

**PERFORMANCE PARTNERSHIP AGREEMENT  
(PPA) FY 2011**

**between**

**THE UTAH DIVISION OF DRINKING WATER (STATE)**

**and**

**THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)  
REGION VIII**

Preamble: This is a performance partnership agreement between the Utah Division of Drinking Water hereinafter referred to as “State” and the Drinking Water Program within the Environmental Protection Agency’s Region VIII office, hereinafter known as “EPA”. The purpose of this agreement is to ensure, to EPA’s satisfaction, that the delegated drinking water programs are satisfactorily administered.

Maintain Core Programs: The State will maintain and implement the core programs, as required by federal and state statutes and rules, and as reflected in program authorizations and other formal agreements.

Maintain National Databases: The State commits to properly transfer data into regional and national data systems, where federally required data fields are kept current, and that the data is entered accurately and pursuant to definitions and policy. The State will use the SDWIS-State software to accomplish this task. Prior to each submittal, State will perform the error checks resident with FEDREP and make appropriate adjustments with the data to ensure an accurate submittal. EPA agrees to accept the error checked files submitted by State and release them to SDWIS-ODS. The State commits to maintain its database and assist, when requested to do so and as resources are available, those responsible for the national database. This includes data entry, quality assurance and data validation for assuring timely and complete updating of information for the purpose of data retrieval by EPA staff and managers.

The State commits to transmit water system inventory information and violation and enforcement data to SDWIS within 45 days after the end of each calendar quarter. For systems identified on the ETT priority lists, the State will look at all the violations and submit SDWIS “return to compliance” information where applicable.

The State will employ internal management practices to verify complete data reporting. EPA and State will jointly discuss the 2008 EPA Data Verification audit. State will proceed with Goal Number 13 in an ordered fashion to resolve data quality errors including correcting system monitoring schedules to accurately reflect lead/copper sampling dates and monitoring requirements and ensure accurate entry of initial lead/copper failure to monitor violations into SDWIS-State. EPA agrees to assist the State on interpreting the eDV results of its data by providing meaning summary information that clearly identifies systemic problems that can be readily corrected in States processes. EPA's Regional or Headquarters data management staff

agrees to expeditiously correct any data transfer issues within their respective data systems and EPA Regional program staff agree to extend programmatic timelines as appropriate.

Implementing New EPA Rules: State will ensure new regulatory violations are tracked and reported to SDWIS the quarter after the occurrence. When final guidance is issued, the State will start working on implementing reporting requirements. EPA Region VIII commits to provide the State the SDWIS reporting mechanism as soon as it's available from EPA's Headquarters, prior to any new regulatory implementation date, if possible.

If the State does not have an approved primacy package for any new rule or cannot upload the violations to SDWIS-FED the State commits, for rules that are enforceable by EPA, to provide EPA a list of violators within 60 days of identifying non-compliance.

EPA recognizes that State must go through an extensive process to adopt new regulations. Further EPA recognizes that it is desirable for State to go through the process only once. Therefore, EPA commits to make its best effort to timely review and provide feedback on all interim primacy packages submitted so as to eliminate, where feasible, any potential changes to the final package submission. EPA and Utah recognize that the State has interim primacy consistent with SDWA 1413(c) from the date of submission of its final rule package.

TCR/SWTR: State will provide updating information to EPA during the quarterly CAP meetings regarding the status of compliance of subpart H water systems.

Safe Drinking Water Act Enforcement: The State commits to annotating the quarterly Enforcement Targeting Tool (ETT) list created by the new Enforcement Response Policy (ERP) by indicating the State actions planned for the priority systems appearing on each quarterly version of the ETT list, the projected time frame for such actions, and other relevant information that helps EPA evaluate candidates for federal enforcement and will return the annotations to EPA within 30 days of receipt of the list and periodically thereafter as appropriate. EPA recognizes that it is its responsibility to deliver the list to the State in a timely manner to enable the State to meet its deadlines.

The State commits to annotating the quarterly Enforcement Targeting Tool (ETT) list created by the new Enforcement Response Policy (ERP) by indicating the State actions planned for the systems appearing on each quarterly version of the ETT list, the projected time frame for such actions, and other relevant information that helps EPA evaluate candidates for federal enforcement. For the initial ETT implementation year in FY2011, the State will return the annotations to EPA within 45 days of receipt of the list and periodically thereafter as appropriate. EPA recognizes that it is its responsibility to deliver the list to the State in a timely manner to enable the State to meet its deadlines. EPA acknowledges the number of Utah ETT priority systems is substantially inflated due to violations not being automatically RTC'd in the database and significant State resources will be required to manually RTC these violations.

EPA acknowledges that the number of water systems that will appear on the State's initial ETT list in October 2010 for priority action will likely triple compared to the number of SNC systems

that the State is accustomed to address, and that it may be difficult for the State to address each of these initial ETT priority systems within 6 months of their appearance in October 2010, per EPA's new Enforcement Response Policy. EPA believes that these priority systems need to be addressed through appropriate return to compliance or formal enforcement action. However, for the initial year of FY 2011, EPA will work with the State to address the complete initial list of priority water systems (or a minimum of 99 systems) by July 31, 2011, with the goal of addressing them within 6 months of their appearance on the ETT lists. EPA is willing to assist the State in a work share capacity to address these and other priority systems throughout FY2011 through formal enforcement actions.

EPA acknowledges the number of Utah ETT priority systems is substantially inflated due to violations not being automatically RTC'd in the database and significant State resources will be required to manually RTC these violations.

EPA will continue to encourage the State to ensure that violation letters are sent to PWSs for each violation incurred. This could include evaluating the success of rule managers in completing this task during their performance appraisal and spot-checking during the year to assist in determining this success.

The State commits to address the priority water systems appearing on each quarterly version of the ETT list (through an EPA defined formal enforcement action, an equivalent State informal action, including BCA's with penalties, or appropriate return to compliance) within 6 months of their appearing on the list as State resources allow. If the State does not plan to address the priority water systems appearing on each quarterly version of the ETT list, or if the State does not meet its previous commitments to take enforcement actions then EPA will take federal enforcement action as resources allow. EPA may also issue NOVs for cases in which PWSs become priority ETT's immediately due to late data entry or which would have been priority ETT's if all violations had been uploaded to the national database.

EPA encourages Region VIII states to consider updating/creating their enforcement escalation policies during FY2011 since EPA is now implementing the new ERP instead of the former SNC/Exceptions approach.

EPA will continue to participate in quarterly CAP calls with the State to discuss ETT priority systems, and will obtain the State's plans for addressing all systems that are discussed during the CAP call.

The State will ensure that violation letters are sent to PWSs for each violation incurred utilizing management tools that could include evaluating the success of rule managers in completing this task during their performance appraisal and spot-checking during the year to assist in determining this success.

The State will work on meeting its GIPRA Goals as stated below:

Sub-objective 2.1.1 - Percent of population served by Community Water Systems that receive drinking water that meets all applicable

health-based drinking water standards through approaches including effective treatment and source water protection. - 90%

SP-1 - Percent of Community Water Systems that meet all health-based standards through approaches that include effective treatment and source water protection. - 90%

SP-2 - Percent of "person months" (i.e., all persons served by Community Water Systems times 12 months) during which Community Water Systems provide drinking water that meet all applicable health-based drinking water standards. - 95%

SDW-1a - Percent of Community Water Systems that have undergone a Sanitary Survey within the past three years (five years for outstanding performers) as required under the Interim Enhanced and Long Term 1 Surface Water Treatment rules. - 95%

Safe Drinking Water Enforcement Oversight: The State agrees that EPA will use the new version of the Uniform Enforcement Oversight System (UEOS) for evaluating the State's enforcement performance in FY 2011. The State will be given the opportunity to reconcile the national database information and review a draft report of the assessment before the enforcement evaluation is finalized. EPA will evaluate UEOS Questions 6 and 7 to determine whether the State addressed the priority water systems appearing on each quarterly version of the ETT list within 6 months (while acknowledging the inflated number of priority systems due to violations not being automatically RTC'd) and whether the State escalates enforcement when a PWS violates an existing formal enforcement action.

EPA will conduct an on-site audit in FY 2011 and focus on complete and accurate uploading of violations to SDWIS-Fed. The State will continue to provide access to State PWS files and data for EPA's on-site enforcement review.

The State will upload all ETT priority related enforcement actions and applicable return to compliance (RTC) codes into SDWIS-Fed quarterly for all such actions completed by that date. EPA encourages the State to develop management tools to ensure that enforcement actions are uploaded to SDWIS-Fed. This could include evaluating the success of the employee's responsible for this data entry during their performance appraisal.

EPA will also exert its influence with EPA's Headquarters to encourage an automated RTC functionality into SDWIS-State and/or SDWIS-FED. Both the State and EPA recognizes that not uploading enforcement actions not only creates false ETT priority systems but also provides a misrepresentation of the State's enforcement efforts to anyone using the national database.

EPA recognizes that entering return to compliance (RTC) enforcement actions involves: a) the recognition of an RTC condition, a less than intuitive task given the myriad number of samples received by State and the expansive number of applicable EPA rules, b) identifying all violations that qualify to be RTC'd, c) determining the violation ID numbers for each of those violations,

and d) entering the appropriate enforcement action codes and attaching them to the previously identified violation ID's. EPA acknowledges that when State undertakes this overhead type of activity, State is serving the database so that the database can serve EPA. EPA recognizes that SDWIS-State, as it now exists without the RTC module, is not a tool to help State fulfill its requirement to report a major portion of its enforcement actions.

The State will develop management and employee tools for tracking systems that are under enforcement which could include employees submitting a quarterly case status report to management for systems under enforcement.

The State is aware that EPA will issue a press release twice each year listing the federal enforcement actions that EPA has taken in Utah for the previous 6-month period. As with all EPA press releases, the content will be non-negotiable unless it's a clerical error and this agreement is only applicable to the 2010 PPA. EPA is aware the State may issue a response press release containing clarifying and correcting comments regarding EPA's press release if State see a need for it.

EPA will confer with the State regarding the compliance status of EPA orders issued to Utah PWSs, will list the violations contained in the orders and their current compliance status (according to the SNC definition of compliance) in the enforcement press release, and will provide a courtesy copy of the press release 24 hours prior to the release.

Sanitary Surveys: The State shall submit to the Region VIII Drinking Water Program an evaluation of its program for conducting Subpart H System Sanitary Surveys in accordance with 40 CFR 142.16(b)(3) during each calendar year, by February 15<sup>th</sup> of the following year, as required by 40 CFR 142.15(a)(5).

Drinking Water Source Protection: The State is committed to reporting the status of source protection implementation in Utah to EPA annually. The State is currently using SDWIS-State to accomplish annual reporting on source protection implementation in Utah.

**DEPARTMENT OF ENVIROMENTAL QUALITY**  
**Division of Drinking Water**  
**FY 2011 Goals**

**I. ENVIRONMENT**

1. The Engineering Section will complete and adopt revisions to the Disinfection Rule (R309-520).

**Measures:**

- a. By July 1, 2010, complete soliciting comments from water systems and external experts on proposed revisions to the Disinfection Rule.
- b. By July 31, 2010 have revisions to rule available to be presented to the Drinking Water Board at its September 8, 2010 meeting and initiate the rule making process at the meeting
- c. Provide training regarding the Disinfection Rule revisions to water systems and consultants, such as water operator training, RWAU conferences, and AWWA conferences.

**II. CUSTOMER SERVICE**

2. The Engineering Section and Construction Assistance Section will update the exception tracking and reporting functions in CASPER, and make the exception tracking summary report available to sanitary surveyors.

**Measures:**

- a. By July 1, 2010, complete data entry of historical exceptions, which were issued in the past, for the water systems that are scheduled to be surveyed in 2010.
- b. By November 30, 2010, complete the data entry of historical exceptions for the remaining water systems that will be scheduled for sanitary surveys in future years.
- c. Complete update of exception summary reporting function by July 15, 2010.
- d. Provide training to DDW engineers and District Engineers and implement new protocol of updating CASPER with new exceptions by July 15, 2010.

- e. Provide training to DDW staff on generating exception tracking summary reports by July 31, 2010.
3. The Field Services Section will clean up issues related to sanitary survey bundling and rotating surveyor expertise, and will work on posting Sanitary Survey schedules on DDW's web page.

**Measures:**

- a. By July 31, 2010, formulate a schedule to meet with the Local Health Directors to go over the sanitary surveys assigned in their areas.
  - b. By August 31, 2010, set up appointments with the Local Health Directors.
  - c. By September 30, 2010, begin meeting with the Local Health Directors to formulate grouping and scheduling of the 2011, sanitary surveys.
  - d. By February 28, 2011, complete the information and negotiation phase with all local health departments.
4. The Rules Section shall evaluate the SARA - Consumer Confidence Data Report, and the EPA CCR data software for use in Utah.

**Measures:**

- a. By August 1, 2010, Steve Poreda will install the working version of CCR Setup in SDWIS.
  - b. By August 1, 2010, Rachael Cassady will provide a list of things not working in the SARA CCR data report, and will also provide a workflow of how the SARA CCR data report properly produces the data.
  - c. By October 1, 2010, Rachael Cassady and Steve Poreda will learn how to use the CCR Setup in SDWIS, and Rachael Cassady will compare it to the SARA CCR data report.
  - d. By November 1, 2010, the Rules Section will decide to move forward with either the CCR Setup in SDWIS, or the SARA CCR data report.
  - e. By November 10, 2010, the Rules Section will implement the final CCR utility for the CCRs that will be prepared to meet the July 1, 2011 due date.
5. The Field Services Section will improve emergency response communication capabilities.

**Measures:**

- a. By July 31, 2010, get bids for installing programmable two way radios in the three Division vehicles.
  - b. By August 31, 2010, investigate ways to fund the installation of the radios.
  - c. By September 30, 2010, install two way radios in the three Division vehicles.
  - d. By December 31, 2010, complete the training of staff on the use of the two way radios.
6. The Field Services Section will investigate postcard renewal notices, on-line renewals, and on-line printing of wallet cards and certificates for Operator Certification.

**Measures:**

- a. By July 1, 2010, look at postcard possibilities from the State mail services.
  - b. By July 31, 2010, formulate the wording and information that will be inserted on the postcards for the renewal notices.
  - c. By August 31, 2010, formulate the process and purchase the postcards for the 2011 renewals.
  - d. By December 31, 2010, complete work with appropriate IT staff to enable the renewal process to be available via the web.
  - e. By March 15, 2011, provide training at the RWAU annual conference on the web based renewal process.
7. The Field Services Sections will investigate providing better portable access to Operator Certification and water system inventory information for emergency response use.

**Measures:**

- a. By July 31, 2010, investigate the feasibility of having the information migrated into CASPER.
- b. By November 30, 2010, coordinate the programming of SARA and SDWIS to migrate the Emergency Response, System Inventory, and Operator Certification information into Casper.
- c. By January 31, 2011, have a snapshot of CASPER installed on all of the emergency responder's laptops.

- d. By February 28, 2011, have a scheme in place to ensure the periodic updating of all the responder's laptops.

### **III. STATE-BASED REGULATION OF ENVIRONMENTAL PROGRAMS**

8. The Construction Assistance Section will implement changes to the Capacity Development Program.

#### **Measures:**

- a. In time for the July 14, 2010, Drinking Water Board meeting, develop the non-substantive changes to the Capacity Development Program Rule and submit the changes to the Division of Administrative Rules to change the Rule from R309-352 to R309-800, including updating the Rule to reflect the new DDW rule numbering convention.
- b. By July 14, 2010, hold a work meeting with the Drinking Water Board and discuss board recommendations for changes to the Capacity Development Program, including; extending Capacity Assessment requirements to State-funded SRF projects that meet established Capacity Assessment criteria, investigating the ability of the capacity development program to mitigate potential negative impacts to water systems due to contractor/developer misuse of public trust, etc.
- c. Based on the results of the Drinking Water Board work meeting, craft substantive changes to the Capacity Development Program Rule (R309-800) and begin the process to implement those substantive changes.
  - i. By August 11, 2010, submit draft changes to the Utah Attorney General's Office for review, possible revisions, and approval.
  - ii. By August 11, 2010, submit draft changes to EPA Region VIII for review, possible revisions and approval.
  - iii. Rewrite substantive changes based on input from the above entities and submit them for final approval
- d. Based on responses from the Attorney General's (AG) office and EPA Region VIII, rewrite draft revised rule within 30 days of receiving responses from EPA and the AG's office.
  - i. If responses are received within 60 days of submittal, complete the rewrite of the rule and resubmit to EPA and the AG's office by November 9, 2010.
  - ii. Report progress to the Drinking Water Board at a work meeting or the Drinking Water Board Meeting on November 9, 2010.

- iii. If rule changes are approved by EPA Region VIII and the AG's office, prepare final rule revision within 30 days of receipt of approval; e.g., if approval is received by February 11, 2011, complete document by March 9, 2011.
  - iv. Present revised rule to the Board for approval at the earliest opportunity, based on previously stated parameters, such as the May 11, 2011 Board meeting.
  - v. Submit approved substantive changes to the Capacity Development Program Rule (R309-800) to the Division of Administrative Rules for implementation as soon as possible after receiving authority to precede from the Drinking Water Board, following normal required rule approval procedures.
- e. If, in the opinion of the Attorney General (AG), the State Legislature must make code changes before the rule may be revised, work with the AG's office and a legislative sponsor to write the required legislative language. Current target date is November 15, 2010.
- i. Since the legislative session will end in mid-March 2011, wait to see what, if any, changes are made before proceeding. Revise draft rule and discuss it with the Drinking Water Board at the May 11, 2011 meeting.
  - ii. By June 15, 2011, make rule revisions based on legislative action, if any, and Drinking Water Board comments.
  - iii. By May 19, 2011, make appropriate changes to tasks, measures, and target dates for this goal as required by timing of responses and approvals from EPA Region VIII and the AG's office, as well as Legislative requirements and Drinking Water Board actions.
9. The Field Services Section will investigate ways to improve compliance work with respect to cross connection control programs and partners.

**Measures:**

- a. By August 31, 2010, hold a brainstorming meeting with members of staff to discuss the obstacles and means to achieve improved compliance with respect to the Cross Connection Control as reported in IPS reports.
- b. By November 30, 2010, implement a plan from the brainstorming meeting to achieve improved compliance.

- c. By December 31, 2011, implement a mechanism to monitor the compliance with the Cross Connection Control program.

#### **IV. PARTNERSHIP WITH FEDERAL, STATE, LOCAL AND TRIBAL GOVERNMENTS**

- 10. The Rules and Field Services Sections will work with CLEHA to improve communications and establish other areas of contacts as needed.

**Measures:**

- a. By July 31, 2010, establish UDDW/CLEHA working group to address issue.
  - b. By September 31, 2010, identify critical and/or common areas of communication between the Division and LHDs.
  - c. By December 31, 2010, establish or reestablish an acceptable point of contact and method of contact for each area of communication (i.e.: e-mail list or call down list).
  - d. By March 31, 2011, implement the working group recommendations.
- 11. The Field Services Section will take the lead in working with representatives from all the other sections to explore improvements to the ESS process and review the questions for the 2011 sanitary survey season.

**Measures:**

- a. The Division will form a committee consisting of: no more than 2 individuals from each section in DDW; 2 LHD representatives, 2 RWAU representatives and 1 AWWA representative, by July 31, 2010.
  - b. The Committee will evaluate the current question set, the ESS process and the sanitary survey process by September 30, 2010.
  - c. The Committee will submit a final 2011 question set to be uploaded into ESS by November 30, 2010.
  - d. The Committee will submit a final report to Division management on suggested modifications to the survey process and recommendations on changes to the sanitary survey questions.
- 12. The Rules Section will investigate and promote the enablement of web access to a predetermined List of standard reports for our partners (LHD's, DE's, RWAU, water systems, and laboratories), to enable all to see reports such as: monitoring schedules, IPS reports, Inventory reports, and Operator CEU's.

**Measures:**

- a. By September 1, 2010, Division of Drinking Water staff will meet with IT staff to explore and evaluate the options of making drinking water data available to LHD's, DE's, RWAU and water systems via the internet.
  - b. By November 1, 2010, Division of Drinking Water staff will select the best method for making data accessible and outline an implementation plan.
  - c. By February 1, 2010, Division of Drinking Water partners will be able to access the drinking water data.
  - d. By March 4, 2011, Division staff will present training to water system personnel at the RWAU annual conference on how they can access their data.
13. The Rules Section will work cooperatively with EPA Region VIII on the development of an "Implementation and Data Quality Improvement Plan" which prioritizes issues affecting public health.

**Measures:**

- a. By October 1, 2010, staff will involve EPA Region VIII on the use of EPA's electronic data verification tool to obtain a list of the potential data errors.
  - b. By December 1, 2010, staff will identify the various types of data quality errors and place them into logical groups.
  - c. During the month of January 2011, staff will place the logical group of data quality errors into priority order and receive comments from EPA Region VIII regarding the priority order.
  - d. As resources allow, during the remainder of the federal fiscal year, staff will work on changing processes, activities and/or procedures to achieve the greatest improvement of data quality.
  - e. By April 30, 2011, staff will prepare a report on activities undertaken during the year. The report will also contain an explanation of the State's selection rationale for both the logical groups selected and those not selected.
14. The Division will explore partnership opportunities with AWWA.

**Measures:**

- a. In an effort to promote the value of drinking water to the State's appointed and elected officials, and encourage better communications between water system

personnel and these same officials, the Division and AWWA will develop a working relationship with other organizations (i.e., Utah League of Cities and Towns) to communicate these messages. By September 1, 2010 the Administrative Services Section, the Construction Assistance Section, and the Field Services Section will each assign a person to sit on the IMS AWWA Public Officials Committee and participate in committee activities and functions. This may include presenting information at conferences on drinking water source protection, forming new public drinking water systems, model ordinances, standard practices, etc.

- b. The Intermountain Section AWWA's Leadership Forum provides preparation and education for future leaders. Various Section's will participate in the Forum through the following:
  - i. By September 1, 2010, the Field Services Section will provide a scholarship for a rural or small system to participate. This will include providing funding (\$750 for Forum, plus travel assistance) and developing a scholarship application and review process with the Intermountain Section AWWA's Management Development Committee. The goal will be to award one scholarship each year starting in the fall of 2010.
  - ii. By January 31, 2011, the Rules Section will provide a presenter to discuss new rules at the Leadership Forum highlighting regulatory and legislative issues.
  - iii. By June 30, 2011, the Engineering Section will provide a presenter to discuss engineering review process at the Leadership Forum highlighting engineering and construction.
- c. The Division and the Intermountain Section AWWA will work together to promote Water Week.
- d. By November 1, 2010, the Division will assign a person to sit on the IMS AWWA Youth and Consumer Education Committee and participate in committee activities and functions.
- e. By January 31, 2011, the Division will send letters to water systems announcing the dates of water week, the themes, and suggesting that their system become involved (give examples of activities and events).
- f. By January 31, 2011, the Division will send letters to Mayors announcing the dates of water week, the themes, and display items that will be sent to them. This

will also be a good opportunity to suggest that the officials discuss Water Week with their water system personnel.

- g. By May 2011, the Division will participate in various Water Week activities by staffing the “Backflow Prevention” booth.
  - i. AWWA has recently developed and published the G-200 Standard for Distribution Systems’ Operation and Management. The purpose of this standard is to define the critical requirements for the operation and management of water distribution systems, including maintaining water quality, system management programs, and operation and maintenance of facilities.
  - ii. By September 1, 2010, the Construction Assistance Section and/or the Field Services Section will assign a person(s) to sit on the IMS AWWA Utility Quality Management Committee and participate in committee activities and functions.
  - iii. By January 31, 2011, the Field Services Section will work to incorporate the G-200 Standard into their Operator Training Programs.
  - iv. By January 31, 2011, the Construction Assistance Section will work to incorporate the G-200 Standard into their Capacity Development/Assessment program.
- h. By September 15, 2010, the Rules Section will assist the Intermountain Section AWWA staff in developing webinar training sessions. This will include identifying potential webinar sites and site coordinators throughout Utah, scheduling sessions, and preparing presentations for the webinars. The IMS AWWA will provide the webinar registration system, web conferencing and onlinemeeting tools, communication with site coordinators, and co-presenters.

## **V. EMPLOYEES**

- 15. The Division Data Management Committee will investigate empowering staff with after-hours access to DDW’s databases.

### **Measures:**

- a. By July 31, 2010, each section manager will identify which staff currently do not have access to the division data bases after hours, and need such access.
- b. By September 30, 2010, Division management will work with IT staff to enable the access for identified employees.

16. The Rules Section will explore providing Division staff access to preliminary EPA SNC lists.

**Measures**

- a. By July 15, 2010, the Rules Section will develop a discussion sheet regarding the EPA SNC lists, which includes how they are generated and an explanation of the codes.
  - b. By August 1, 2010, the Rules Section will explore and determine a standard electronic location to house the draft EPA SNC list(s).
  - c. Within 3 days of receiving a new draft EPA SNC list, the list shall be posted to this location, and an e-mail will be sent to staff notifying them of the existence of a new list.
17. The Division management team will create a process regarding rule writing in the Division.

**Measures:**

- a. The Division's rulemaking team will develop a protocol to improve communication and coordination within the Division regarding rulemaking.
  - c. Identify the lead rulemaking person for each section by July 31, 2010.
  - d. By August 31, 2010, the rulemaking staff will meet to discuss the following issues:
    - i. Determine meeting frequency.
    - ii. Identify a centralized location of housing the most updated R309 rule versions.
    - iii. Develop a standardized rulemaking protocol within the Division to ensure communication and coordination among sections prior to initiating the rulemaking process.
  - e. Finalize the Division's rulemaking protocol by October 31, 2010 and place the document in the Policies and Procedures folder in e-Docs.
18. All Sections will maintain the "Policies and Procedures" folder in eDocs. The folder will be logically organized and will address common and routine division business processes. At a minimum, the folder should contain flowcharts of standard division processes, checklists and standard letter formats and paragraphs.

**Measures:**

- a. By August 31, 2010, each section manager will review the eDocs “Policies and Procedures” folder for content relevant to their section.
- b. Each section manager will identify any processes that are undocumented, and will assign appropriate staff to develop the appropriate documentation, by September 30, 2010.
- c. December 31, 2010, routine procedures in the Division of Drinking Water will be documented in eDocs.
- e. Policies and procedures documented outside of eDocs will not be considered part of the standard procedures of the Division.

**VI. INFORMATION TECHNOLOGY**

- 19. The Rules Section will work to improve the reporting of analytical data to UDDW by enabling the electronic transfer of laboratory analytical data including data from Local Health Department labs to the Division.

**Measures:**

- a. By September 30, 2010, consult with DEQ and DIT managers to investigate the feasibility of providing laboratory access to Laboratory to State on a public-facing website.
  - b. Continue recruiting laboratories willing to report analytical results electronically. Provide training to laboratories on the use of Laboratory to State and on the formatting requirements for data submitted via the Laboratory to the State.
  - c. By September 30, 2010, complete development of TCR Sample Reporting website on the Department of Health’s Public Health Access web server. This website is suitable for LHDs and small laboratories reporting **only** TCR sampling data.
- 20. The Construction Assistance Section will incorporate the new Needs List (based on IPS points) into the SRF program. It will either function in parallel or be merged with the existing Project Priority List.

**Measures:**

- a. By July 15, 2010, consider the pros and cons in making available the current Needs List on the division’s website for use by consultants to develop projects worthy of SRF funding.

- c. By August 19, 2010, consider modifying the existing Needs List (priority list based on IPS points) to more closely match the categories in the current Project Priority List scoring system. Work with IT on getting specific IPS fields broken out and available to CASPER, if necessary.
  - d. By December 16, 2010, make available the modified Needs List on the division's website for use by consultants to encourage them to determine the needs of the water systems and develop projects for SRF funding.
  - e. By April 28, 2011, create a database module in CASPER that allows project specific applicants on the Needs List to be pushed into the Project Priority List which can be used by the SRF Program and be transportable to the Intended Use Plan (IUP).
21. The Division's Data Management Committee will ensure that staff enters data consistently into SDWIS, SARA, eDOCS, and CASPER. Standards have been established for entering data and managing legal entities, water systems, and facilities. Where gaps in the standards exist, develop new standards and provide appropriate training.

**Measures:**

- a. By September 30, 2010, specific processes will be identified where data is not entered consistently in division databases, and where such inconsistent entry causes problems.
  - b. By December 31, 2010, standards for such data entry will be developed and added to the Division "Policies and Procedures" section in eDocs.
  - c. By January 30, 2011, the specific people involved in such data entry will be identified and trained.
22. The Division Data Management Committee will formalize our procedures for correcting bad addresses, consistent with DEQ's Returned Mail Policy dated February 9, 2010.

**Measures:**

- a. By August 30, 2010, the Division Data Management Committee will evaluate and implement the Department of Environmental Quality's Returned Mail Policy and identify any areas of DDW's business processes need to be adapted to fit the existing processes.
- b. By September 30, 2010, identify any in-Division implementation changes (if any) that are necessary to implement the DEQ policy.

- c. By October 30, 2010, training will be provided to the appropriate individuals identified in measure a.
23. The Division Data Management Committee will investigate using data in CASPER to populate source protection status and exception reports into SARA and the IPS Report.

**Measures:**

- a. Meet with DTS staff by September 30, 2010 to describe need, show DTS staff where relevant CASPER data are located, how CASPER interacts with SDWIS, and explain how the data must be queried and reported.
  - b. DTS staff will add source protection status and exception reports by December 31, 2010.
24. The Field Services Section will investigate the feasibility of offering on-line Operator Certification Exams.

**Measures:**

- a. By July 31, 2010 hold an Operator Certification Commission meeting to gain support for the on-line exams.
- b. By August 31, 2010 investigate the feasibility of offering the on-line exams either by DDW or outsourcing the exams.
- c. By September 30, 2010 meet with DIT to set up http addresses to send the exams to remote sites.
- d. By October 31, 2010 investigate possible locations for proctoring the exams and the equipment that will be needed to take the exams.
- e. By January 31, 2011 implement a pilot program for operators to take the operator certification exams from a remote location.

Division of Drinking Water  
Core Activities 2011

<i>Category</i>	<i>Activity</i>	<i>Responsibility</i>
<i>Philosophy, Culture</i>	Customer Service orientation	All
	Implement DEQ Operating Principles	All
	Actively seek customer feedback	All
	Maintain good communication with partners and customers	All
	Effective Intersection communication	All
	Effective Interdivision communication	All
	Invite local legislators to DW Board Activities	Division Director
	Div Dir will collaborate with DW Board in support of joint goals	Division Director
	Div will actively protect public health through water system compliance	All
	Employee job ownership/job empowerment	All
<i>Staff</i>	Ensure staff are technically trained to accomplish mission	All
	Reward and recognize employees for excellent work	All
	managers have an open door policy (and keep staff issues and conversations private)	
	Serve on national and state committees	All
	Secretaries forward calls to the proper staff member or agency and staff will inform secretaries of schedule and whereabouts	All
	Ensure cross-training and back-up capability where appropriate	All
<i>IT, Gov eBusiness</i>	Internet website including in-use forms kept current, maintained and improved	Const Assist / All
	SDWIS data reporting	Rules
	Automate water treatment plant report transmission	Rules
	Implement geographic information system (GIS) applications, including support for outside partners and other DEQ Divisions	Admin Serv
	Maintain and enhance the divisions databases: SDWIS/SARA/CASPER	Rules / All
	Continue to implement the Department electronic document management system	Admin Serv / All

Add and maintain current and accurate data in all of the Divisions databases and all of the contact information including e-mail addresses	All
<i>Assistance and Training</i>	
Staff assistance to Drinking Water Board	Division Director / All
Technical assistance to water operators	All
General partnering (targeted training, cooperation, follow-up, & planning)	All
Educate locally elected officials and their staff	All
Provide technical assistance on Drinking Water quality problems	All
Perform Capacity development functions	Const Assist / All
Provide support for the Permanent Community Impact Board	Eng./Const Assist
Provide technical assistance to water treatment plants	All
Provide support to local water quality alliances	All
Support water planning activities in cooperation with other agencies and local government and technical assistance partners, regarding source protection and system viability issues	All & RWAU
<i>Field Work</i>	
Provide training on physical facility capacity and it's issues for consultants, district engineers, others	Const Assist / Engineering
Ensure Drinking Water Board members have sufficient training to make policy decisions	All
Sanitary survey scheduling with consideration for expertise rotation and geographic grouping. Perform Sanitary Surveys. Respond to water systems	Field Services
Water treatment plant inspections	Engineering / Const Assist
Construction inspections	Engineering / Const Assist
Develop and obtain additional useful spatial data	All
Special studies on water treatment technologies	Engineering
Geologic evaluation of sources	Admin Serv
<i>Regulatory</i>	
Emergency Response / System Security/Project Funding	Field Engineering / Services/ Const Assist
Assist water systems with developing and maintaining Cross Connection control programs	Field Services & RWAU
Write, implement and revise rules as needed	All
Plan review and operating permits	Engineering / Const

	Assist
Enforcement & compliance by each section on its rules	All
Enforcement (AOs, BCAs, AG Referrals, Administrative Hearings, Administrative Penalties, etc.)	All
Properly follow-up on assignments made at the Division's quarterly CAP meetings	All
Unified Enforcement Oversight System	Rules
EPA quarterly reporting	Rules
Improvement Priority System	All
Implement appropriate prevention and enforcement actions on SNC and Not-approved systems	Rules
Public Notice	Rules
Consumer Confidence Reports	Rules
Report every three years on assistance to significant non-compliers for the capacity development program	Const Assist
Quarterly SNC list annotated and back to EPA within 30 days	Rules
Copy EPA with enforcement action	Rules
Monitoring and MCL Compliance tracking and reporting	Rules
Grout Witnesses	Engineering / Constr Assist
Surface Water Treatment Rule tracking and reporting (also GWUDISW)	Rules / Engineering / Field Services
Source protection program	Admin Serv
Capacity development review for new systems	Const Assist
<i>Certification</i>	
Assure that sampling and reporting is being done in a professional, timely and truthful manner.	Rules
When EPA proposes a rule, we will study the impact, prepare appropriate comments, and encourage the affected PWSs to comment. Finalize each rule by developing an appropriate State Rule, and implement.	All
Backflow Technician Certification	Field Services
Operator Certification	Field Services
<i>Financial Assistance</i>	
Financial assistance programs	Const Assist
Capacity assessments for financial assistance	Const Assist
Annual rate and needs surveys	Const Assist
Capture systems with significant physical deficiencies and water quality issues in the IPS/PPL	Const Assist/Rules
<i>Misc</i>	

State Health Laboratory Coordination	Field Services
All other Labs coordination	Rules / Field Services
Support services (Purchasing, contracting, grants, travel, budget preparation budget/expenditure tracking, and financial reporting, cash receipts, fee schedule)	Admin Serv
Support Board investigations on: Conservation; secondary systems; system security; master planning requirements; State SRF to mutual systems; 1/16 % sales tax issue.	Const Assist / Engineering / Field Services
Respond to GRAMA requests	All
Actively seek financial assistance to enable the division to pursue its mission	Division Director