction permit. The field office will file the review sheets and associated data, notes, and calculations along with the record copy of the construction permit.
6. The field office will mark the paper copies of the plans and specifications “Approved” as noted in Section 5.5 and will file them for future reference. The field office will file electronic copies of the plans and specifications on the field office server for future reference.

Construction permits and other project approval documents will be processed by ODW as follows when central office approval is not required:

1. Field office administrative staff will print the documents and the field director will sign the approved construction permit.
2. The field office will scan the signed permit documents and upload to “odwshare”. The field office will mail the original permit documents to the waterworks owner. The field office will also make and mail copies of the permit documents to all parties listed on the list of permit recipients. The field office will not return submittal documents to the owner with the signed construction permit. The field office will file the review sheets and associated data, notes, and calculations along with the record copy of the construction permit.

## **5. Well Data**

A web-based database, VA Hydro, serves as the main repository of Water Well Completion Reports (GW-2 forms) for all drilled, modified and abandoned wells in Virginia. It is accessible to registered Water Well System Providers (well drillers), and registered DEQ and VDH staff at

<http://deq1.bse.vt.edu/d.dh>. Each field office has a primary and alternate staff member with login credentials to VA Hydro.

DEQ will monitor VA Hydro entries and send notifications of new entries to the ODW Special Projects Engineer. The Special Projects Engineer will download electronic GW-2s, post them in the folder:

[\odwsrv1\odwshare\14-Permits & Project Review\02-Well Data scanned\VA Hydro GW-2s](#),

The Special Projects Engineer will then send email notification of their availability to affected field directors and deputy field directors. The field directors will share the notification with appropriate district engineers and inspectors.

Every completed hardcopy GW-2 form received by ODW will be scanned by the field office into a single PDF file (ensure well location coordinates and datum, PWSID, and SDWIS well identification number are included), and uploaded to:

[\odwsrv1\odwshare\14-Permits & Project Review\02-Well Data scanned\FO upload](#),

along with the following files:

1. Yield and Drawdown Test (for new or modified wells),
2. Well development chemical test sample results (for new or modified wells). Field offices will utilize the “Owner Report” function in R&R, and ODW database, to create a report of all chemical sample results for the new well. (See R&R Manual). This report can be exported directly from R&R into a PDF file.

Field offices will follow a file naming scheme of the 7-digit PWSID number, followed by the SDWIS well identification number (i.e. [3165011WL002.pdf](#)). The ODW Special Projects Engineer will forward the uploaded well data files to DEQ on a quarterly basis.

## **6. Document Labels**

Field offices will mark paper copies of approved specifications, reports, addenda, change orders, and field orders with an approval mark containing the following information, and will retain the documents in the field office until final inspection has been completed.

Virginia Department of Health
Office of Drinking Water
Approved by _____

## **7. Electronic Plan Submission**

ODW requires that the design engineer submit final plans and specifications in both electronic PDF format and in paper copy bearing the original PE seal. The paper copies are for the convenience of the field office staff, and the electronic copies will serve as the official record.

The field office may also maintain paper copies of the plans and specifications until the project is complete and ODW has conducted the final inspection and approved the project for operation. When the field office has no business reason to maintain paper copies of the plans and specifications, the field director may direct staff to destroy the paper copies if electronic copies of the plans and specifications are on file. The field office will maintain copies of the plans and specifications in accordance with ODW's document retention schedule. At the field director's discretion, field offices may retain paper copies longer, as space allows. The field office will retain electronic copies of documents on their computer server.

## **8. Expired Construction Permits**

Construction permits expire after 5 years, and ODW does not extend the permit expiration date. Occasionally, the construction permit expires before construction of the project begins.

ODW requires a new construction permit if the Owner wishes to construct the project in accordance with the previously approved plans and specifications. The field office will reference the previously expired construction permit number and approval date in the first paragraph of the new construction permit (with a new permit number). Field staff will ensure that the plans and specifications have not changed and are still applicable. Field staff will also consider whether any changes to the Regulations or AWWA standards will require changes to the plans and specifications.

## **9. Completed Construction Projects**

Upon completion of construction, the owner shall submit a statement signed by a PE certifying that the work was completed in accordance with the approved documents. Depending on the scope of the project<sup>1</sup>, ODW staff may make a final inspection of the project to determine that the project was constructed in accordance with the approved plans. ODW staff shall not certify that the construction has been substantially completed; this is the responsibility of an engineer retained by the project owner. ODW staff will utilize the final inspection letter template in PM-C5-Attachment 5. For final inspection of a new waterworks, field staff should carry out a sanitary survey to cover all eight essential elements.

The field office, through the field director as required, may approve the project, allowing the owner to place it in service, or issue or amend the operation permit once the field office receives the engineer's letter of substantial completion, staff perform a final inspection (if necessary), the owner addresses inspection comments (if necessary) and all bacteriological samples (if necessary) are acceptable.

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<sup>1</sup> A project that may not require an ODW final inspection is a waterline that is not financed through the DWSRF.

## **10. Changes to Projects Under Construction**

ODW will not normally require a new construction permit for change orders to projects under construction; with the possible exception of those funded by the DWSRF. In those cases, field office staff work with the DWSRF Project Engineer to verify the owner will satisfy all federal contract requirements.

## **11. Alternate Project Delivery**

Alternate project delivery methods are frequently utilized for utility construction projects, and may provide the owner advantages over the traditional “design-bid-build” delivery method. These projects provide a fast track to project completion, by allowing construction to begin before the final design is complete. Common examples of alternate project delivery methods include “design-build” and public-private partnerships.

ODW must issue a construction permit prior to the beginning of construction, per Va. Code § 32.1-172. To accommodate alternate project delivery projects, ODW will issue a construction permit with conditions. This will allow ODW staff to review and approve preliminary plans so that construction can begin. The conditions will require ODW review and approval of final plans prior to completion of construction.

### **Alternate Project Delivery Construction Permitting Steps:**

1. Preliminary Engineering Conference between the field office and the design engineer to establish submittal requirements and procedures, including requirements for a PER, preliminary and final plans, specifications, meetings, permit issuance, field inspections, completion statements, etc. The field office staff will inform the design engineer that the field office may deny issuance of a construction permit if the proposal does not satisfy their concerns for maintaining adequate oversight, and that unapproved construction may require correction before the owner may place the project into service.
2. PER submitted by the design engineer and reviewed by ODW.
3. The field office must determine submittal requirements to ensure the project will meet applicable regulations prior to the post-PER Review Conference.
4. Post-PER Review Conference between the field office and the design engineer to establish the requirements of the preliminary, interim, and final submissions. The requirements for submission and approval of the preliminary plans, specifications, etc. must be identified and documented by the field office staff, because ODW will not receive the final documents prior to issuance of a construction permit. ODW requires the submission requirements to include, at a minimum: preliminary drawings (process flow schematic, site plan), draft specifications, and design calculations (design flows, loading rates for all units, hydraulic profiles), functional description of alarms controls and backup power, etc. The field office staff will remind the design engineer that the field office may deny issuance of a construction permit if the proposal does not satisfy their concerns for maintaining adequate oversight, and that unapproved construction may require correction before the project may be placed into service.
5. Submission and review of preliminary plans, specifications and design calculations by the design engineer. Preliminary documents may be 30% complete, 60% complete when submitted by the design engineer, or as agreed upon at the Post-PER Review Conference.

The field office should identify Design Exceptions during this step, if not sooner. A Professional Engineer shall seal the preliminary documents. To distinguish the preliminary from final documents, the design engineer may stamp “Preliminary” on the drawings, specifications, etc.

6. Issuance of construction permit with conditions. An example construction permit with conditions is in PM-C5-Attachment 6. Establish conditions that specify the following:
  - a. Construction must adhere to Part III of the Regulations, Manual of Practice for Waterworks Design.
  - b. Failure to comply with the Regulations will require corrections to achieve compliance with the Regulations, regardless of construction status.
  - c. At least 180 days (days may be adjusted as appropriate) prior to completion of construction, a complete set of final plans and specifications must be submitted to the field office for review and approval. The plans and specifications must be properly signed and sealed by a professional engineer licensed in Virginia.
  - d. Any deviations from the approved preliminary documents affecting capacity, hydraulic conditions, operating units, the functioning of the treatment processes, or the water quality delivered, must be approved by ODW before any such changes are made.
7. ODW staff must communicate with owner and design engineer throughout the construction process to minimize the risk of construction components not meeting the requirements in Part III of the Regulations. This may require the attendance at construction meetings, site visits, review of progress reports, or phone conferences.
8. Approval of Final Plans (ODW staff will modify PM-C4-Attachment 8 for Change Order approval and replace with “Final Plans and Specifications”, as appropriate).
9. Construction completed.
10. Receipt of Letter of Substantial Completion from the design engineer.
11. Final inspection by ODW staff, finished water quality testing, and sanitary survey (if necessary).
12. ODW approval letter authorizing the owner to place the constructed waterworks in service.

## **Appendix**

Attachments are located at: <\\odwsrv1\odwshare\13-Manuals\02-Permit Manual>

PM-C5-Attachment 1- Construction Permit

PM-C5-Attachment 2- Description Sheet of Proposed Construction

PM-C5-Attachment 3- Transmittal Checklist -Central Office Project Review

PM-C5-Attachment 4- Transmittal Checklist - Central Office Files

PM-C5-Attachment 5- Summary of Final Inspection

PM-C5-Attachment 6- Example Construction Permit with Conditions for Alternate Project Delivery

## **Chapter 6 - New or Nonconventional Methods, Processes, and Equipment**

ODW will issue a temporary operation permit (formerly provisional operation permit) upon completion of construction projects involving the evaluation and approval of new or nonconventional methods, processes and equipment. Field offices will coordinate all such proposals through the central office and track temporary operation permits and expiration dates in “R&R”. The process for evaluation and approval of new or nonconventional methods, processes and equipment is described in 12VAC5-590-290.

## **Chapter 7 - General Permit & Standard Specifications**

12VAC5-590-300 provides the basis for all approved local review and approval programs. By this two-step procedure, ODW delegates, by general permit, plan review authority involving water distribution mains to a waterworks owner, or their representative.

### **1. Procedure**

**STEP ONE:** The waterworks owner must first adopt, and then obtain ODW approval of General Specifications and Plan Details (Standards) covering all aspects of water distribution mains. The requirements of these specifications must be at least as stringent as the requirements in the current Regulations. A professional engineer licensed to practice in Virginia shall prepare these Standards<sup>1</sup>. Standard specifications are reviewed for conformance with applicable Regulations following a process similar to the process described in Chapter 5 for construction projects approved by the field office, except that the field office will not issue a construction permit but an approval letter if the project is determined to comply with the Regulations.

**STEP TWO:** The waterworks owner shall enter into a Memorandum of Understanding (MOU) with ODW outlining waterworks-specific provisions and the owner's method of compliance. The sample MOU in PM-C7-Attachment 1 provides typical language. These provisions, at a minimum, include the following:

1. The maximum size of pipe covered by the general permit. This applies only to distribution mains (as opposed to transmission mains). This has generally ranged from 12-inch to 16-inch diameter. See the definitions in the Regulations if you need further clarification.
2. Any modifications or amendments to the approved general specifications and plan details must be reviewed and approved by ODW prior to implementation. Optionally, language may be added describing the waterworks owner's procedures for modifying the general specifications and plan details, including ODW review and approval prior to implementation.
3. The waterworks owner must maintain adequate engineering staff (or retain a consultant) to conduct plan reviews. Adequate staff means at least one individual licensed as a Professional Engineer (PE) in Virginia with at least two years of experience in the design and construction of water distribution systems, or an individual with a governmental exemption. The PE must sign their approval on all projects processed under the general permit.
4. All individual projects serving 15 or more service connections or consisting of pipe greater than 8 inches in diameter shall have specific engineering plans and specifications prepared and approved under the general permit prior to construction. The general permit does NOT allow a waterworks owner to construct water distribution mains without project specific plans. Projects where the waterworks owner acts as both design engineer AND review engineer, are not allowed when review authority has been delegated from ODW to the

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<sup>1</sup> A June 2005 APELSCIDLA ruling clarified that Regional Construction Standards, meaning general standards and standard details do not need to be sealed by a professional engineer; however, project specific documents which incorporate, in whole or in any part thereof, and/or modify such standards are required to be sealed by a professional engineer.

owner. ODW will only grant exceptions when the waterworks provides documented proof to ODW of a clear separation of design and review responsibilities, i.e. different departments or divisions, etc.

5. The waterworks owner shall maintain current distribution system maps. Generally, ODW requires system map(s) of the waterworks to be updated at least annually. Records, including copies of all project documents and approvals must be available for ODW inspection.
6. The waterworks owner agrees to submit an annual report (PM-C7-Attachment 2) and project summary report (PM-C7-Attachment 3) of each project approved and/or constructed under the terms of the MOU and general permit. This would include any related or supporting documents deemed necessary.

Once Steps One and Two are successfully completed, a general permit for distribution mains may be issued with the MOU attached. The general permit template is included in PM-C7-Attachment

4. A template for the transmittal letter to the Waterworks' owner is given in PM-C7-Attachment
- 5.

## **2. Multiple Waterworks With Same Owner**

ODW may issue a general permit to an owner of multiple waterworks. In these cases, the general permit shall clearly define which systems are covered, either by listing specific systems or describing the geographical jurisdiction of the owner.

## **3. Field Office Jurisdiction**

If a waterworks' service area crosses ODW field office boundaries, the general permit shall be issued by the same field office that issued the waterworks' operation permit. Design standards shall be reviewed and approved by the permitting office. If a waterworks owner has multiple waterworks located in the jurisdiction of more than one field office, the field directors shall collectively determine which field office shall review and approve the general specifications and plan details and issue the general permit. A copy of the approved standards shall be provided by the waterworks to all other field offices affected by the general permit.

## **4. Reporting and Audit of Local Review Programs**

At a minimum of every 5 years, ODW staff will inspect the utility's program records and audit at least one set of plans. ODW staff will audit the program for conformance with the MOU. The template for the audit review is included in PM-C7-Attachment 6. ODW staff record audit dates in the general permit tracking log.

## **5. Expiration Date and Reissuance of General Permits**

Under previous policy, general permits expired after 5 years. Initial issuance of general permits must have a 5 year expiration date, however; reissuances may be extended to 10 years if the Local Review Program is in good standing. To grant the extended 10 year expiration, the ODW program audit must reveal complete compliance with the MOU. If the Regulations or consensus standards referenced by the Regulations (e.g., AWWA C900, AWWA C651, etc.) have been revised during the general permit period or since the standards were last updated, then the utility's standards must be reviewed and updated to comply with the Regulations and reference the most recent standards as it pertains to waterline extensions, prior to reissuance of the general permit.

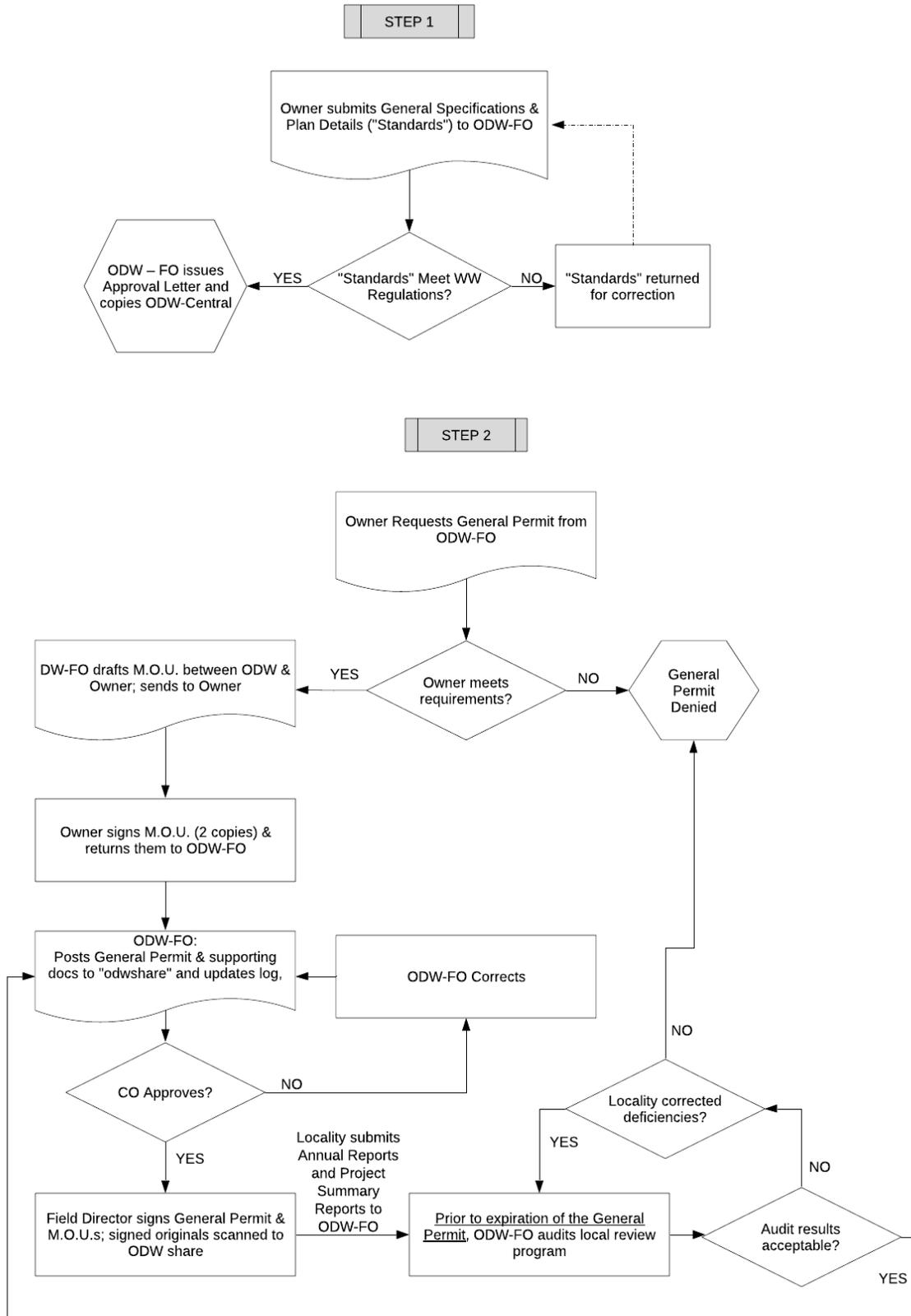
## **6. Processing and Tracking General Permits**

Each field office maintains a tracking log (Excel workbook) on “odwshare” of general permits and Standards that they have approved. Field directors/deputy directors will be responsible for updating this log for their respective field office’s worksheet tab.

General permits are assigned permit numbers in the same manner as described in Chapter 5, Section 5.1 for construction permits.

The field office will obtain the owner's signature on two copies of the MOU, and the field director will countersign both copies of the MOU. At this time, the field office will also upload electronic files of the general permit and supporting documents (MOU, audit, project summary form, annual report form, etc.) to “odwsare”, and update the tracking log’s “Processing Log” tab.

The central office will notify the field office when the central office has approved the general permit. The field director will then sign the general permit. The field office will update the tracking log, scan the general permit and the MOU, and upload to the “odwshare”. The field office will mail the general permit and one copy of the MOU to the waterworks.



Flow Chart. General Permit Issuance Process

## **Appendix**

Attachments are located at: <\\odwsrv1\odwshare\13-Manuals\02-Permit Manual>

PM-C7-Attachment 1- Memorandum of Understanding (M.O.U.) for General Permit

PM-C7-Attachment 2- General Permit - Annual Report

PM-C7-Attachment 3- General Permit - Project Summary Report

PM-C7-Attachment 4- General Permit for Distribution Mains

PM-C7-Attachment 5- General Permit Transmittal Letter

PM-C7-Attachment 6- General Permit & Local Review Program Audit Review

## Chapter 8 - Operation Permit

### 1. General

Va. Code § 32.1-172 and 12VAC5-590-190 require all waterworks or water supplies in Virginia to be operated under the authorization of a permit issued by the Commissioner to the owner. The Commissioner has delegated the authority to review and issue the permit to the Office of Drinking Water and has delegated signature authority to the field office director.

ODW may issue operation permits for newly constructed waterworks and previously un-permitted waterworks that have been located and identified as meeting the definition of a “waterworks.” Under specified circumstances, ODW may also amend operation permits.

ODW issues an operation permit to the owner of the waterworks or water supply. “Owner” is defined as an individual, group of individuals, partnership, firm, association, institution, corporation, governmental entity, or the federal government, that supplies or proposes to supply water to any person within [the] Commonwealth from or by means of any waterworks.” Va. Code § 32.1-167 and 12VAC5-590-10.

ODW understands “Owner” to mean the entity that owns the property where the water supply is located and who owns and may operate the water treatment plant, its major appurtenances, and the distribution system. In the case of some TNC or NTNC waterworks, a property owner (the “lessor”) may lease the property where the waterworks is located to another entity (the “lessee”) who uses the property, including the waterworks, for some reason such as operating a business. For purposes of the operation permit, the waterworks “owner” will be the property owner (the lessor) and should be the permittee. For example, John Deer owns property, which contains a well that is used to supply water to a building on the property. There is only one service connection, to the building, and water from the well is used for a restaurant with 10 employees that typically serves 100 customers a day, 5 days a week. A pump, sampling ports, water softener, and chlorinator are inside the building, along with sinks, restroom facilities, and dishwashers. The company known as Jill’s Restaurant leases the building and operates the restaurant. ODW should issue the operation permit to John Deer, not Jill’s Restaurant, because John Deer owns the waterworks.

In very limited circumstances, it is permissible to issue the permit to an entity other than the property owner, if there is a contractual agreement that assigns sufficient access, control, and responsibility over operation of the waterworks to that entity. This shifting of responsibility is common in a triple net lease.<sup>1</sup> ODW shall not provide legal advice to any party to the agreement,

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<sup>1</sup> A triple net lease (triple-Net or NNN) is a lease agreement on a property whereby the tenant or lessee promises to pay all the expenses of the property including real estate taxes, building insurance, and maintenance. These payments are in addition to the fees for rent and utilities. Taxes, insurance, building maintenance, and sometimes utilities are typically the responsibility of the landlord in the absence of a triple, double, or single net lease.

but should look for the following features in the agreement to identify the “owner” of the waterworks for purposes of the operation permit:

1. Address issues of access to all parts of the waterworks
2. Identify the infrastructure (physical elements of the waterworks)
3. Assign responsibility for operation, maintenance, repair, and replacement of waterworks components
4. Assign responsibility for compliance with the Regulations
5. Identify the duration of the agreement.

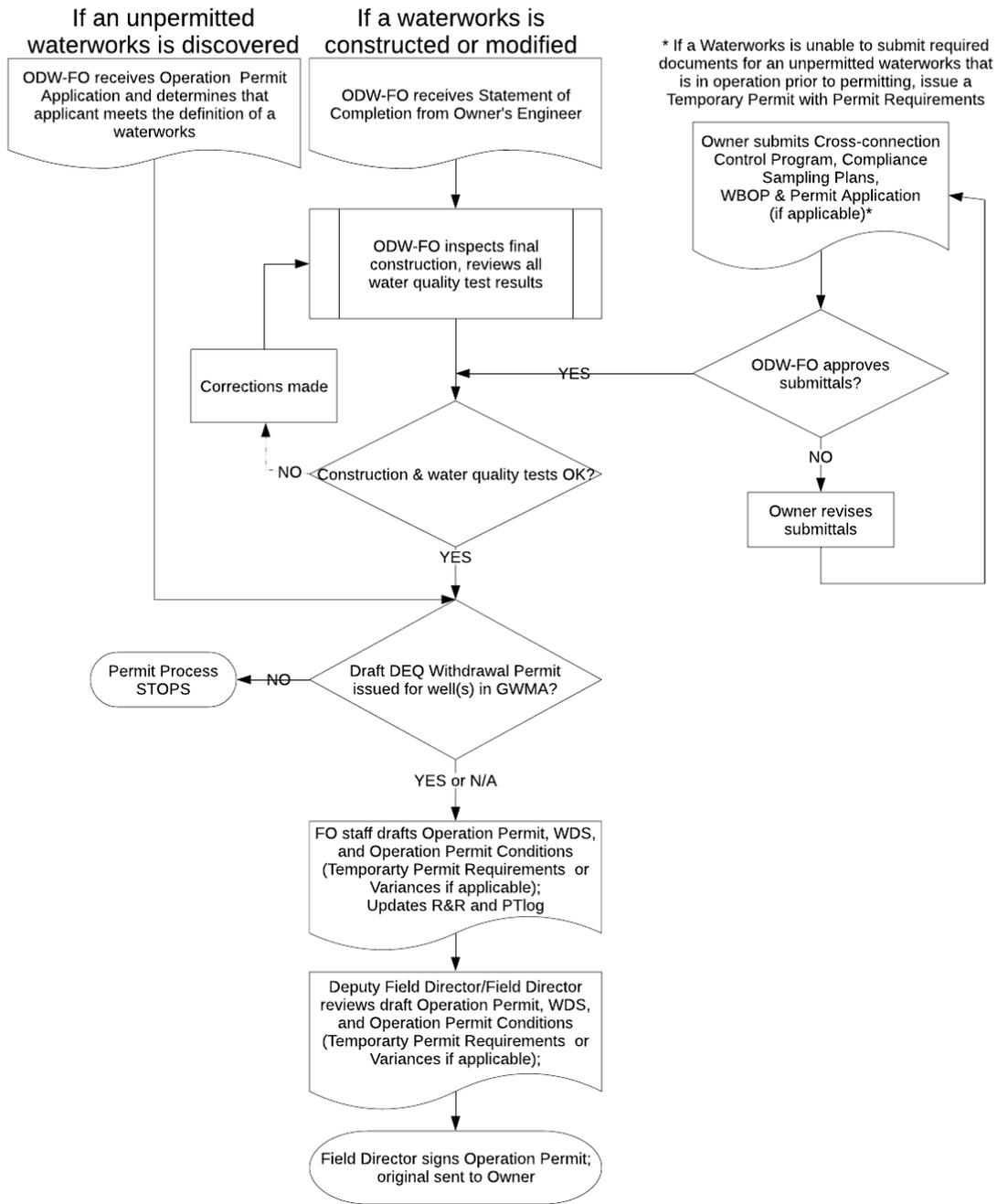
Direct questions of lease interpretation to the central office, through either the Field Services Engineer or the Policy and Program Director.

ODW issues two types of operation permits as listed in Chapter 1, Section 3 of this manual: standard and temporary. Templates for each type of operation permit are available in PM-C8-Attachment 1 and PM-C8-Attachment 2, respectively.

ODW normally issues an owner an operation permit, which consists of a permit plus operation permit conditions. The conditions generally include minimum operator license requirements; treatment technique requirements (if any); operation, monitoring and reporting requirements; and the waterworks’ permitted capacity. The format and content of the operation permit conditions are available in PM-C8-Attachment 3.

Va. Code § 32.1-172 E also authorizes the Commissioner, who has delegated authority to the field director, to issue a temporary permit if a waterworks is not in compliance with all the requirements in the Regulations, as long as, operation of the waterworks will not jeopardize public health. The temporary permit will have operation permit conditions like an operation permit, a set expiration date, and appropriate requirements, “temporary operation permit requirements,” for the owner to achieve compliance with the Regulations. See PM-C8-Attachment 4.

Standard operation permits will NOT be issued conditionally (*i.e.*, an action is required prior to the permit becoming effective, such as the drilling of a new well, or testing a pump to determine/verify capacity). ODW issues a temporary operation permit, with temporary permit requirements, to address the actions required, including provisions of permit application submittals.



*Flow Chart. Operation Permit Issuance Process*

## **2. Operation Permit Processing and Routing**

The district engineer is responsible for the overseeing all waterworks permitting activity within the district. The district engineer will prepare or supervise the preparation of a permit and necessary documents for each waterworks within the district, and conduct all investigations necessary to ensure that the permit is accurate. The deputy field director shall provide a technical review of the operation permit and all attachments before forwarding to the field director.

The field director is responsible for all aspects of the permit program within the field office region. The field director reviews the permit and associated documents. The procedure for processing operation permits shall be similar to that for construction permits:

1. The deputy field directory shall complete a technical review of the operation permit and all attachments.
2. Field office administrative staff will print the document. The field director will complete a final review of the documents and sign the approved operation permit (and variance).
3. The field office will scan the signed permit documents and upload to “odwshare” The district engineer prepares a transmittal letter from the template in PM-C8-Attachment 6, and mails the permit and attachments to the owner. The transmittal letter template contains sample paragraphs that may be included for the following circumstances:
  - a. Permit is an amended permit;
  - b. Waterworks is “grandparented”<sup>1</sup> (serves to notify the owner that the “grandparented” status may be terminated by expansion, modification, change of use, failure to maintain reliability, or future sale);
  - c. Temporary permit is being issued with temporary permit requirements attached (described in Section 8.11 of this memo);
  - d. Operation permit conditions are attached;
  - e. Variance is included;
  - f. Waterworks has been, or will be, issued a draft or final Withdrawal Permit by DEQ.

## **3. Enforcement Issues and Insufficient Data for Capacity Determination**

Before issuing or amending an operation permit for a waterworks that has a history of non-compliance, enforcement issues, or reliability problems, the field director should consult with the Division of Technical Services regarding the most effective way to ensure a safe, adequate drinking water supply and which permit type, Standard or Temporary, is appropriate. The field director should also contact the Division of Compliance and Enforcement to determine if enforcement action is appropriate.

Where insufficient data is available to establish hydraulic capacity, but the field office has made a decision to issue the permit for the existing services, then “existing” should appear in the WDS, operation permit conditions, and operation permit. By example,

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<sup>1</sup> ODW may apply a “grandparented” status to existed facilities permitted by ODW due to changes in ODW policy. This “grandparented” status may exempt the waterworks from certain design requirements of the Regulations as determined by the field office.

1. TNC waterworks permit with capacity stated: “One existing structure with 80 existing restaurant seats”
2. NTNC waterworks permit with capacity stated: “existing service up to 950 students and staff”.

#### **4. Format**

Field offices maintain the standard operation permit appearance (layout, fonts, line spacing, etc.) in all permits. Staff follow the guidelines below:

1. Only use general references to the Va. Code and Regulations in the operation permit, as shown in the templates.
2. Designate waterworks class and operator class in Arabic numerals, or note as “unclassified”. Refer to the Regulations and ODW guidance for more information on this determination.
3. Designate NTNC and TNC status without hyphens or slashes.
4. Do not include “VA” in the permit number.
5. Do not use underlines in the fill in portions of the permit, except for an underline for the Director’s signature.
6. If a city is the owner, then issue to “City of...”, For a town, use “Town of...”. Do not include the County name for cities and towns.
7. If the “name of the service area” is subject to change because the tenant is not the property owner (as is the case with some TNC waterworks), substitute a property address and/or description for a proprietary name.

## 5. Operation Permit Number

Field offices will assign and maintain all permit numbers using the PWS identification number as the operation permit number. This is a seven-digit number as follows:

### Digits 1 – 4: Locality Code

CODE	COUNTY/CITY	CODE	COUNTY/CITY	CODE	COUNTY/CITY
3001	Accomack	6630	Fredericksburg	5135	Nottoway
2003	Albemarle	1640	Galax	6137	Orange
6510	Alexandria	1071	Giles	2139	Page
2005	Alleghany	4073	Gloucester	5141	Patrick
5007	Amelia	4075	Goochland	3730	Petersburg
5009	Amherst	1077	Grayson	5143	Pittsylvania
5011	Appomattox	2079	Greene	3740	Portsmouth
6013	Arlington	3081	Greensville	4145	Powhatan
2015	Augusta	5083	Halifax	5147	Prince Edward
2017	Bath	3650	Hampton	3149	Prince George
5019	Bedford County	4085	Hanover	6153	Prince William
1021	Bland	2660	Harrisonburg	1155	Pulaski
2023	Botetourt	4087	Henrico	1750	Radford
1520	Bristol	5089	Henry	6157	Rappahannock
5025	Brunswick	2091	Highland	4760	Richmond City
1027	Buchanan	3670	Hopewell	4159	Richmond County
5029	Buckingham	3093	Isle Of Wight	2770	Roanoke City
2530	Buena Vista City	3095	James City	2161	Roanoke County
5031	Campbell	4097	King And Queen	2163	Rockbridge
6033	Caroline	6099	King George	2165	Rockingham
1035	Carroll	4101	King William	1167	Russell
4036	Charles City	4103	Lancaster	2775	Salem
5037	Charlotte	1105	Lee	1169	Scott
2540	Charlottesville	2678	Lexington	2171	Shenandoah
3550	Chesapeake	6107	Loudoun	1173	Smyth
4041	Chesterfield	2109	Louisa	3175	Southampton
2043	Clarke	5111	Lunenburg	6177	Spotsylvania
3570	Colonial Heights	5680	Lynchburg	6179	Stafford
2580	Covington	6113	Madison	2790	Staunton
2045	Craig	6685	Manassas	3800	Suffolk
6047	Culpeper	6687	Manassas Park	3181	Surry
5049	Cumberland	5690	Martinsville	3183	Sussex
5590	Danville	4115	Mathews	1185	Tazewell
1051	Dickenson	5117	Mecklenburg	3810	Virginia Beach
3053	Dinwiddie	4119	Middlesex	2187	Warren
3595	Emporia	1121	Montgomery	1191	Washington
4057	Essex	2125	Nelson	2820	Waynesboro
6059	Fairfax County	4127	New Kent	4193	Westmoreland
6061	Fauquier	3700	Newport News	3830	Williamsburg
1063	Floyd	3710	Norfolk	2840	Winchester
2065	Fluvanna	3131	Northampton	1195	Wise
3620	Franklin City	4133	Northumberland	1197	Wythe
5067	Franklin County	1720	Norton	3199	York
2069	Frederick				

## Digits 5 – 7: Sequence Number

The sequence number ranges from 000 through 999. This system will accommodate 1,000 waterworks in each city or county. Previously assigned numbers maintain an alphabetical series for each city and county. Field offices assign new waterworks a sequence number based on the alphabetical name, using a number halfway between two existing numbers in the alphabetical order.

Waterworks that have been inactivated, and become active with or without a change in ownership, name or waterworks classification, shall retain the previously issued PWSID and operation permit number.

## **6. Operation Permit Conditions**

Operation permits will contain an attachment titled “Operation Permit Conditions.” A Template for this form is in PM-C8-Attachment 3.

The operation permit conditions highlight regulatory requirements that are applicable to the specific waterworks. They will include a capacity evaluation that itemizes source, treatment, storage and delivery capacities, and the waterworks overall permitted capacity. Field offices must specify *all treatment* in the operation permit conditions, including treatment that was voluntarily added by the waterworks owner. Staff will provide in-depth descriptions of the waterworks, *i.e.*, treatment unit details, distribution system details, and capacity calculations, in a separate Waterworks Description Sheet (see Section 8.6).

The operation permit conditions will contain operator and attendance requirements for the waterworks, and all federal treatment technique requirements. This could include:

1. Specific log inactivation requirements (Surface Water Treatment Rule, LT2 Rule, and the Groundwater Rule);
2. Turbidity removal requirements (Surface Water Treatment Rule)
3. Water quality parameters (Lead & Copper Rule).
4. Corrosion Control (treatment technique required by Lead & Copper Rule)
5. Disinfection (log inactivation treatment technique)

The operation permit conditions may also include additional operation, monitoring and reporting requirements for specific treatment processes, such as UV disinfection and membrane filtration.

## **7. Waterworks Description Sheet**

Field offices will write a Waterworks Description Sheet (WDS) for each waterworks using the template in PM-C8-Attachment 5. The WDS will provide important system information, including a description of the entire waterworks, all treatment processes, and a detailed capacity evaluation as described in the examples provided in Chapter 9.

The WDS is not an attachment to the operation permit, but rather a stand-alone document. The field office will keep the WDS up-to-date. The field office may issue an updated WDS to the waterworks owner without issuing an updated operation permit. Field offices must issue a new or updated WDS with any new or updated operation permit.

The WDS will include the effective date of the current operation permit. Historical operation permit numbers and issuance dates should be included on all newly written WDSs, to clarify ownership, name, or classification changes, or to describe inactive periods. This information may also be included on updated WDSs.

Formatting and content of the “Description of the Waterworks” is at the discretion of the field office, but the following components should be included:

1. A description of the service population used to determine waterworks type (community, TNC, or NTNC). Pertinent data may include:
  - a. Business type
  - b. Number customers served daily
  - c. Number of employees
  - d. Number year round residents
  - e. Days/weeks/months of operation
  - f. Hours per day of operation (needed for the TNC vs NTNC determination)
  - g. Population served
  - h. Number of service connections
2. Adequate information to support the capacity evaluation, including relevant dimensions and capacities of treatment units, pumps, and storage or pressure tanks.
3. Specific automated control settings that must remain in place for the waterworks to work properly or remain in compliance with regulations, such as booster pump initiation or low suction pressure cutoff settings.

Chapter 9 of this manual provides details on the capacity evaluation required in each WDS.

If a Groundwater Withdrawal Permit has been or will be issued by DEQ, then ODW staff will include a section in the WDS entitled “Other Permits.” Use the following language for the section:

“The Department of Environmental Quality has (drafted) (issued) a Groundwater Withdrawal Permit (No. -XXX) to this waterworks.”

Include the permitted withdrawal values, typically a maximum annual and a maximum monthly quantity. ODW does not limit waterworks permit capacity to permitted withdrawal values.

Add the following language to “Other Permits”:

“Compliance with the conditions and requirements of the Groundwater Withdrawal Permit shall not limit the authority of the Virginia Department of Health to assign capacity to the waterworks, based on the evaluation as follows.”

If located in a Groundwater Management Area, but DEQ has not issued a groundwater withdrawal permit, note this information using the following language:

“This waterworks is located in the (*Eastern Shore / Eastern Virginia*) Groundwater Management Area. However, a groundwater withdrawal permit is not required by the Department of Environmental Quality at this time. A groundwater withdrawal permit may be required for this waterworks in the future.

## **8. Wholesale and Consecutive Waterworks**

"Wholesale waterworks" means a waterworks that treats source water as necessary to produce finished water and then delivers some or all of that finished water to another waterworks. Delivery may be through a direct connection or through the distribution system of one or more consecutive waterworks. 12VAC5-590-10.

"Consecutive waterworks" means a waterworks that has no water production or source facility of its own and that obtains all of its water from another permitted waterworks or receives some or all of its finished water from one or more wholesale waterworks. Delivery may be through a direct connection or through the distribution system of one or more consecutive waterworks. 12VAC5-590-10.

The sum of the storage on both the wholesale and consecutive waterworks should be adequate for the sum of the water demand, as demonstrated by computations and/or hydraulic modeling. Consecutive waterworks are NOT required to have separate storage when storage is adequately provided for by the wholesale waterworks, and can be reliably delivered by the wholesale waterworks. ODW staff will identify an allocation of both source and storage capacity between the wholesale waterworks and consecutive waterworks in the WDS of the wholesale waterworks and tabulate this allocation in the table under Waterworks Capacity.

As part of the process to evaluate and issue an operation permit, the district engineer will identify and obtain a copy of any contractual agreements and limitations on water transfer between each wholesale and consecutive waterworks. ODW will encourage all consecutive waterworks to obtain firm gallons-per-day contracts, so that their growth will not be limited by another waterworks' service area growth. ODW will also encourage all consecutive waterworks to obtain firm water quality standards in their purchase contracts, particularly for disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors. Allocations of source (production) capacity and storage should be defined in the contractual agreement between the wholesale and consecutive waterworks. When a contract with a firm capacity is not available, field staff will consult DTS to determine how to set the permitted capacity of the waterworks.

Permitting of consecutive waterworks shall follow these procedures:

1. Identify point(s) of water transfer. Identify and obtain a copy of any contractual limitations on water transfer.
2. Identify any physical or design limitation on water transfer (for example, a pump station may establish the capacity at a particular connection).
3. Identify water transfer limitations due to wholesale source capacity and wholesale system water use (the sum of the parts  $\leq$  the whole).
4. The permitted capacity of the consecutive waterworks shall be the lowest identified capacity limitation.

In cases where a waterworks does not have a contractual or written agreement (or the contract does not stipulate a quantity), but on-going receipt of water can be demonstrated, the historical water usage shall be used as a basis for allocating waterworks capacity. ODW recommends the maximum monthly consumption over a period of at least 2 years as a capacity value.

If the field office issues a temporary operation permit for the consecutive waterworks (purchaser), the expiration date of the permit shall not extend beyond and the term specified in the purchase contract.

The field office will verify the applicable Combined Distribution System schematic, and provide any revisions to the field services engineer. Combined Distribution System schematics are located at [odwsrv1\odwshare\06-Technical Resources\635-Combined Distribution Systems](#)

## **9. Variances**

Variances, when granted by ODW, are usually issued with an operation permit. They may be issued by ODW separately, without amending an existing permit. Variances only apply to Part II of the Regulations.

ODW sometimes grants variances for the following:

1. Operator personnel, 12VAC5-590-460 B
2. Metering of total water production, 12VAC5-590-520 B

ODW may issue waterworks a temporary operation permit when additional measures are required to meet a Primary Maximum Contaminant Level or Treatment Technique requirement. Variances and Exemptions are allowed in the Regulations for this purpose, but should rarely be issued by ODW. Variances to a Secondary Maximum Contaminant Level are also permitted in the Regulations, but are generally not issued by ODW.

Current policy allows TNC waterworks producing less than 10,000 gpd to request a metering variance, which remains in effect, as long as water production remains below 10,000 gpd and the waterworks does not provide treatment. Field offices estimate the water production / consumption in the WDS Capacity Evaluation, in order to justify the variance. However, ODW encourages all waterworks to install and use meters.

A waterworks owner may apply in writing for a variance as specified in 12VAC5-590-140 B. The application must meet these requirements. PM-C8-Attachment 14 documents the required information for an owner to apply for a metering variance.

The variance format is provided in PM-C8-Attachment 7. The variance should clearly and completely specify deviations from the regulatory requirements that are being granted. An expiration date, other appropriate conditions, and information to support the variance request may also be included as necessary.

## **10. Amended Permits**

Va. Code § 32.1-173 and 12VAC5-590-310 allow the Commissioner to amend an operation permit for an existing waterworks when there is a change in the manner of storage, the treatment, or the source of supply of the water at a permitted location. Examples of these changes may include:

1. Certain changes to the storage or distribution systems;<sup>1</sup>
2. Changes to the treatment process or equipment;<sup>2</sup>
3. Changes in waterworks capacity specified in the permit; and
4. Issuance of variances, temporary permit requirements, or operation permit conditions.

In addition, Va. Code § 32.1-173 states that the Commissioner may amend a permit whenever he determines that the existing permit is no longer valid. An operation permit is not valid when, for example, there are:

1. Changes in the waterworks name, ownership, classification, or type;
2. Reactivation of a previously permitted waterworks (with or without changes in name, ownership, or system type); and
3. Errors in the permit.

Unless the owner requests the amendment, ODW is required to provide the owner notice and, if requested, an opportunity to participate in an informal fact-finding proceeding and/or formal hearing before amending the permit. The purpose of the informal proceeding and/or formal hearing is for ODW to establish the fact basis for the decision to amend the permit and for the owner to have an opportunity to present facts and evidence for the agency to consider in making its decision. Virginia's Administrative Process Act defines the agency decision as a "case decision." See Va. Code §§ 2.2-4001 and 2.2-4019. Compliance and Enforcement Division staff can provide assistance with an informal fact-finding proceeding.

### **10.1. Notification**

The district engineer shall inform the owner that ODW intends to amend the waterworks operation permit BEFORE the field office issues the amended permit. This notification shall be by written letter, sent by First Class U.S. Mail, and the district engineer may supplement this letter by an email, meeting, or conversation with the owner. When the permit amendment is a unilateral decision made by ODW (*i.e.*, the owner did not request to amend the operating permit or apply for a construction permit) and amending the permit will affect the owner's existing rights (*e.g.* reduce capacity of the waterworks, which will reduce the owner's right to serve customers), the field office will send the notification letter by certified mail, return receipt requested.

The district engineer will state in the letter to the owner that ODW intends to amend the operation permit and provide the specific reason(s) for the amendment. The notice will also contain a request that the owner notify ODW in writing if they object to the amendment of the permit. The district engineer will use the letter template in PM-C8-Attachment 8, Notice of Intent to Amend Permit. If the owner objects to ODW's proposed permit amendment, they are entitled to and may request that ODW make a case decision regarding the requirement to amend the permit. At this point, ODW can decide not to amend the permit and inform the owner that the current operation permit

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<sup>1</sup> Distribution system storage, pumping, or water line extensions that have no impact on permitted capacity do not require a permit amendment.

<sup>2</sup> Changes to treatment processes or equipment that have no impact on permitted capacity or Operation Permit Conditions do not require a permit amendment.

remains in effect. Alternatively, if ODW still intends to amend the permit, the owner is entitled to have ODW conduct an informal fact-finding proceeding, in accordance with Va. Code § 2.2-4019, or both sides may agree to waive informal proceedings and go directly to a formal hearing. See Va. Code § 2.2-4020. In any situation where an owner requests that ODW make a case decision, the field director must refer the case to the Compliance and Enforcement Division in the central office.

If the certified mail is returned undelivered, then the district engineer should make additional efforts to contact the owner in person or by email or telephone. If these attempts are unsuccessful, then the district engineer will document the attempts to reach the owner and, after at least 15 business days, proceed to issue the amended permit.

## **10.2. Procedures**

Field offices will follow the procedures below when amending a permit:

1. Retain existing permit number
2. Modify effective date of permit
3. Modify date of operation permit conditions
4. Update the WDS operation permit history

The operation permit checklist should include a brief explanation for the permit amendment in the “Comments” section of the Transmittal Checklist (PM-C8-Attachment 9).

Field offices will send a copy of the amended permit to all entities (local governments, etc.) that received a copy of the original permit from ODW. The district engineer will use the template transmittal letter provided in PM-C8-Attachment 6, including an explanation that the amended permit replaces and nullifies the original, and directs the owner to destroy the original permit immediately.

## **10.3. Change in Ownership**

Prior to the Version 4.0 of the Permit Manual, the ODW procedure was to revoke the existing operation permit and issue a new operation permit. Beginning with Version 4.0, ODW will amend the operation permit based on the Commissioner’s ability to amend any permit, on his own motion, whenever he determines that the existing permit is no longer valid. *See* Va. Code § 32.1-173 B.

When the field office becomes aware of a proposed or actual change in ownership, the district engineer will attempt to contact the new waterworks owner to explain that ODW intends to amend the operation permit and follow the procedures outlined above to notify the former and new owner of the amendment using the letters provided in PM-C8-Attachment 13. Field offices will send the letters to both the former owner and the new owner of the waterworks.

In the event that a new owner is informed about the requirement to amend the operation permit to reflect the change in ownership and fails or refuses to accept responsibility for the waterworks by obtaining an operation permit, the district engineer or field director should consult with Compliance and Enforcement Division staff in the central office about enforcement options.

#### 10.4. Existing Operation Permits That Are No Longer Valid

Prior to Version 4.0 of the Permit Manual, the ODW procedure for water systems that served a fewer than 15 service connections and 25 individuals for at least 60 days out of the year, such that it appeared that they no longer met the definition of a waterworks, was to revoke the existing operation permit. Beginning with Version 4.0, rather than revoking an operation for a water system that no longer meets the definition of a "waterworks," ODW will utilize the authority provided by Va. Code § 32.1-173 B to invalidate the permit. Va. Code § 32.1-173 B states that "The Commissioner may on his own motion, amend any permit whenever he determines that: ... the existing permit is no longer valid."

The procedure for invalidation of an existing permit is as follows:

1. Owner notifies ODW field office - If a waterworks owner believes that their system does not meet the definition of a "waterworks," it is their responsibility to provide sufficient information and records for ODW, acting under delegated authority from the Commissioner, to determine whether the operation permit for that waterworks is still valid.
2. Field office evaluation - The ODW field office will evaluate the justification and records provided by the owner.
  - a. The field office will review the guidance provided by Working Memo 896 and determine if the justification provided by the owner suggests that the system may not be a waterworks. If the field office determines that the system is a waterworks based on the guidance found in Working Memo 896, field office staff will notify the owner and will not proceed with permit invalidation. Note that the owner may request an informal fact finding proceeding and a case decision if they do not agree with the decision not to take any action on the permit.
  - b. The field office will determine if records provided by the owner thoroughly support the owner's justification. Claims made by the owner about the service population, water system configuration, or other criteria used to evaluate whether the system meets the definition of a "waterworks" will not be considered unless supported by records, such as business ledgers, sales receipts, or photographs.
3. Site visit - Field office staff will perform a site visit to confirm information provided by the owner, such as closure of the facility, the number of seats in a restaurant, or physical separation of the water system. Field office staff may also review physical copies of documents emailed to the field office during the site visit. Field offices may perform this site visit unannounced.
4. Sister agency notification - Field office staff will notify any other state agency regulating the facility to confirm ODW's proposed permit invalidation aligns with other permits and programs (e.g., local building official, local zoning, local health department (restaurant permit, campground permit, hotel permit, etc.), Virginia Department of Agriculture and Consumer Affairs (VDACS, food permit), Virginia Department of Social Services (child day program), Virginia Department of Education (schools), VDH's Office of Environmental Health Services, etc.). If information the owner provides to ODW disagrees with information obtained from other agencies, ODW will not proceed with invalidation of the permit without resolving the discrepancies.
5. Central Office review –

- a. When the field office has collected adequate information such that the field director is assured that the water system does not meet the definition of a waterworks, the field director will email a summary of the situation and copies of the documentation compiled to the Field Services Engineer and the Director of the Division of Technical Services. This email will explain how the field office determined that the system does not meet the definition of a “waterworks”.
  - b. If the Field Services Engineer and the Director of the Division of Technical Services concur with the field director’s assessment, they will present this information to the ODW Office Director.
  - c. If the ODW Office Director concurs, the Field Services Engineer will inform the field director that the field office may inform the owner that the operation permit is no longer valid because the water system is not a waterworks.
6. Owner notification – If the ODW Office Director agrees that the permit is no longer valid, field office staff will utilize attachment PM-C8-Attachment 17- Operation Permit No Longer Valid to notify the owner. If the owner does not agree with ODW’ decision (i.e., the waterworks permit is no longer valid), they may request an informal fact-finding proceeding.

### **11. Temporary Permits**

A temporary operation permit allows additional time for the waterworks to achieve required reliability or performance standards, collect additional data, and perform tests and/or determinations to establish hydraulic capacity. ODW describes these requirements to achieve compliance in temporary permit requirements.

The ODW field office may issue a temporary operation permit for the following circumstances:

1. Upon expiration or modification of an existing water purchase contract, where a new agreement includes a termination date which is less than 5 years from the operation permit issuance date (otherwise issue a standard permit);
2. When an enforcement action (Consent or Special Order) requires specific studies or improvements;
3. When existing source(s) have shown declining yield over time, as documented by sanitary surveys and monthly operation reports. Groundwater wells would require a yield and drawdown test; other sources may require special studies and evaluations;
4. Following construction of water treatment methods, processes, or equipment which are not covered by the design criteria in Part III of the Regulations, and which in principle and/or application are new or non-conventional. A temporary operation permit allows additional time for testing and evaluation of the treatment method, process, or equipment to establish confidence the waterworks will operate as proposed. (This was formerly addressed as a provisional permit);
5. When a standard operation permit has not been issued, and the owner has failed to submit in a timely manner the required documentation for issuance of a standard operation permit.

Such required documentation *may include* the WBOP<sup>1</sup>, Cross Connection Control Plan, Operation Permit Application, Bacteriological Sample Siting Plan, well lot plat, etc.;

6. When permitting existing but newly-discovered or reclassified waterworks having groundwater sources without complete water quality test results, and is operating without a permit. Examples of activities that could be completed by a waterworks owner under this scenario include:
  - a. Initial compliance chemical sampling such as nitrate/nitrite, unpreserved nitrite, inorganics, metals, volatile organic chemicals (VOCs), and cyanide;
  - b. Lead and copper tap sampling;
  - c. Raw water sampling (or distribution sampling if no treatment is provided and substitution is allowed) to support a GUDI evaluation. Normally, at least ten monthly samples are required. The district engineer may adjust the sampling frequency;
  - d. Completion and submittal of sampling plans for bacteriological, or disinfectants/disinfection byproduct sampling;
  - e. Completion and submittal of lead and copper materials survey and cross connection control plan;
  - f. Completion and submittal of a Waterworks Business Operations Plan; and
  - g. Completion and submittal of a signed agreement with a licensed waterworks operator.

If a waterworks does not meet the requirements of the Temporary Operation Permit, then enforcement action may be necessary.

Place a “T” at the end of the permit number, and include an expiration date below the effective (issue) date. The expiration date will depend on the reason for issuance, and the date determination will be documented by the field office. Generally, a Temporary Permit shall expire in 12 – 18 months and should not extend more than 24 months. However, the field office may consider longer Temporary Permit durations in special cases, for example, three years, to allow re-evaluation of the yield of wells or springs.

Field office staff will track Temporary Operation Permit issuance and expiration dates in R&R.

The field office should issue a Standard Operation Permit before the Temporary Permit expires if the Temporary Operation Permit Requirements have been completed. The Temporary Permit expiration date should be at least one month later than the deadline for the final temporary permit requirement to allow time to issue a Standard Permit before the Temporary Permit expires. This one-month period will also allow the field office time to review sample results, approve sampling plans, and complete GUDI evaluations in advance of issuing a Standard Permit.

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<sup>1</sup> SPECIAL NOTE: ODW will not issue a temporary permit to an owner of a “for-profit” TNC or NTNC waterworks solely because a WBOP has not been submitted. In these cases, a standard permit will be issued and the field office will inform the waterworks owner of the requirement to submit a WBOP.

Field office staff track completion of temporary permit requirements utilizing SDWIS compliance schedules. See the ODW SDWIS Users Manual for detailed instructions. If the owner fails to meet a deadline or complete actions required to meet a deadline, field office staff should remind the owner of the requirements, encourage completion of the requirements, and notify the Division of Compliance and Enforcement. If temporary permit expires and the requirements have not been completed, field office staff will:

1. Contact the owner to establish a schedule for completion.
2. Assist the owner, to the extent possible, with completion.
3. Confer with the Division of Compliance/Enforcement to determine next steps.
4. Issue a NOV for operation without an Operation Permit.

Reissuance of Temporary Operation Permits when the owner has failed to complete the required temporary permit requirements is considered by ODW on a case-by-case basis considering the following:

1. Owner must have a reasonable explanation for not meeting the requirements of the previous Temporary Operation Permit and the field office staff must concur.
2. Field office staff must be reasonably confident that that the owner will complete the requirements of the new Temporary Operation Permit within the revised timeframe.
3. Owner has another VDH operation permit, e.g., food permit, campground permit, or marina permit, that could possibly be revoked or not renewed by the local health department.
4. ODW has confirmed the local health department is willing to work with ODW to compel compliance through their permit revocation process.
5. Compliance and Enforcement Division staff must concur with this approach.

Field office staff will generally utilize the template found in PM-C8-Attachment 2- Temporary Operation Permit for temporary permits. In cases where the owner of a TNC waterworks requests an expedited permit, field staff may use the short form found in PM-C8-Attachment 16- Short Temp Permit for TNCs.

After approval by the field director, field offices will route temporary permits through the compliance specialist to enter the temporary permit requirements into SDWIS, and notify Capacity Development Division staff if a WBOP is required.

## **12. Permit Revocation**

ODW may revoke a permit pursuant to Va. Code § 32.1-174 when the Commissioner determines that:

1. The waterworks can no longer be depended upon to furnish pure water;
2. The capacity of the waterworks is inadequate for the purpose of furnishing pure water;
3. The owner has failed to abide by an order issued by the Commissioner;
4. The owner has abandoned the waterworks and discontinued supplying pure water; or
5. The owner has failed to pay the waterworks operation fee required by § 32.1-171.1.

ODW previously revoked permits because of changes in ownership, replacing a standard permit with a temporary permit, and determination that a water system does not meet the definition of a waterworks. In the case of changes in ownership or replacing a standard permit with a temporary

permit, ODW will issue an amended permit. The procedures for changes in ownership are in Chapter 8, Section 10.3. Change in Ownership. If ODW determines that a water system does not meet the definition of a waterworks, ODW will determine the permit to not be valid as described in Chapter 8, Section 10.4.

The field office will evaluate justification for revocation on a case-by-case basis with input from the enforcement staff. In some situations, the field office may need to pursue permit revocation through the enforcement process.

When the owner (i.e., the permit holder) is initiating the revocation, they may request permit revocation in writing, stating the reason for the permit revocation; and if applicable, should specify in the request that a hearing is not required. Field office staff then prepare a letter revoking the permit for the field director's signature.

When ODW is initiating the revocation, the district engineer, with concurrence of the field director, will send a notice by certified mail, return receipt requested, to the permit holder stating that it is ODW's intention to revoke the permit and the reason for the revocation. The notice shall also contain a request that the permit holder notify ODW in writing that they do or do not object to the revocation of the permit. Use the letters given in PM-C8-Attachment 10 (Notice of Intent to Revoke Permit) and PM-C8-Attachment 11 (Operation Permit Revocation).

Two courses of action may be followed, depending on receipt of the certified mail:

1. If the certified mail is returned undelivered, the district engineer should make every effort to contact the owner in person, or by telephone or email. If the attempts are unsuccessful, then the district engineer, with concurrence from the field director, will prepare a letter of revocation for the field director's signature. The field office will mail the letter, signed by the field director, to the owner at the last known address by certified mail, return receipt required. If the letter is returned undelivered, the field office will retain the letter in the correspondence file as evidence of notification, and will serve as authorization to revoke the permit.
2. If the owner notifies the field office in writing that he does not object to revocation of the permit, prepare a letter for the field director's signature revoking the permit. If the owner objects to the revocation of the permit, ODW will hold a hearing, in accordance with 12VAC5-590-160 of the Regulations. In these situations, the field office will refer to the Director of the Division of Compliance and Enforcement in the central office for further guidance.

If the owner is unable or unwilling to do so, the field director will consult with the local Health Director regarding the need to notify customers directly. ODW will notify the local building official of the details pursuant to permit revocation, by copy of the notification letter.

The procedure for processing a permit revocation are as follows:

1. The field office will post the electronic document file of the draft revocation letter on "odwshare", and update the tracking spreadsheet.

2. The effective date of the permit revocation letter shall be at least five working days after the date on which the letter (electronic document) is posted to “odwshare” by the field office.
3. The Field Services Engineer, the Director of Technical Services, and the Office Director will review the documents and may make edits to the revocation letter, or ask the field office to provide more information or corrections to the revocation letter.
4. After the central office approves the revocation letter, the central office will update the tracking spreadsheet. The central office will notify the field office after revocations are approved.
5. Field office administrative staff will print the version of the revocation letter reviewed and potentially edited by the central office. If the field office deems changes to the revocation letter necessary, the field office will contact the Field Services Engineer. The field director will sign the approved revocation letter.
6. The field office will scan the signed permit documents and upload to “odwshare” and updated the tracking spreadsheet. The field office will mail the revocation letter via Certified Mail to the waterworks owner. The field office will also make and mail copies of the revocation letter to all parties listed after the field director’s signature.

## **Appendix**

Attachments are located at: <\\odwsrv1\odwshare\13-Manuals\02-Permit Manual>

- PM-C8-Attachment 1- Standard Operation Permit
- PM-C8-Attachment 2- Temporary Operation Permit
- PM-C8-Attachment 3- Operation Permit Conditions
- PM-C8-Attachment 4- Temporary Operation Permit Requirements
- PM-C8-Attachment 5- Waterworks Description Sheet
- PM-C8-Attachment 6- Operation Permit Transmittal Letter
- PM-C8-Attachment 7- Variance
- PM-C8-Attachment 8- Notice of Intent to Amend Operation Permit
- PM-C8-Attachment 9- Transmittal Checklist – Operation Permit for Director’s Signature
- PM-C8-Attachment 10- Notice of Intent to Revoke Operation Permit
- PM-C8-Attachment 11- Operation Permit Revocation Letter
- PM-C8-Attachment 12- Cover Letter – Change of Ownership Agreement Form
- PM-C8-Attachment 13- Change of Ownership Agreement Form (C.O.A.F.)
- PM-C8-Attachment 14- Application for Metering Variance
- PM-C8-Attachment 15- Operation Permit Application
- PM-C8-Attachment 16- Short Temp Permit for TNCs

## **Chapter 9 - Capacity Evaluation of Waterworks**

### **1. Introduction**

12VAC5-590-690 of the Regulations requires that the waterworks' capacity exceed the maximum daily water demand of the system. The waterworks' capacity is determined through an evaluation of the major components' ability to meet that demand at a minimum 20 psi pressure.<sup>1</sup> (Major component categories are source, treatment, delivery and storage). The limiting value becomes the permitted capacity of the waterworks.

Water withdrawals may be limited by the Department of Environmental Quality (DEQ), through a Groundwater Withdrawal Permit, a Virginia Water Protection Permit, or by the DEQ, Virginia Marine Resources Commission (VMRC) and U.S. Army Corps of Engineers (USACE) collectively through a joint permit. These permits may affect the source capacity of the waterworks.

The overall capacity may also be limited for some waterworks by other VDH permits issued by the local health department, such as the food permit, or on-site waste disposal permit. When permitting a very small waterworks (serving less than 5 connections), field office staff should request all VDH permits for the facility from the local health department if the waterworks is new, or any new permits if the waterworks is expanded.

An on-site waste disposal permit may limit the overall capacity when no substantial amount of water is used by the water system for purposes that do not contribute to sewage volume. Examples of water uses that do not contribute to sewage volume include: irrigation, filling swimming pools, and producing canned or bottled beverages.

Other VDH permits are typically only limiting when the waterworks capacity is limited to existing facilities due to inadequate information to evaluate the capacity. In this case, the waterworks permitted capacity will typically match the other VDH permitted capacity, unless the waterworks serves more facilities than the other VDH permit (i.e. if a waterworks has connections to or serves a restaurant and an adjacent residence, the permitted capacity should include both, though only the restaurant would be included on the restaurant permit).

### **2. Estimated Demand**

#### **2.1. Water Supply Planning**

The State Water Control Board's regulation (9VAC25-780, Local and Regional Water Supply Planning) requires all local governments to submit a water supply plan for the locality, or participate in a regional plan. This plan requirement includes an evaluation of current and projected water demands and a determination of whether the existing source(s) is/(are) adequate to meet demands. VDH has an opportunity to comment on the plan, as well as drought response and contingency plans (referred to as the "local program"), during a required 90-day review period.

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<sup>1</sup> The recommended minimum working pressure is 40 psi for all waterworks; 20 psi is the absolute minimum required in the Regulations.

A water supply plan includes existing and projected water demands for each community waterworks, determined for average and maximum daily water withdrawal, as well as an average annual and average monthly basis. Water use estimates in the water supply plan will be disaggregated in categories of users, such as residential, commercial, institutional and light industrial, etc. The water supply planning regulations require all local programs to be reviewed, revised and resubmitted to DEQ every 10 years after the last approval date.

**2.2. Water Demands**

In the past, ODW based design daily water demands on Equivalent Residential Connections (ERC). An ERC was equivalent to 400 gpd.<sup>1</sup> This often resulted in an inflated water demand, as national and state data now show that typical water usage for a single-family residential connection is 100-200 gpd per residence, or less. In addition, non-residential water demands are not accurately reflected in the ERC values, particularly when waterworks provide water to commercial or industrial consumers with significant water use/consumption.

The field office staff estimates the maximum daily water demand determined for each waterworks and includes it in the capacity evaluation section of the WDS. If actual water usage figures are available and reliable, staff will use this data to evaluate the estimated demand. Staff will obtain historical water use data from monthly operation reports for metered systems and use minimum of 12 months of water production data. To account for seasonal variations in water use and avoid biasing the calculated average, multiples of 12 months of water production should be used. For new waterworks, the design engineer must provide estimated water demands as the design basis for the system. Actual water usage measurements from similar facilities or other published references are recommended by ODW.

Field office staff may estimate daily water demands for small non-community systems without historical water use records using AWWA’s “Design and Construction of Small Systems”, 1999. (PM-C9-Attachment 1). When actual or revised data is available, it should be used instead of these values.

Field office staff may use U.S. Census data to determine average number of persons per residential connection (<http://quickfacts.census.gov/qfd/states/51000.html>) or, without actual population data or representative Census data, assume each single family dwelling connection serves 2.5 persons per residence.

Field office staff may use a peaking factor (PF) to establish a peak hourly demand from average or maximum monthly water consumption data. Peaking factors should be used with caution, as they will depend on the type of customers in the service area. Particular attention to commercial and industrial water users is advised. Typical peaking factors are as follows:

Reference	Maximum Day= PF * Average Day	Peak Hour = PF * Average Day
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<sup>1</sup> "12VAC5-590-10 defines “Equivalent residential connection” means a volume of water used equal to a residential connection that is 400 gallons per day unless supportive data indicates otherwise; however, 400 gallons per day overestimates current design demand for residential connections and ODW is no longer relying on this design criteria.

1	PF Average=1.8; PF range = 1.2 – 4.0	PF Average =2.6; PF range = 1.5 – 120.
2	PF Range = 1.5 – 3.0	PF Range = 2.5 – 5.0

Reference 1: Water and Wastewater Calculations Manual, Shyndar Lin, 2001

Reference 2: Handbook of Public Water Supply Systems, HDR Engineering, 2001

Demand Calculation:

Community waterworks

Field office staff estimated maximum daily demand in gpd or MGD if an estimate is not provided by the design engineer; for example:

$$1 \text{ mobile home connection} = (50 \text{ gpd/person}) (3.0 \text{ persons/home}) = 150 \text{ gpd}$$

$$1 \text{ residential connection} = (50 \text{ gpd/person}) (2.5 \text{ persons/residence}) = 125 \text{ gpd}$$

Staff evaluate the capacity of a community waterworks in terms of flowrate (gpd or MGD) in the WDS and on the Operation Permit, unless adequate information is not available to establish a permit capacity. If only one groundwater source is available, ODW limits the waterworks to a maximum of 49 residential connections. In this case, staff write the permit capacity as “### gpd and no more than 49 residential connections”. Refer to the example in this manual.

Noncommunity waterworks:

Field office staff also clearly define the design basis for waterworks with non-residential water use, for example:

Factory A: 25 gpd / person / 8-hr shift

Hospital B: 300 gpd / bed

School C: 25 gpd / pupil

Regardless of whether a meter is provided, staff include an estimate of the water usage in flow rate units (gpd), and define the basis for the estimate in the capacity evaluation. Where a meter is not provided, staff define the waterworks’ capacity in terms of the user characteristics, i.e. number of hospital beds, restaurant seats, students, etc.

**3. Groundwater Sources**

**3.1. Well Yield and Groundwater Source Capacity**

Field staff determine groundwater well source capacity from the well yield test results and the well pump performance characteristics. The well yield is equal to the stabilized pumping rate during the test. In situations where the capacity of the test pump is the limiting factor, the measured

pumping rate will be used as the well yield. Field staff should ensure that the pump is sized to not exceed the well yield test results, except under unusual circumstances.

### **3.2. Yield Test Requirements – Wells Constructed in the Coastal Plain Region**

DEQ currently regulates two Groundwater Management Areas (GWMA) in the Coastal Plain: the Eastern Virginia GWMA and the Eastern Shore GWMA. Facilities with wells in these areas may require a Groundwater Withdrawal Permit from DEQ if they withdraw 300,000 gal/month or more. In 2014, DEQ expanded the Eastern Virginia GWMA. In the expanded area, DEQ may grandparent the well capacity initially, through a “historical permit” which contains special requirements for owners to obtain well and aquifer data before the permit expiration date.

DEQ will forward all draft withdrawal permits to ODW for review and comment. The ODW Source Water Manual provides coordination procedures.

When issuing a Construction Permit for a waterworks within the GWMA, field office staff will include the appropriate comment regarding the DEQ Withdrawal Permit in the Construction Permit (see PM-C5-Attachment 1).

If DEQ issues a groundwater withdrawal permit, ODW field office staff will include the DEQ permit withdrawals in the Waterworks Description Sheet (WDS). ODW does not use the DEQ permit maximum month or maximum annual withdrawals to determine source capacity; instead, the values shall be included for reference only.

When a DEQ withdrawal permit is NOT required, the yield and drawdown test duration will be a minimum of 48 hours for a community waterworks, or 24 hours for a noncommunity waterworks. The field office may require longer yield and drawdown test durations if conditions warrant (12VAC5-590-840 B6). The well driller will run the test such that at a constant flowrate, a stabilized pumping water level is achieved for at least the last 6 hours of the test. Immediately following the pumping test, the well driller will record the water level recovery in the well for no less than 6 hours, or until the well returns to its static water level, whichever occurs first.

### **3.3. Yield Test Requirements – Wells Constructed in Areas Other than the Coastal Plain Region**

The well driller will normally run a 48-hour yield and drawdown test at exhaustive capacity, which is the maximum rate the pump can deliver without lowering the water level below the minimum submergence required for the pump. The well driller will also:

1. Control the pumping rate throughout the test to maximize the production from the well during the test.
2. Run the yield and drawdown test such that at a constant flowrate, a stabilized pumping water level is achieved for at least the last six hours of the yield test.
3. Record the water level recovery in the well, immediately following the yield and drawdown test, for no less than 6 hours, or until the well returns to its static water level, whichever occurs first.

### 3.4. Other Yield Considerations

The Regulations allow noncommunity waterworks to reduce the yield test to no less than 8 hours, if source capacity requirement is 3 gpm or less. ODW field offices will only consider the minimum 8 hr test duration for TNC waterworks. See 12VAC5-590-1260 B.

NTNC waterworks serving schools and commercial areas that do not operate 24 hours a day may reduce the yield test to 24 hours (or 12 hours in the Coastal Plain), provided that the well drawdown reaches equilibrium prior to the last 6 hours of the reduced test period.

When an existing well fails to deliver the yield previously established by methods described above and/or the actual yield of the well is known to vary depending on month of the year, the field office will assign the yield as:

1. The lowest day production rate of record if the well is the sole source for the waterworks, or
2. The lowest average daily production rate for any month if the well is not the sole source for the waterworks.

Field office staff will then reevaluate the yield periodically (every three years recommended).

For community waterworks that have a well or wells in consolidated rock formations, staff will assign a safety factor of 1.8 to well pump test results to determine the well's sustainable yield. Wells in as the Eastern Virginia and Eastern Shore Groundwater Management Areas do not require a safety factor when determining that well's sustainable yield.

Systems serving > 49 residential connections must provide at least one additional well with a capacity of  $\geq 20\%$  of the total required capacity<sup>1</sup>.

#### Well Yield Calculation:

Community waterworks, in consolidated rock formations

$$(\underline{Q} \text{ gpm over a 48 hr test}) (1440 \text{ min/day}) / 1.8 \text{ safety factor (SF)} = \underline{\hspace{1cm}} \text{ gpd}$$

Community, in unconsolidated formation within the GWMA

$$(\underline{Q} \text{ gpm over a 48 hr test}) (1440 \text{ min/day}) = \underline{\hspace{1cm}} \text{ gpd}$$

Noncommunity

$$(\underline{Q} \text{ gpm over a 48 hr test}) (1440 \text{ min/day}) = \underline{\hspace{1cm}} \text{ gpd}$$

(conversion to gpd may be reduced, depending on system time of operation)

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<sup>1</sup> Note that the final amendments to the Regulations increase this value to 30%. When staff completed the current revisions to this manual, the final amendments had not been approved (when approved, this will be in 12VAC5-590-830 R).

Well Pump Calculation:

Critical capacity = Q gpm, as determined from the pump performance curve at the design head requirements, or for existing systems, by actual observed pump output when system head and pump curve data are not available.

$$Q \text{ gpd} = (Q \text{ gpm}) (1440 \text{ min/day}) = \text{___ gpd}$$

ODW field staff will evaluate wells individually for both *yield* and *pump capacity*, and select the limiting value for each well. Staff evaluate the source capacity of waterworks with multiple wells as illustrated below:

Well #	Well Yield		Well Pump		Limiting Capacity
	gpm	gpd <sup>1</sup>	gpm	gpd <sup>2</sup>	gpd
1	10	8,000	10	14,400	8,000
2	20	16,000	10	14,400	14,400
Total	-	-	-	-	22,400

<sup>1</sup> gpd = gpm \* 1440 min/day / 1.8 SF

{NOTE: The 1.8 SF is NOT used in unconsolidated formations in the Eastern Virginia & Eastern Shore GWMA's}

<sup>2</sup> gpd = gpm \* 1440 min/day

**4. Spring Sources**

Field office staff determine the yield of new springs using actual source water flow data to estimate the available flow during a 30-year drought using the Log Pearson Type III method. Field staff use a minimum of 1,000 daily flow measurements for analysis utilizing the Log Pearson Type III method when possible. Until sufficient data is available to conduct a frequency distribution analysis, staff assign the capacity as:

1. The lowest day production rate of record if the spring is the sole source for the waterworks, or
2. The lowest average daily production rate for any month if the spring is not the sole source for the waterworks.

$$(Q \text{ gpm}) (1440 \text{ min/day}) = \text{___ gpd}$$

Other unusual surface water sources, such as reclaimed mines, may be suitable to this method of determining yield. Staff will reevaluate the yield of these sources periodically (every three years recommended). If this evaluation indicates a change in the permitted capacity, the staff will amend the operation permit as described in Chapter 8, section 10. Field office staff may utilize a spreadsheet located in PM-C9-Attachment 2 for assistance in performing this analysis.

## **5. Surface Water Sources**

### **5.1. “Safe Yield” and Sustainable Surface Water Capacity**

12 VAC5-590-830 includes the definitions for “safe yield” of simple and complex intakes, with a recommendation to request assistance from the State Water Control Board to determine this value. Section 830 has not been amended to reflect the creation of DEQ, and requests for assistance should be directed to the agency instead of the board. The “safe yield” is only one of several parameters considered in the determination of allowable withdrawal by DEQ.

Withdrawal restrictions are typically established through a Virginia Water Protection (VWP) permit that DEQ issues. The permit is sometimes issued jointly by DEQ, the Virginia Marine Resources Commission, and the U.S. Army Corps of Engineers, and is referred to as a joint permit. The VWP permit may restrict the withdrawal rate under certain conditions and times of the year, and may specify different maximum daily, monthly, annual, and instantaneous withdrawal rates.

There are also several “grandparented” waterworks that do not hold a withdrawal permit from DEQ. Generally, these waterworks established their withdrawal rights and intakes prior to July 1, 1989 and have not made alterations or improvements to them that would require a VWP permit. In grandparented cases, the source capacity was *most likely* assigned to be the “safe yield” value determined when the intake was designed.

ODW field offices use the maximum daily withdrawal rate in the VWP permit as the limiting source water quantity, when available. If a maximum daily withdrawal rate is not stipulated in an existing VWP Permit, or if the waterworks does not hold a VWP Permit, then ODW will consider historical withdrawal rates, and the most current "safe yield" determinations of the stream or reservoir to determine source capacity.

Field office staff shall contact DEQ, Office of Water Supply, to obtain a copy of the current VWP permit. Field office staff will include background information on the source of the safe yield determination and the VWP permit in the “Capacity Evaluation” section of WDS (see PM-C8-Attachment 5).

### **5.2. Intake Capacity**

#### **Pumps**

Field office staff will determine the intake pump capacity with the largest pump out of service (the “firm” pump capacity). At least two pumps are required.

$$(Q \text{ gpm})(1440 \text{ min/day}) = \text{___ gpd}$$

#### **Screens**

Intake screen design may be restricted in the VWP permit or joint permit from the DEQ, VMRC and USACE, and ODW field office staff must include the screen capacity in the capacity evaluation. Common restrictions include the maximum screen opening size and maximum screen face intake velocity. This information, evaluated with the actual intake screen design, may limit the hydraulic flowrate permissible through the intake structure.

## **6. Purchased Supply**

Waterworks may obtain all of the water supply or a portion of the supply from a wholesale waterworks. The daily allocated volume of water supply from the wholesaler should be documented in a legal agreement between the consecutive and wholesale waterworks. Field office staff include the allocated volume in the source capacity section of the WDS and operation permit conditions, and cite the legal agreement.

## **7. Treatment**

Field office staff will evaluate all major treatment process units for hydraulic capacity and document in the WDS capacity evaluation. For conventional surface water treatment plants, the major processes include:

1. Coagulation
2. Flocculation
3. Sedimentation
4. Filtration
5. Disinfection

Flocculation:

$\underline{Q} \text{ gpm} = \text{Number of Floc Basins} * \text{Volume of each Floc. Basin (gal)} / \text{Required Detention Time (min)}$

$$(\underline{Q} \text{ gpm})(1440 \text{ min/day}) = \underline{\hspace{2cm}} \text{ gpd}$$

Filtration:

$\underline{Q} \text{ gpm} = \text{Number of filters} * \text{Surface loading rate (gpm/sf)} * \text{surface area per filter (sf)}$

$$(\underline{Q} \text{ gpm})(1440 \text{ min/day}) = \underline{\hspace{2cm}} \text{ gpd}$$

In nonconventional plants, major process units evaluated by staff include:

Ion Exchange:

Hydraulic capacity:  $\underline{Q} \text{ gpm} = \text{Surface loading rate (gpm/sf)} * \text{surface area (sf)}$

Loading rate:  $\text{Grains of filter capacity} / \text{grains/gal of constituents} = \underline{\hspace{2cm}} \text{ gal treated prior to regeneration. A realistic regeneration frequency should be established.}$

Membrane Filter:

$\underline{Q} \text{ gpm} = \text{permeate flow rate}$

$$(\underline{Q} \text{ gpm})(1440 \text{ min/day}) = \underline{\hspace{2cm}} \text{ gpd}$$

If unfiltered water is blended with permeate (for reverse osmosis systems), then this amount is added to Q to determine the total capacity.

## **8. Delivery Systems**

### **8.1. Booster Pump Capacity**

This includes pump stations that pump water to pressure storage (hydropneumatic tank).

1. At least two pumps are required.
2. Capacity is the combined pump capacity with all pumps in service.

Note that for small noncommunity systems, the booster pump duplicity and capacity requirements may be reduced by the field office in accordance with the type and size of system served.

The required capacity must meet the *peak* hour demand, or the maximum day demand + fire flow (whichever is the design condition). The *peak* hour demand or the maximum day demand + fire flow must be provided by the owner's engineer.

$$(\text{No. of pumps})(Q \text{ gpm})(1440 \text{ min/day}) = \text{___ gpd}$$

Field office staff calculate the transfer capacity for noncommunity waterworks using the criteria noted in 12 VAC 5-590-1250A: Delivery capacity is the capacity of the well pump or booster pump output over 1 hour + effective storage. For example, a TNC waterworks has a peak hourly demand of 50 gpm, a well pump capacity of 44 gpm, and a pressure tank with an effective storage of 360 gal.

The required delivery capacity is:	(50 gpm) (60 min) =	3,000 gal
The delivery capacity provided is:	(44 gpm) (60 min) =	2,640 gal
	<u>+ effective storage of the hydropneumatic tank =</u>	<u>360 gal</u>
Total delivery capacity =		3,000 gal

In some cases, the well pump may not directly serve the demand, such as a well that pumps to an atmospheric storage tank, followed by a booster pump that pumps from the atmospheric storage tank to a hydropneumatic tank. In this case, the delivery capacity is the booster pump output over 1 hour + effective storage of the hydropneumatic tank; well pump capacity and atmospheric storage capacity are not included. However, field staff evaluate these capacities to ensure that they can adequately supply the booster pump capacity. For example, a TNC waterworks has a peak hourly demand of 55 gpm, a well pump capacity of 44 gpm, an atmospheric storage tank with an effective storage of 1,000 gal, a booster pump capacity of 50 gpm, and a pressure tank with an effective storage of 360 gal.

The required delivery capacity is:	(55 gpm) (60 min) =	3,300 gal
The delivery capacity provided is:	(50 gpm) (60 min) =	3,000 gal
	<u>+ effective storage of the hydropneumatic tank =</u>	<u>360 gal</u>
Total delivery capacity =		3,360 gal

Supply check:

The booster pump capacity provided is: (50 gpm) (60 min) = 3,000 gal

The well pump capacity provided is: (44 gpm) (60 min) = 2,640 gal

+ *effective storage of the atmospheric tank* = 1,000 gal

Total delivery capacity = 3,640 gal

This calculation only needs to be provided in the capacity evaluation if the booster pump supply capacity is limiting.

When facility expansion is expected, ODW staff will calculate a 24 hour equivalent capacity as shown below. This capacity is not limiting, but will serve as a threshold to indicate that the waterworks' delivery capacity should be reevaluated if the 24 hour equivalent capacity is exceeded.

$$24 \text{ hour equivalent capacity} = (\text{Peak Hour Capacity}) (24\text{hr}/\text{day}) / [(1 \text{ hr}) (\text{peaking factor})]$$

## 8.2. Transfer Pump Capacity

This includes pump stations which pump water to atmospheric storage, such as raw water pumps, low service pumps, high service pumps (surface water facilities), and distribution pump stations.

1. At least two pumps are required.
2. Capacity is determined with the largest pump out of service (the “firm” pump capacity).

$$(\underline{Q} \text{ gpm})(1440 \text{ min}/\text{day}) = \underline{\hspace{2cm}} \text{ gpd}$$

## **9. Storage**

### **9.1. Storage Capacity**

The amount of storage capacity required is the sum of the equalizing storage, fire flows (if fire protection is provided), and sometimes a reserve for emergencies. Equalizing storage is the amount of water needed to allow the water production facilities to operate at a constant rate, since demands will vary over time during a day.<sup>1</sup> Traditionally, ODW has estimated the required storage to be 0.5 \* maximum day demand for community waterworks.

Noncommunity systems are exempt from this minimum storage requirement, provided that sufficient delivery capacity is available to meet the peak hour demand (12VAC5-590-1250 A).

Field office staff do not include raw or partially treated water storage in the evaluation of water storage capacity.

### **9.2. Storage in Wholesale & Consecutive Waterworks**

The operation permit WDS of both wholesale and consecutive waterworks must include information on the provision of storage, whether storage is provided by the wholesale waterworks, by the consecutive waterworks, or a combination thereof and whether the storage arrangement is by contract.

### **9.3. Storage: Atmospheric Tanks**

Total effective storage volume is the useable volume available to store water in reservoirs or tanks, measured as the difference between the overflow elevation or the normal maximum operating level, and the minimum storage elevation. For tanks that directly provide system pressure, the effective volume is the storage volume above the minimum elevation that can provide a minimum pressure of 20 psi throughout the reservoir's service area under maximum daily water demand. Ground storage tanks that serve as reservoirs for booster pumps may have a minimum water elevation determined by pump controls.

### **9.4. Storage: Pressure Tanks**

When a hydropneumatic tank (or bladder tank) is fed directly by a well (or wells), the effective storage volume is typically taken as one-third of the tank gross volume. Alternatively, effective storage can be calculated directly from pump control settings (pump on and off elevations), if the resulting value is more conservative.

### **9.5. Storage: Combined Tanks**

When a pressure tank is fed from a ground storage tank, the total effective storage is the sum of the effective storage from the ground storage tank(s) and the pressure tank(s).

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<sup>1</sup> Handbook of Public Water Systems, Culp/Wesner/Culp, 1986.

## **10. Design Exceptions and Permit Capacity**

### **10.1. Storage Design Exceptions**

Field offices may grant waterworks an exception to the storage requirement if computer modeling demonstrates that adequate pressure will be maintained under peak demands, including fire flows. The design engineer will use an extended period simulation for this purpose. ODW has established the following minimum requirements for the model:

1. Use a calibrated system model that accurately reflects the existing pipes, pump stations, and storage tanks and the way they are actually operated;
2. Model realistic water demands: Develop Maximum Day Demand: Average Day Demand (MDD:ADD) ratios and diurnal variations from historical data; model anticipated growth by increasing demands at existing nodes in probable locations;
3. Input set points (pump on/off, tank levels) similar to normal operating values;
4. Model extended period simulation of MDD with fire flow added during the peak hour; and
5. Model duration of at least 30 hours (48 hours recommended).

ODW has established the following success criteria required to demonstrate that the waterworks has sufficient capacity to meet both existing and future water demands:

1. All nodes must be able to provide a minimum 20 psi at both MDD plus fire flow and at peak hour flow conditions;
2. Total storage volume must recover to within 5% of the initial value at the end of the simulation. Individual storage tank levels must recover to within 10% of their initial levels; and
3. Tanks must not empty. The levels for elevated tanks must fluctuate less than 30 feet.

Waterworks for which the field office approves an exception to the storage requirement in the Regulations must update their computer model continuously to reflect changing facilities, demands and operating conditions. The waterworks must update the model at least every two years to verify that the waterworks is able to meet the defined success criteria at the permitted flow. The field office will include this requirement as a condition of the operation permit.

The field office will require emergency/standby power capabilities to provide emergency power for all pumping needs required in the computer model. The field office will require emergency power capabilities (i.e. portable generator receptacle/hook up and manual transfer switch) at waterworks serving < 500 population and standby power (i.e. automatically activated on-site generator) for waterworks serving  $\geq$  500 persons.

### **10.2. Conventional Plant Re-rating**

Field staff will refer to WM 902 for information on re-rating conventional treatment processes, including flocculation, sedimentation and gravity filters.

## **11. Conclusions**

The capacity evaluation in the WDS or description sheet of proposed construction will conclude with a summary sentence / paragraph. These will be different for construction permits and operation permits.

### 11.1. Construction Permits

The field office will not “promise” an operation permit capacity at this stage, unless the construction permit is for an entire, new waterworks. In most cases, the summary in a construction permit description sheet of proposed construction will contain the following language:

“Conclusion: This project may result in change in the permitted capacity of the waterworks. After the proposed improvements are constructed and placed in operation, the permitted capacity of the entire waterworks will be re-evaluated.”

### 11.2. Operation Permits

The capacity evaluation conclusion in a WDS and the operation permit conditions will state the permitted capacity of the entire waterworks, and provide an explanation for the assigned value. When information on individual components of a waterworks is insufficient, such as well yield or well pump rating, a capacity determination for the entire system may be difficult. The conclusions made in the capacity evaluation for a pre-existing system will depend on the evidence to substantiate whether the system is performing adequately. Field offices may permit existing systems with no evidence of inadequate performance in the past for the capacity of the existing service(s), described in appropriate units for the waterworks (such as restaurant seats), until the field office obtains and evaluates the missing data.

#### Operation permit - Examples of common evaluation conclusions:

Waterworks’ limiting hydraulic component is storage:

“Conclusion: This waterworks is limited to a capacity of ### gpd due to limited storage.”

Only one well source, community waterworks’ limiting hydraulic component is well yield:

“Conclusion: This waterworks is limited to a capacity of ### gpd due to limited well yield. However, the number of connections cannot exceed 49 until an acceptable additional source is provided.”

NOTE: On the permit face the capacity will read “### gpd and no more than 49 connections”.

Existing TNC waterworks, hydraulic data is lacking for existing well and bladder tank, but past performance is satisfactory:

“Conclusion: This waterworks is limited to a capacity of one existing structure with ## existing restaurant seats until information on the well yield and pump capacity is provided and the need for additional storage is evaluated.”

#### Operation permit - Examples of more unusual evaluation conclusions:

The field office has granted the waterworks a Design Exception to storage requirement after the waterworks demonstrated reliable service through computer modeling and storage is no longer the limiting component. The field office will include a statement such as:

“Conclusion: Storage is adequate for a maximum daily water demand of ## MGD, based on the waterworks’ evaluation of the distribution system using a computer model. Therefore, this waterworks is limited to a capacity of ### MGD due to limited (raw water withdrawal)(specific treatment component hydraulic capacity)(low service/high service pumping capacity).”

Consecutive waterworks without firm gallon-per-day purchase contract; source or transfer facility is limiting component:

“Conclusion: This waterworks is limited to a capacity of ### gpd due to the ability of the water purveyor to deliver.”

## **12. Calculation Units**

Field staff staff utilize the following abbreviations in in capacity calculations to ensure consistency.

C - degrees Celsius [°C]	lb – pounds
F – degrees Fahrenheit [°F]	lb/ft <sup>2</sup> – pounds per square foot
CT – (the residual disinfectant concentration, in mg/L)(contact time, in min)	mg – milligrams
CU – color units	MGD – million gallons per day
ft <sup>2</sup> – square foot (feet) of area	mg/L – milligrams per liter
ft/min – foot (feet) per minute	min – minutes
ft/sec – foot (feet) per second	mL – milliliters
gal – gallon(s)	mm – millimeters
gpd – gallons per day	NTU – nephelometric turbidity units
gpd/ft <sup>2</sup> – gallons per day per square foot	pCi – picocurie(s)
gpm – gallons per minute	psi – pound(s) per square inch
gpm/ft – gallons per minute per foot	T – time, in minutes
gpm/ft <sup>2</sup> – gallons per minute per square foot	µm - micrometers (or microns)
in – inch(es)	µg/L - micrograms per liter

### **13. Example Calculations**

To estimate water demands for existing waterworks:

1. Historical usage/production data is preferred.
2. If historical data is not available, estimate demands based on similar facilities or published references.

To estimate water demands for new waterworks:

1. Use estimated demands provided by the engineer from the approved PER or project design calculations.
2. The capacity of the waterworks must meet or exceed the maximum daily water demand of the system.

For noncommunity waterworks, if the field office cannot determine a flow rate for source, treatment, or delivery, then the field office will limit the waterworks capacity to the existing facility(ies) (i.e., existing restaurant seats, students & staff, buildings, etc.).

**Example 1 - Existing TNC – no historical usage data**

Existing system without well yield or pump capacity information; no meter: ODW discovers a 30 seat restaurant; the water system consists of a well and 86-gal bladder tank serving one building. No meter or treatment is included in the waterworks. The owner states the restaurant serves an average of 120 patrons per day.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average water use = 10 gpd/restaurant patron\*

Average daily demand = (10 gpd/patron) (120 patrons) = 1,200 gpd

Estimated peaking factor (PF) = (4) (24 hrs/day / 12 hrs/day operation) = 8.0  
 (8.0) (1,200 gpd) = 9,600 gpd

Peak hour demand = (9,600 gpd) (1 hr) / (24 hrs/day) = 400 gal

(\*per AWWA Design and Construction of Small Water Systems, 2nd Edition, 1999)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
Well 1	unknown	unknown	unknown	unknown	unknown
Total	-	-	-	-	unknown

<sup>1,2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3)(86 gal) = 29 gal
Total:	29 gal

Noncommunity waterworks are required to provide delivery capacity to meet peak hour demand.

Conclusion: This waterworks is permitted for a capacity of one existing structure with 30 existing restaurant seats until information on the well yield and pump capacity is provided and the need for additional storage is evaluated. *{The field office staff would write the capacity on the operation permit as one existing structure with 30 existing restaurant seats. The staff would not evaluate peak hour delivery capacity because data is not available on the well pump capacity}*

**Example 2 - Existing TNC – with meter data**

Existing system with information on the well construction, yield and pump capacity; treatment and meter are provided:

A picnic area and visitor center is open 16 hours per day from May 1 to October 31 every year. It averages 1,500 visitors/day and has two comfort stations behind the visitor center. The comfort stations have sinks for handwashing. A 6-inch diameter well is used which yielded 51 gpm. The well is provided with a 5 hp submersible pump rated for 26 gpm. The system includes a meter, hypochlorite feed system, and 20,000 gal storage tank. Water flows by gravity from the tank through 3-inch and 4-inch diameter distribution lines.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 15,000 gpd\*

(\*Per Monthly Operating Reports dated April, 2016 - July, 2018, the average water production is 15,000 gpd)

Peak hour demand:

Estimated PF = (4) (24 hrs/day / 16 hrs/day operation) = 6.0

(6.0) (15,000 gpd) = 90,000 gpd

(90,000 gpd) (1 hr) / (24 hrs/day) = 3,750 gal

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
Well 1	51 gpd	73,440 gpd	26 gpd	37,440 gpd	37,440 gpd
Total	-	-	-	-	37,440 gpd

<sup>1,2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
<u>Atmospheric Storage Tank:</u>	<u>20,000 gal</u>
Total:	20,000 gal

Noncommunity systems are required to provide delivery capacity to meet peak hour demand.

4. Delivery Capacity:

Peak Hour Delivery:

Well pumping: (26.0 gpm) (60min/hr) =	1,560 gal
<u>Storage:</u>	<u>20,000 gal</u>
Total:	21,560 gal

Peak hour demand = 3,750 gal < 21,560 gal provided

Equivalent 24 hour capacity = (21,560 gal) (24 hr/day) / [(1 hr) (4.0)] = 129,400 gpd

This capacity is not limiting, but exceedance may indicate that peak hour delivery capacity is inadequate.

Conclusion: This waterworks is permitted for a capacity of 37,400 gpd due to limited well pump capacity. {The field office staff would write the capacity on the operation permit as 37,400 gpd. Note that the waterworks provided inadequate information on the hypochlorite feed system. If treatment is required then field office staff will verify this data and check the adequacy of the treatment capacity. Staff do not need to include simple solution-type chemical feed systems in the Waterworks Description Sheet Capacity Evaluation, but need to include them in the reviewer's notes.}

**Example 3 - New NTNC**

A school designed for 200 students is served by a groundwater well with a reported yield test of 12 gpm, furnished with a 10 gpm submersible pump. One 2.0-ft diameter manganese greensand filter is supplied with sodium hypochlorite and permanganate feed systems. One 5,000 gal atmospheric storage tank, two booster pumps with a combined capacity of 30 gpm, and one 5,000 gal hydropneumatic tank are also provided.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 4,000 gpd\*

Maximum Daily Demand = 5,000 gpd\*

Peak hour demand = 2,500 gal\*

(\*Per the approved Preliminary Engineering Report titled XXXX, dated XXXX)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
	gpm	gpd	gpm	gpd	
Well 1	12 gpm	17,280 gpd	10 gpm	14,400 gpd	14,400 gpd
Total	-	-	-	-	14,400 gpd

<sup>1,2</sup> gpd = gpm x 1440 min/day

3. Treatment Capacity:

Greensand filtration:

Number of filters: 1

Total surface area: 3.1 sf

Maximum filtration rate 3 gpm/sf

Capacity = (3.1 sf) (3 gpm/sf) (1,440 min/day) = 13,600 gpd

Limiting treatment capacity: 13,600 gpd based on Filtration

(Simple solution-type chemical feed systems must be verified for feed capacity with respect to the well pump capacity, but do not need to be included in the Waterworks Description Sheet capacity evaluation.)

4. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3) (5,000 gal) = 1,667 gal
<u>Atmospheric Storage Tank:</u>	<u>5,000 gal</u>
Total:	6,667 gal

Noncommunity systems are required to provide delivery capacity to meet peak hour demand.

5. Delivery Capacity:

Booster Pump:

Number of Pumps: 2

Capacity = (30.0 gpm) (1,440 min/day) = 43,240 gpd

Peak Hour Delivery:

Booster pumping: (30.0 gpm) (60min/hr) = 1,800 gal

Hydropneumatic Tank: 1,667 gal

Total: 3,467 gal

Peak hour demand = 2,500 gal < 3,467 gal provided

Estimated Peak Hour PF = (2,500 gal)(16 hr/day operation) / (5,000 gpd) = 8.0

Equivalent 24 hour capacity = (3,467 gal) (24 hr/day) / [(1 hr) (8.0)] = 10,400 gpd

This capacity is not limiting, but exceedance may indicate that peak hour delivery capacity is inadequate.

**Conclusion:** This waterworks is permitted for a capacity of 13,600 gpd due to limited treatment capacity. *{The capacity on the operation permit would be written as 13,600 gpd. Note that because there are components located upstream of the booster pumps, there is potential for those components to limit the peak hour delivery capacity. To ensure that this is not the case, field office staff will perform a supply check as follows. This does not need to be included in the capacity evaluation calculations unless the supply is limiting.}*

*Supply check:*

*The well pump capacity provided is: (10 gpm) (60 min) = 600 gal*  
*+ effective storage of the atmospheric tank = 5,000 gal*  
*Total delivery capacity = 5,600 gal*  
*5,600 gal > 3,467 -ok }*

**Example 4 - Existing community**

A 40-home subdivision is served by a simple groundwater system consisting of one drilled well with a 48-hr test yield of 30 gpm, a 20 gpm submersible well pump, 20,000 gal atmospheric storage tank, two booster pumps with a combined capacity of 120 gpm, and a 5,000 gal hydropneumatic tank. Well is drilled in consolidated bedrock. Accurate historical metering data is not available.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

1 residential connection = 75 gpd/person\*  
 Population density: 2.4 persons/residence\*\*  
 Average water use = (75 gpd/person) (2.4 persons/residence) = 180 gpd/residence  
 Average daily demand = (180 gpd) (40) = 7,200 gpd

(\*per AWWA Design and Construction of Small Water Systems, 2nd Edition, 1999)  
 (\*\*per 2010 US Census Data for XXX County)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
Well 1	30 gpm	24,000 gpd	20 gpm	28,800 gpd	24,000 gpd
Total	-	-	-	-	24,000 gpd

<sup>1</sup> gpd = gpm x 1440 min/day / 1.8 SF

<sup>2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3) (5,000 gal) = 1,667 gal
Atmospheric Storage Tank:	20,000 gal
Total:	21,667 gal

Available storage capacity at 0.5 day storage = 21,667 gal/0.5 day = 43,333 gpd

4. Delivery Capacity:

Booster Pump:  
 Number of Pumps: 2  
 Capacity = (120.0 gpm) (1,440 min/day) = 172,800 gpd

Conclusion: This waterworks is permitted for a capacity of 24,000 gpd due to limited well yield. However, the number of connections cannot exceed 49 until an acceptable additional source is provided.

*{Since well yield is limiting and there is only one well, the field office should limit the capacity on the operation permit to no more than 24,000 gpd or 49 connections, whichever is reached first. In the absence of well yield information the field office would limit the permit to 40 existing residential connections.*

**Example 5 - Existing community**

A community system has 50 connections and a historical average day water production of 8,300 gpd, 2 wells with a yield of 10 gpm and 20 gpm respectively, and individual well pump capacities of 10 gpm, 20,000 gal atmospheric storage tank, two booster pumps with a capacity of 60 gpm each, and a 5,000 gal hydropneumatic tank. The wells are located in consolidated rock formation.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 8,300 gpd\*

(\*Per Monthly Operating Reports dated April, 2016 - March, 2018, the average water production is 8,300 gpd)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
	gpm	gpd	gpm	gpd	
Well 1	10 gpm	8,000 gpd	10 gpm	14,400 gpd	8,000 gpd
Well 2	20 gpm	16,000 gpd	10 gpm	14,400 gpd	14,400 gpd
Total	-	-	-	-	22,400 gpd

<sup>1</sup> gpd = gpm x 1440 min/day / 1.8 SF

<sup>2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3) (5,000 gal) = 1,667 gal
Atmospheric Storage Tank:	20,000 gal
<b>Total:</b>	<b>21,667 gal</b>

Available storage capacity at 0.5 day storage = 21,667 gal/0.5 day = 43,333 gpd

4. Delivery Capacity:

Booster Pump:

Number of Pumps: 2

Capacity = (2) (60.0 gpm) (1,440 min/day) = 172,800 gpd

**Conclusion:** This waterworks is permitted for a capacity of 22,400 gpd due to source capacity. *{The field office would write the capacity on the operation permit as 22,400 gpd.}*

**Example 6 - Existing community**

A mobile home park with 44 existing connections is provided with a well and three 86-gal bladder tanks. The well yield is reported to be 32 gpm and the pump is rated for 30 gpm. A review of the waterworks performance over the past 5 years demonstrates that the facilities have provided adequate service (quantity and pressure) to all customers. The well is drilled in consolidated bedrock.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

1 residential connection = 50 gpd/person\*  
 Population density: 3.6 persons/residence\*\*  
 Average water use = (50 gpd/person ) (3.6 persons/residence) =180 gpd/residence  
 Average daily demand = (180 gpd) (44) = 7,920 gpd

(\*per AWWA Design and Construction of Small Water Systems, 2nd Edition, 1999)  
 (\*\*per 2010 US Census Data for XXX County)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
	gpm	gpd	gpm	gpd	
Well 1	32 gpm	25,600 gpd	30 gpm	43,200 gpd	25,600 gpd
Total	-	-	-	-	25,600 gpd

<sup>1</sup> gpd = gpm x 1440 min/day / 1.8 SF

<sup>2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3) (3x86 gal) = 86 gal
Total:	86 gal

Available storage capacity at 0.5 day storage = 86 gal/0.5 day = 172 gpd

Conclusion: This waterworks is permitted for a capacity limited to the existing 44 mobile home connections until the need for additional storage is evaluated.

*{The field office would write the capacity on the operation permit as 44 existing mobile home connections.}*

**Example 7 - New community**

A developer proposed a new residential subdivision with 80 single-family dwellings and a recreation center. The waterworks will use groundwater pumped from two drilled wells located in consolidated rock. Well 1 has a 48-hr test yield of 50 gpm and is installed with a 45 gpm submersible well pump. Well 2 has a 48-hr test yield of 22 gpm and is installed with a 22 gpm submersible well pump. The wells pump to a 5,000 gal ground storage tank. The system is served by dual 10,000 gal hydropneumatic tanks and dual 50 gpm booster pumps. The approved PER lists average daily demand of 12,000 gpd.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 12,000 gpd\*

Maximum daily demand = 18,000 gpd\*

(\*Per the approved Preliminary Engineering Report titled XXXX, dated XXXX)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
Well 1	50 gpm	40,000 gpd	45 gpm	64,800 gpd	40,000 gpd
Well 2	22 gpm	17,600 gpd	22 gpm	31,680 gpd	17,600 gpd
Total	-	-	-	-	57,600 gpd

<sup>1</sup> gpd = gpm x 1440 min/day / 1.8 SF

<sup>2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank 1:	(1/3) (10,000 gal) = 3,333 gal
Hydropneumatic Tank 2:	(1/3) (10,000 gal) = 3,333 gal
<u>Atmospheric Tank:</u>	<u>5,000 gal</u>
Total:	11,667 gal

Available storage capacity at 0.5 day storage = 11,667 gal/0.5 day = 23,333 gpd

4. Delivery Capacity:

Booster Pump:

Number of Pumps: 2

Combined Capacity = (2)(50.0 gpm) (1,440 min/day) = 144,000 gpd

Conclusion: This waterworks is permitted for a capacity of 23,333 gpd due to limited storage capacity. *{The field office would write the capacity on the operation permit as 23,333 gpd.}*

### Example 8 - Conventional Surface Water Treatment Plant

The DEQ has issued a waterworks containing a conventional surface water treatment plant an updated VWP Permit limiting the maximum daily withdrawal to 2.5 MGD.

#### WATERWORKS CAPACITY

1. Estimated Water Demand:

Average daily demand = 745,600 gpd\*

(\*Per Monthly Operating Reports dated March 2015 - February 2018, the average water production is 745,600 gpd. Maximum day water production was 810,000 gpd.)

2. Source Water Capacity:

<u>Source Name</u>	<u>Capacity</u>
North Fork Shenandoah River:	2,500,000 gpd
Total Source Capacity:	2,500,000 gpd

3. Treatment Capacity:

Raw water pumps:

Number of pumps: 2

Capacity (1 unit out of service) = (2,300 gpm) (1,440 min/day) = 3,312,000 gpd

Flocculation:

Number of basis: 3

Total volume: 56,104 gal

Required retention time: 25 min

Capacity = (56,104 gal) / (25 min) (1,440 min/day) = 3,232,000 gpd

Sedimentation:

Number of basis: 3

Total volume: 448,830 gal

Required retention time: 200 min

Capacity = (448,830 gal) / (200 min) (1,440 min/day) = 3,232,000 gpd

Media filtration:

Number of filters: 3

Total surface area: 675.0 sf

Maximum filtration rate 4 gpm/sf

Capacity = (675.0 sf) (4 gpm/sf) (1,440 min/day) = 3,888,000 gpd

Clearwell:

Number of vessels: 1

Total volume: 299,220 gal

$(299,220 \text{ gal}) (0.9 \text{ baffle factor}) = 269,298 \text{ gal}$   
 Minimum chlorine residual = 1.2 mg/L  
 Required CT = 36.0 min-mg/L at 0.5 °C and pH = 7.0  
 Required retention time =  $(36.0 \text{ min-mg/L}) / (1.2 \text{ mg/L}) = 30 \text{ min}$   
 Required retention time: 30 min  
 Capacity =  $(269,298 \text{ gal}) / (30 \text{ min}) (1,440 \text{ min/day}) = 12,930,000 \text{ gpd}$

**Sodium Hypochlorite:**

Chemical concentration: 12.5% = 125,000 mg/L  
 Metering pump capacity: 115.2 gpd  
 Required concentration: 1.2 mg/L  
 Capacity =  $(125,000 \text{ mg/L}) / (1.2 \text{ mg/L}) (115.2 \text{ gpd}) = 12,000,000 \text{ gpd}$

**Orthophosphate:**

Chemical concentration: 36% = 360,000 mg/L  
 Metering pump capacity: 24.0 gpd  
 Required concentration: 2.0 mg/L  
 Capacity =  $(360,000 \text{ mg/L}) / (2.0 \text{ mg/L}) (24.0 \text{ gpd}) = 4,320,000 \text{ gpd}$

**Caustic Soda:**

Chemical concentration: 50% = 500,000 mg/L  
 Metering pump capacity: 115.2 gpd  
 Required concentration: 10.0 mg/L  
 Capacity =  $(500,000 \text{ mg/L}) / (10.0 \text{ mg/L}) (115.2 \text{ gpd}) = 5,760,000 \text{ gpd}$

**High service pumps:**

Number of pumps: 3  
 Capacity (1 unit out of service) =  $(2,084 \text{ gpm}) (1,440 \text{ min/day}) = 3,001,000 \text{ gpd}$

Limiting treatment capacity: 3,001,000 gpd based on High Service Pumping

**4. Storage Capacity:**

<u>Tank Name</u>	<u>Effective Storage</u>
Banks Fort Road Elevated Tank:	200,000 gal
Strasburg Reservoir:	1,000,000 gal
Strasburg Junction Tank:	66,300 gal
Route 55 Tank:	2,105,000 gal
<b>Total:</b>	<b>3,371,300 gal</b>

Available storage capacity at 0.5 day storage =  $3,371,300 \text{ gal} / 0.5 \text{ day} = 6,743,000 \text{ gpd}$

5. Delivery Capacity:

Aileen Avenue Booster Pump Station:

Number of Pumps: 2

Capacity (1 unit out of service) = (1) (300.0 gpm) (1,440 min/day) = 432,000 gpd

Strasburg Junction Booster Pump Station:

Number of Pumps: 2

Capacity (1 unit out of service) = (1) (46.0 gpm) (1,440 min/day) = 66,240 gpd

North Shenandoah Industrial Park Booster Pump Station:

Number of Pumps: 2

Capacity (1 unit out of service) = (1) (412.0 gpm) (1,440 min/day) = 593,280 gpd

Fairfield Drive Booster Pump Station:

Number of Pumps: 2

Capacity (1 unit out of service) = (1) (120.0 gpm) (1,440 min/day) = 172,800 gpd

Conclusion: This waterworks is permitted for a capacity of 2.5 MGD due to limited source water capacity.

**Example 9 - Coastal Plain Groundwater Management Area**

A Community waterworks serving less than 50 connections has a well located within the coastal plain Groundwater Management Area.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 8,562 gpd\*

(\*Per Monthly Operating Reports dated March, 2015 - February, 2018, the average water production is 8,562 gpd)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
Well 1	36 gpd	51,840 gpd	14 gpd	20,160 gpd	20,160 gpd
Total	-	-	-	-	20,160 gpd

<sup>1,2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3)(2,960 gal) = 987 gal
Atmospheric Tank:	9,134 gal
<b>Total:</b>	<b>10,121 gal</b>

Available storage capacity at 0.5 day storage = 10,121 gal/0.5 day = 20,241 gpd

4. Delivery Capacity:

Booster Pump Station:

Number of Pumps: 2

Capacity = (2) (88.0 gpm) (1,440 min/day) = 253,440 gpd

Conclusion: This waterworks is permitted for a capacity of 20,160 gpd due to limited source capacity, and no more than 49 residential connections.

**Example 10 - Consecutive waterworks**

A consecutive community waterworks, the XYZ Service Authority, consists of a consecutive connection with the Town of Happyville and a distribution system. The XYZ Service Authority has a purchase contract with the Town of Happyville, dated 12/31/2015, providing up to 40,000 gpd of finished water. The XYZ Service Authority waterworks has no storage facilities and relies on the Town of Happyville to provide storage capacity.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 90,837 gpd\*

(\*Per Monthly Operating Reports dated March, 2015 - February, 2018, the average water purchased from Happyville is 90,837 gpd)

2. Source Water Capacity:

<u>Source Name</u>	<u>Capacity</u>
<u>Town of Happyville, Purchase [PWSID XXXXXXXX]:</u>	<u>40,000 gpd</u>
Total Source Capacity:	40,000 gpd

Water production and storage is allocated to the following consecutive waterworks as follows:

Waterworks Name	PWSID	Permit Capacity (gpd)	Delivered Capacity (gpd)	Total Storage Required <sup>1</sup> (gal)	Storage Provided-Consecutive <sup>2</sup> (gal)	Storage Provided – Wholesale <sup>3</sup> (gal)
XYZ Service Authority	XXXXXX	40,000	None	20,000	None	20,000

1. Total storage required by the consecutive waterworks.
2. Total effective storage provided by the consecutive waterworks.
3. Total effective storage provided by this wholesale waterworks.

Conclusion: This waterworks is permitted for a capacity of 40,000 gpd due to limited source capacity.

**Example 11 - Storage Capacity justified by hydraulic model**

A community waterworks has two wells located in a consolidated rock formation. The owner’s engineer has provided a hydraulic model indicating minimum pressure requirements can be obtained throughout the distribution system during peak hour and during max-day demand plus fire flow.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 280,000 gpd\*

(\*Per Monthly Operating Reports dated March, 2015 - February, 2018, the average water production is 280,000 gpd. Maximum day production was 360,000 gpd)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
Well 1	100 gpm	80,000 gpd	100 gpm	144,000 gpd	80,000 gpd
Well 2	200 gpm	160,000 gpd	150 gpm	216,000 gpd	160,000 gpd
Total	-	-	-	-	240,000 gpd

<sup>1</sup> gpd = gpm x 1440 min/day / 1.8 SF

<sup>2</sup> gpd = gpm x 1440 min/day

3. Storage Capacity:

The Waterworks’ system-wide hydraulic model titled, “Town of Bridgewater, Hydraulic Modeling Report”, dated June 4, 2014, demonstrated that adequate pressure can be maintained during peak demands (maximum day of 360,000 gpd and fire flow) with a total atmospheric storage of 120,000 gal.

4. Delivery Capacity:

Booster Pump Station:

Number of Pumps: 2

Capacity (1 unit out of service) = (1) (200.0 gpm) (1,440 min/day) = 288,000 gpd

Conclusion: This waterworks is permitted for a capacity of 240,000 gpd due to limited source capacity.

**Example 12 - 4-log virus inactivation**

A noncommunity waterworks has one well located in a consolidated rock formation and requires 4-log virus inactivation. The engineer’s analysis indicates that a contact time of 6.0 min-mg/L is required.

**WATERWORKS CAPACITY**

1. Estimated Water Demand:

Average daily demand = 5,000 gpd\*

Peak hour demand = 900 gal\*

(\*Per the approved Preliminary Engineering Report titled XXXX, dated XXXX)

2. Source Water Capacity:

Well Name	Well Yield <sup>1</sup>		Well Pump <sup>2</sup>		Limiting Capacity
	gpm	gpd	gpm	gpd	
Well 1	14 gpm	20,160 gpd	15 gpm	21,600 gpd	20,160 gpd
Total	-	-	-	-	20,160 gpd

<sup>1,2</sup> gpd = gpm x 1440 min/day

3. Treatment Capacity:

Clearwell:

Number of vessels: 1

Total volume: 212 gal

(212 gal) (0.3 baffle factor) = 63 gal

Required CT = 6.0 min-mg/L at 10 °C and pH = 6.0 – 9.0

Average retention time = (63 gal) / (14 gpm) = 4.5 min

Minimum C = (6.0 min-mg/L) / (4.5 min) = 1.33 mg/L free chlorine

4. Storage Capacity:

<u>Tank Name</u>	<u>Effective Storage</u>
Hydropneumatic Tank:	(1/3) (1,000 gal) = 333 gal
Total:	333 gal

Noncommunity systems are required to provide delivery capacity to meet peak hour demand.

5. Delivery Capacity:

Peak Hour Delivery:

Well pumping: (15.0 gpm) (60 min/hr) =	900 gal
Storage:	333 gal
Total:	1,233 gal

Peak hour demand = 900 gal < 1,233 gal provided

Conclusion: This waterworks is permitted for a capacity of 20,160 gpd due to limited source capacity.

LAB ID	LAB NAME
00005	Appomattox River Water Authority
00007	Water Testing Labs of Virginia
00009	American Water Testing Company
00011	Maryland Spectral Services, Inc.
00014	Novachem Laboratories, Inc.
00015	Aqua-Air Lab Inc.
00020	B & B Consultants, Inc.
00023	Aerobiology Laboratory Assoc
00025	Big Stone Gap Water Plant
00027	Water Tech Labs Inc.
00035	NRV Regional Water Authority
00040	Bristol Virginia Utilities Authority
00041	Biotech Laboratory
00043	Southwest Soils and Water Testing
00051	Otter River Filter Plant
00055	City of Chesapeake Public Utilities
00060	Addison-Evans Water Production & Laboratory Facility
00063	Cisco Labs of Martinsville Va
00074	Town of Culpeper Water Treatment Plant <b>(PWS)</b>
00075	City of Danville Division of Water and Wastewater Treatment <b>(PWS)</b>
00077	Loudoun Water Laboratory
00107	Water Testing Labs of Maryland, Inc. -Stevensville <b>(416)</b>
00115	Environmental Systems Service, LTD.- Culpeper
00116	Cornwell Engineering Group Laboratory
00119	Environmental Systems Service, LTD - Bedford
00120	Fairfax County Health Department Joanne Jorgenson Laboratory
00122	Environmental Options, Inc
00125	Fairfax Water
00135	Farmville Water Plant
00155	Greenway Engineering Environmental Laboratory
00156	HP Environmental, Inc.
00160	Pole Green Drinking Water Laboratory <b>(PWS)</b>
00180	Jennings-Thompson Laboratories, Inc.
00182	John Flannagan Water Authority Lab
00190	City of Lynchburg Department of Water Resources
00195	City of Manassas Water Treatment Plant
00200	Marion Water Plant
00205	City of Martinsville Water Treatment Plant
00206	May Supply Company

00215	Mid-Atlantic Laboratories, Inc.
00220	Newport News Waterworks Water Quality Laboratory
00225	City of Norfolk Department of Utilities Water Quality Laboratory
00240	H2O Quality Laboratory a Division of the PWC Service Authority
00242	Oakwood Scientific Laboratory
00255	City of Portsmouth Dept of Public Utilities
00257	Shenandoah Bacteriological Laboratory
00260	Pulaski County PSA Water Treatment Plant
00275	City of Radford Drinking Water Laboratory
00279	Western Virginia Water Authority Water Quality Laboratory
00281	Pace Analytical Services, LLC - Beaver WV <b>(460148)</b>
00285	Research & Analytical Laboratories, Inc.
00290	City of Richmond Environmental Management Laboratory <b>(PWS)</b>
00295	Rivanna Water & Sewer Authority
00298	Roanoke Rapids Sanitary District
00300	Salem Water Department
00305	VDH DSS Accomac Field Office
00310	VDH DSS Norfolk Field Office
00315	VDH DSS White Stone Field Office
00320	Halifax County Service Authority: Leigh Street Water Treatment Plant
00325	City of Staunton Water Treatment Plant
00330	G. Robert House Water Treatment Facility <b>(PWS)</b>
00340	Town of Leesburg Water Treatment Plant
00342	Three Springs Water Plant
00365	NAVFAC Mid-Atlantic Environmental Laboratory
00370	VDACS RAHL Harrisonburg
00380	VDACS RAHL Lynchburg
00385	VDACS RAHL Warrenton
00390	VDACS RAHL Wytheville
00405	Virginia American Water Company - Hopewell
00410	Virginia Beach Department of Public Utilities
00413	Virginia American Water Company - Alexandria
00415	Washington County Service Authority <b>(PWS)</b>
00416	Water Testing Labs of Maryland, Inc- Salisbury <b>(107)</b>
00417	National Testing Laboratories, Ltd.
00425	Washington Aqueduct Laboratory
00431	Pace Analytical Services, LLC - Madisonville
00437	Spotsylvania County Laboratory Services
00438	Pace Analytical Services, LLC - Pikeville

00442	Town of Wytheville Water Treatment Plant <b>(PWS)</b>
00443	SAFLAB
00444	Fredericktowne Labs
00447	Augusta County Service Authority Fishersville Regional Laboratory
00451	City of Waynesboro Water Treatment Plant
00453	WV American Water - Bluefield
00454	Curtis Drilling, Inc.
00458	Aqua Pennsylvania
00459	The Town of Lebanon Water - Wastewater Laboratory
00461	C H Diagnostic and Consulting Service, Inc.
00462	Pace Analytical National Center for Testing & Innovation
460011	Hampton Roads Sanitation District Central Env Laboratory/ Wet Lab
460013	James R. Reed & Associates
460021	Air Water & Soil Laboratories, Inc.
460024	Inboden Environmental Services, Inc.
460025	Pace Analytical Services, LLC - Eden NC
460030	Coastal Bioanalysts, Inc.
460031	Ingenicomm, L.L.C. Analytical Laboratory
460032	EnviroCompliance Laboratories, Inc. - Ashland
460034	Joiner Labs, LLC dba Joiner Micro Labs
460036	Universal Laboratories - Hampton
460038	Environmental Monitoring, Inc.
460127	BWXT Lynchburg Technology Center
460129	EnviroCompliance Laboratories, Inc. - Verona
460132	Pace Analytical National Center for Testing & Innovation
460135	Schneider Laboratories Global, Inc.
460141	Summit Environmental Technologies, Inc.
460143	Willoughby & Associates, Inc.
460146	Environmental Conservation Laboratories, Inc. - Cary
460148	Pace Analytical Services, LLC - Beaver WV <b>(00281)</b>
460150	Pace Analytical Services, LLC - Lexington VA
460156	Phase Separation Science, Inc
460157	ALS Environmental- Middletown
460160	Analytics Corporation
460161	Testamerica Laboratories, Inc. - Savannah
460162	Geochemical Testing
460163	Pace Analytical Services, LLC-Minneapolis MN
460165	Pace Analytical Services, LLC- Ormond Beach FL
460172	Environmental Hazards Services, L L C
460174	SGS - Dayton
460176	Testamerica Laboratories Inc.- Knoxville
460177	SGS - Orlando
460182	Eurofins Lancaster Laboratories Environmental, LLC
460184	E M S L Analytical, Inc.
460185	TestAmerica Laboratories, Inc. - Buffalo
460186	Environmental Conservation Laboratories
460191	A L S Environmental -- Jacksonville

460194	Alpha Analytical
460195	Alpha Analytical
460198	Pace Analytical Services, LLC - Pittsburgh PA
460202	GEL Laboratories, LLC
460208	Cape Fear Analytical, L.L.C.
460210	Pace Analytical Services, LLC - Madisonville
460212	Fairway Laboratories Inc
460217	Con-Test Analytical Laboratory
460218	Eberline Analytical Oak Ridge Laboratory
460221	Pace Analytical Services, LLC - Huntersville NC
460222	Pace Analytical Services, LLC - Asheville NC
460229	Henrico County D.P.U. Central Environmental Laboratory
460230	Test America Inc
460247	ALS Canada Ltd. dba ALS Environmental
460252	BCS Laboratories, Inc.
460259	Continental Water Laboratory
460260	Eurofins Eaton Analytical, LLC
460267	State Hygienic Laboratory at The University of Iowa
460269	Scientific Methods, Inc.
460270	NSF International
460271	AMA Analytical Services Inc.
460272	Analytical Services, Inc.
460274	American Water Central Laboratory
460275	Eurofins Eaton Analytical, LLC
460276	Florida Radiochemistry Services, Inc.
460279	Microbac Laboratories, Inc. - Dayville, CT
460285	Microbac Laboratories Inc., Baltimore Division
460286	Charlotte Water - Environmental Laboratory Services
460298	Cornwell Engineering Group Laboratory
460301	Blue Ridge Analytical LLC
460302	Pace Analytical Services, LLC
VA010	DCLS
<b>PWSID</b>	<b>PWSID Name/ Lab Link</b>
VA1197810	Town Of Wytheville
VA1191883	Washington County Service Authority
VA3800805	City of Suffolk / G. Robert House Water Treatment Facility

VA5590100	City of Danville / City of Danville Division of Water and Wastewater Treatment
VA6047500	Town of Culpeper

CONTACT(S)	STATUS
Anya Hiatt/ Susan Brickhouse/Robert Wilson/ Heather Chancellor/ James Gordon	Complete
Mike Klein	Transitioning
Pam Dawson	Complete
XXXXXXX	Not participating
Bernie Bubnis	Complete
Warren Pierce	Complete
Christy Seamans	Complete
Manju Pradeep	Complete
Gary Hampton	Complete
Kim Correll	Complete
Jessica Martin	Complete
David Bailey	Complete
Karen Sismour	Complete
Christy Dalton	Complete
James Pribble	Transitioning
Sherry Longest	Transitioning
James Beckley	Transitioning
Wilbur Preston	Complete
Anne Brooks	Complete
David Stiles	Complete
Shannon Bell	Complete
Carrie Myers	Complete
Angie Woodward	Complete
Angelica Jusino	Complete
John Pascale	Complete
Deborah Severson/ Mark Stangler	Complete
Sheila Secrist	Complete
Joe Yorke/Bethany Clatterbuck	Complete
Randall Biggers	Complete
Andrea Kaval	Complete
Jonathon Hall	Complete
David Madumadu	Complete
Jack Thompson	Complete
Billy Hylton	Complete
Leslie Morris	Complete
Addie Aufforth	Complete
Carol Cale	Complete
Brandon Knight	Complete
David Rumheller	Unresponsive

John Storke	Complete
Sherry Williams	Complete
Jillian Terhune	Complete
Theresa Narkinsky	Complete
Ronald Weik	Complete
Sandra Raphael	Transitioning
Lynette Jones	Complete
Eddie Viars	Complete
Bailey West, Emily Nester	Complete
Cheryl Brewer	Complete
Michelle Ellison	Complete
Sidney Champion/Jessica Mize	Complete
Audrey Brubeck	Complete
William Morris	Complete
XXXXXXX	Not participating
Frank Young, Marcus Potts	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
XXXXXXX	Not participating
William Samples	Complete
Seth Hoilman	Complete
Victoria Smith	Complete
Russell Chambers, Gary Yoho	Complete
Tim Harris	Complete
David Evans, Dana Stonelake, Lea Dickantone	Complete
XXXXXXX	Not participating
Christian Volk, Laura Bauer, Kelly Ryan	Complete
Susan Sadowski	Transitioning
Christian Volk, Laura Bauer	Complete
Joey Forster	Complete
Carrie Myers	Complete
XXXXXXX	Not participating
Mike Chicoine	Complete
Brett Davis/Mark DeMoss/ Archie Fugate	Complete
Courtney Rhines	Complete
Brett Davis/Mark DeMoss/ Archie Fugate	Complete

Robert Krunich	Complete
Steven Franks	Complete
XXXXXXX	Not participating
Wendy Eikenberry	Complete
Dwayne Schwartz	Complete
Christopher Copley	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
Shannon Turner	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
XXXXXXX	Not participating
Elaine Claiborne	Complete
Emile Shaw	Complete
Mark Inboden	Complete
Brian Rhett/ Barry Johnson/ Clayton M	Complete
Pamela Blasco	Complete
Mark Culver	Complete
XXXXXXX	Not participating
Daryl Burton	Complete
Stacie Splinter	Complete
Michelle Hurd	Complete
XXXXXXX	Not participating
Brian	Unresponsive
Ariel Sample	Complete
Adrian Thrower	Transitioning
Michelle Ellison	Complete
Michelle Ellison	Complete
Vivan Lynn Jackson	Complete
Sarah Leung	Complete
Dawn Casto, Jack Simila	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
Jerry Thao	Complete
Brian Rhett	Complete
XXXXXXX	Not participating
Beth Wasserman	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
Dorothy Love	Unresponsive
Brian Spicer	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
XXXXXXX	Not participating

XXXXXXX	Not participating
XXXXXXX	Not participating
XXXXXXX	Not participating
Flora Ingram	Transitioning
XXXXXXX	Not participating
Brett Davis/Mark DeMoss/ Archie Fugate	Complete
Beth Skelley	Complete
XXXXXXX	Not participating
XXXXXXX	Not participating
Barry Johnson/Brian Rhett	Complete
Barry Johnson/Brian Rhett/ Angela Bai	Complete
Rachel Hook	Complete
XXXXXXX	Not participating
Thomas French/ Carmen Aguila	Complete
XXXXXXX	Not participating
Anne Petersen/ Mimi Svoboda	Transitioning
XXXXXXX	Not participating
George Land	Complete
Paul Warden	Unresponsive
Cody Cruse	Transitioning
Stephen Dungy, Nathan Trowbridge	Complete
Shawn Naumann	Complete
XXXXXXX	Not participating
Marissa	Unresponsive
Gina Kimble	Transitioning
Angelica Jusino	Complete
Angel Battaglia	Complete
Brian Rhett	Complete
Bailey Davis	Transitioning
<b>Contact(s)</b>	<b>Info</b>
Robert Krunich	Complete
Carson Langston	Complete
Victoria Smith, Dustin Wymer, Robin Whitley, Lanee Alston, Tina Greer	Complete

David Stiles	Complete
Anne Brooks, Winter Brichant, KJ Bradford, Melanie Bayne	Complete

**UPDATE: Federal Actions on PFAS  
Waterworks Advisory Committee Meeting  
September 16, 2020**

**By: Daniel B. Horne, PE  
Engineering Field Director  
Southeast Virginia Field Office**

## **PFAS Action Plan**

EPA issued the Action Plan in February 2019, following a series of public meetings and a consultation with State partners and others. The Plan addresses intended actions in seven priority areas:

- Potential regulation of PFAS in drinking water
- Cleanup of sites contaminated by PFAS
- Potential registration of PFAS under TSCA and potential prohibition of certain uses of PFAS
- Monitoring for PFAS
- Research to understand and manage PFAS
- Application of appropriate enforcement tools
- Risk communication

The Plan was updated in February 2020.

## **Potential Regulation of PFAS in Drinking Water**

EPA issued a Preliminary Regulatory Determination for Contaminants on the Fourth Drinking Water Contaminant Candidate List (PRD4). This PRD4 was published in the Federal Register on February 20, 2020. The proposal included a preliminary determination to regulate PFOA and PFOS, to not regulate six other contaminants, and to request comments on potential monitoring requirements and regulatory approaches for PFAS chemicals. The public comment period closed on June 10, 2020. The next step will be for EPA to issue a Final Regulatory Determination (RD). No date has been set. If the Final RD is to regulate, that will set in motion the process to establish formal Maximum Contaminant Levels (MCLs), monitoring requirements, and analytical techniques.

## **Monitoring for PFAS**

EPA has issued an updated methodology for analyzing for PFAS. Method 533 focuses on “short chain” PFAS, and was issued on December 19, 2019. This method supplements the two original methods, 537 and 537.1, and expands the number of PFAS compounds which can be accurately analyzed.

Six PFAS compounds were included in the Third Unregulated Contaminants Monitoring Rule (UCMR 3, conducted 2012-2016), but none were included in the Fourth rule (UCMR 4). UCMR 4 will wrap up sampling in 2021. EPA has committed to include an expanded number of PFAS

in the UCMR 5, currently under development. No date has been announced for issuance of the Proposed UCMR 5.

### **Control of Toxic Chemicals**

On February 20, 2020, EPA released a list of 172 PFAS chemicals that are now subject to Toxic Release Inventory requirements.

EPA issued a final rule on June 22, 2020, under the authority of the Toxic Substances Control Act (TSCA), prohibiting the manufacture, processing, or importing of products containing certain long-chain PFAS without prior EPA review and approval. The prohibition includes products like ski wax, carpeting, furniture, household appliances, electronics, and other household goods, for starters.

For more information on EPA's actions related to PFAS, the best place to start is their PFAS webpage:

<https://www.epa.gov/pfas>