

**R309-500. Facility Design and Operation: Plan Review, Operation and Maintenance Requirements.**

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## **R309-500. Facility Design and Operation: Plan Review, Operation and Maintenance Requirements.**

### ***R309-500-1. Purpose.***

The purpose of this rule is to describe plan review procedures and requirements, clarify projects requiring review, and inspection requirements for drinking water projects. It is intended to be applied in conjunction with rules R309-500 through R309-550. Collectively, these rules govern the design, construction, operation and maintenance of public drinking water system facilities. These rules are intended to assure that such facilities are reliably capable of supplying adequate quantities of water which consistently meet applicable drinking water quality requirements and do not pose a threat to public health.

### ***R309-500-2. Authority.***

This rule is promulgated by the Drinking Water Board as authorized by Title 19, Environmental Quality Code, Chapter 4, Safe Drinking Water Act, Subsection 104(1)(a)(ii) of the Utah Code and in accordance with 63G, Chapter 3 of the same, known as the Administrative Rulemaking Act.

### ***R309-500-3. Definitions.***

Definitions for certain terms used in this rule are given in R309-110 but may be further clarified herein.

### ***R309-500-4. General.***

#### **(1) Construction of New Facilities and Modification of Existing Facilities.**

- (a) Plans, specifications, and other data pertinent to new facilities, or existing facilities of public drinking water systems not previously reviewed, shall be submitted to the Director for review for conformance with rules R309-500 through R309-550. All submittals shall be from the public water system or its agent.
- (b) The Director has the authority to grant an exception to R309-500 through R309-550 per R309-105-6(2)(b).
- (c) Construction of a public drinking water project shall not begin until complete plans and specifications have received Plan Approval or a Plan Submittal Waiver has been issued by the Director.

(d) No new public drinking water facility shall be put into operation until the Director has issued an Operating Permit or a Plan Submittal Waiver.

## **(2) Minimum Quantity and Quality Requirements for Existing Facilities.**

All existing public drinking water systems shall be capable of reliably delivering water that meets current drinking water minimum quantity and quality requirements. The Director may require modification of existing systems in accordance with R309-500 through R309-550 when such modifications are needed to reliably achieve minimum quantity and quality requirements.

## **(3) Operation and Maintenance.**

Public drinking water system facilities shall be operated and maintained in a manner that protects public health. As a minimum, operation and maintenance procedures described in R309-500 through R309-550 shall be met.

### ***R309-500-5. Public Drinking Water Project***

#### **(1) Definition.**

A public drinking water project, requiring submittal of a Project Notification Form and plans and specifications, is any of the following:

- (a) Construction of any facility for a proposed drinking water system.
- (b) Any addition to, or modification of, the facilities of an existing public drinking water system that may affect the quality or quantity of water delivered.
- (c) Any activity, other than on-going operation and maintenance procedures, that may affect the quality or quantity of water delivered by an existing public drinking water system. Such activities may include:
  - (i) the interior re-coating or re-lining of any raw or drinking water storage tank, or water storage chamber within any treatment facility,
  - (ii) the in-situ re-lining of any pipeline,
  - (iii) a change or addition of a water treatment process,

- (iv) the re-development of any spring or well source,
- (v) replacement of a well pump with one of different capacity, and
- (vi) deepening a well.

## **(2) On-going Operation and Maintenance Procedures.**

On-going operation and maintenance procedures are not considered public drinking water projects and, accordingly, are not subject to the project notification, plan approval and operating permit requirements of this rule. However, these activities shall be carried out in accordance with all requirements contained in R309-500 through R309-550 and specifically the design, construction, disinfection, flushing and bacteriological sampling and testing requirements before the facilities are placed back into service. The following activities are considered to be on-going operation and maintenance procedures:

- (a) pipeline leak repair,
- (b) replacement of existing deteriorated pipeline where the new pipeline segment is the same size as the old pipeline or the new segment is upgraded to meet the minimum pipeline sizes required by R309-550-5(4) or larger sizes as determined by a hydraulic analysis in accordance with R309-550-5(3), excluding substantial distribution system upgrades that involve long-term planning and complex design,
- (c) tapping existing water mains with corporation stops so as to make connection to new service laterals to individual structures,
- (d) distribution pipeline additions where the pipeline size is the same as the main supplying the addition or the pipeline addition meets the minimum pipeline sizes required by R309-550-5(4) or larger sizes as determined by a hydraulic analysis in accordance with R309-550-5(3), the length is less than 500 feet and contiguous segments of new pipe total less than 1000 feet in any fiscal year,
- (e) entry into a drinking water storage facility for the purposes of inspection, cleaning and maintenance, and
- (f) replacement of equipment or pipeline appurtenances with the same type, size and rated capacity (fire hydrants, valves, pressure regulators, meters, service laterals, chemical feeders and booster pumps including deep well pumps).

## **R309-500-6. Plan Approval Procedure.**

### **(1) Project Notification.**

The Division shall be notified prior to the construction of any "public drinking water project" as defined in R309-500-5(1) above. The notification may be prior to or simultaneous with submission of construction plans and specifications as required by R309-500-6(2) below. Notification shall be made on a form provided by the Division.

***Guidance: In addition to the Project Notification Form, new public water systems should submit a New Public Water System Supplemental Form to the Director.***

### **(2) Pre-Construction Requirements.**

All of the following shall be accomplished before construction of any public drinking water project begins:

(a) Plans and specifications for a public drinking water project shall be submitted to the Division at least 30 days prior to the date on which action is desired.

***Guidance: Review of complicated projects, especially water treatment facilities, may require more than 30 days and should be submitted well in advance of the date on which action is desired.***

(b) Required submittals may include engineering reports, hydraulic analyses of the existing system and additions, local requirements for fire flow and duration, proximity of sewers and other utilities, water consumption data, supporting information, evidence of rights-of-way and reference to any previously submitted master plans pertinent to the project, a description of a program for keeping existing water works facilities in operation during construction so as to minimize interruption of service, etc.

(c) Plans and specifications submitted shall be complete and sufficiently detailed for actual construction. Plans and specifications shall also adequately identify and address any conflicts or interferences.

***Guidance: It is recommended that an inspector familiar with these rules be retained to observe all construction.***

(d) Drawings that are illegible or of unusual size will not be accepted for review.

(e) The plans and specifications shall be stamped and signed by a licensed professional engineer as required by Section 58-22-602(2) of the Utah Code.

(f) If construction or the ordering of substantial equipment has not commenced within one year of Plan Approval, a renewal of the Plan Approval shall be obtained prior to proceeding with construction.

### **(3) Eligibility for Plan Submittal Waivers.**

In lieu of submitting plans and specifications for Plan Approval and obtaining Operating Permits, public water systems may request Plan Submittal Waivers for two types of water line projects (excluding booster pump stations) after first becoming eligible to request the waivers. The Director will issue written notification that a public water system is eligible to request the Plan Submittal Waivers described in R309-500-6(3)(a) and (3)(b) if the information provided is acceptable.

(a) Water Line Projects Included in an Approved Master Plan. To become eligible to request this type of waiver, a public water system must submit standard installation drawings, which meet the requirements in R309-550, and a master plan, which is supported by a hydraulic analysis, to the Director for approval.

(b) Water Line Projects Included in (i) through (iii) below. To become eligible to request this type of waiver, a public water system must submit the following in writing to the Director: standard installation drawings that meet the requirements of R309-550, the name of the professional engineer responsible for design of the entire water system, and the name of the professional engineer responsible for oversight of the hydraulic analysis for the entire water system.

(i) Water lines less than or equal to 8 inches in diameter in water systems providing water to a population less than 3,300;

(ii) Water lines less than or equal to 12 inches in diameter in water systems providing water to a population between 3,300 and 50,000; or

(iii) Water lines less than or equal to 16 inches in diameter in water systems providing water to a population greater than 50,000.

Public water systems eligible for Plan Submittal Waivers per R309-500-6(3)(b) may request an after-the-fact Plan Submittal Waiver for multiple water line projects by submitting the required information to the Director annually per R309-500-6(4)(b).

***Guidance: When a water line project requires an exception to rule, the exception-to-rule request must be submitted to the Division prior to construction. If the exception is granted, the project itself can then be included in the after-the-fact waiver request, which is due by January 31 of the following year.***

#### **(4) Using Plan Submittal Waivers.**

(a) Plan Submittal Waivers Prior to Construction.

After becoming eligible to request Plan Submittal Waivers per R309-500-6(3), a public water system must complete the following when requesting a Plan Submittal Waiver for an individual water line project prior to construction:

(i) Submit a complete Project Notification Form describing the project, including pipe length, diameter, material, and joint type; project location; number of new service connections; whether minimum separation requirements between water lines and sewer lines in R309-550-7 will be met for the proposed water line project; and specifying which Plan Submittal Waiver, R309-500-6(3)(a) or R309-500-6(3)(b), is being requested;

(ii) For projects that will have a hydraulic impact, submit a certification of hydraulic analysis by a professional engineer per R309-511-6(1) indicating that the design will not result in unacceptable pressure and flow conditions (including fire flow if fire hydrants are installed);

(iii) Submit a certification by a professional engineer, who is responsible for the design and construction of the project or has been designated by the water system in writing as the professional engineer directly responsible for the design of the entire water system, indicating that design and construction will meet the requirements of R309-500 through 550, that proper flushing and disinfection will be completed according to the appropriate ANSI/AWWA standard, that satisfactory bacteriological sample results will be obtained prior to placing the facilities into service, and that the water system will receive a copy of as-built or record drawings;

(iv) Obtain a written Plan Submittal Waiver, in lieu of Plan Approval, from the Director prior to the start of construction; and

(v) Comply with the conditions in R309-500-6(4)(a)(iii) prior to placing the new facilities into service.

***Guidance: A template for Certification of Hydraulic Analysis & Plan Submittal Waiver Conditions is available from the Division for use by the water system or its agent.***

(b) After-the-Fact Plan Submittal Waivers.

After becoming eligible to request Plan Submittal Waivers per R309-500-6(3)(b), a public water system may choose to obtain an after-the-fact waiver for multiple water line projects by complying with the following requirements:

(i) Water systems shall submit a single copy of each item listed above in R309-500-6(4)(a)(i) through (iii) to the Director by January 31 of each year.

(ii) The single Project Notification Form and the required certifications shall include the information required per R309-500-6(4)(a)(i) for each water line project completed during the previous calendar year that has not received a Plan Submittal Waiver.

(iii) Water systems shall maintain an up-to-date record tracking the water line project information required per R309-500-6(4)(a)(i) through (iii) for each project completed during the year that has not received a Plan Submittal Waiver but will be included in the annual after-the-fact waiver request. Water systems shall make the water line project tracking record available for Division review upon request.

***Guidance: A template for tracking and summarizing the qualified water line projects constructed during a calendar year is available from the Division for use by the water system or its agent requesting after-the-fact Plan Submittal Waivers.***

***Projects that are eligible for and obtain after-the-fact Plan Submittal Waivers, or are documented and tracked by public water systems in preparation of requesting after-the-fact Plan Submittal Waivers in accordance with this rule, are not subject to the penalty fee.***

### ***R309-500-7. Inspection during Construction.***

Staff from the Division, the Department of Environmental Quality, or the local health department, after reasonable notice and presentation of credentials, may make visits to the work site to assure compliance with these rules.

### ***R309-500-8. Change Orders.***

Any deviations from approved plans or specifications affecting capacity, hydraulic conditions, operating units, the functioning of water treatment processes, or the quality of water to be delivered, shall be reported to the Director. The Director may require that revised plans and specifications be submitted for review. If required, revised plans or specifications shall be submitted to the Division in time to permit the review and approval of such plans or specifications before any construction work, which will be affected by such changes, is begun.

### ***R309-500-9. Operating Permit.***

The Division shall be informed when a public drinking water project, or a well-defined phase thereof, is at or near completion. The new or modified facility shall not be placed into service until an Operating Permit or a Plan Submittal Waiver is issued by the Director. The Operating Permit will not be issued until all of the following items are submitted and found to be acceptable for all projects. Distribution lines (not including in-line booster pump stations), may be placed into service prior to submittal of all items if the professional engineer responsible for the entire system, as identified to the Director, has received items (1) and (4):

(1) Certification of Rule Conformance by a professional engineer that all conditions of Plan Approval were accomplished and if applicable, changes made during construction were in conformance with rules R309-500 through 550,

(2) as-built or record drawings incorporating all changes to approved plans and specifications, unless no changes are made from previously submitted and approved plans during construction,

(3) confirmation that a copy of the as-built or record drawings has been received by the water system owner,

(4) evidence of proper flushing and disinfection in accordance with the appropriate ANSI/AWWA Standard,

(5) where appropriate, water quality data,

***Guidance: Water quality data for finished and raw water samples will be required as evidence of effective performance of new or modified water treatment plants prior to issuing an Operating Permit.***

(6) all other documentation which may have been required during the plan review process, and

(7) confirmation that the water system owner has been provided with an Operation and Maintenance manual for the new facility if applicable.

### ***R309-500-10. Waste and Wastewater Disposal.***

Approval of plans and specifications may require evidence showing that the methods of waste and wastewater disposal have been approved or accepted by the Utah Division of Water Quality, the local health agency, or the local authority for:

(1) new drinking water facilities, including discharges from treatment facilities, discharges related to construction, etc., and

(2) new drinking water facilities serving proposed developments.

### ***R309-500-11. Fee Schedule.***

The Division is authorized to assess fees according to the Department of Environmental Quality fee schedule. The fee schedule is available from the Division.

### ***R309-500-12. Other Permits.***

Local, county, federal, and other state authorities may impose different, more stringent, or additional requirements for public drinking water projects. Water systems may be required to comply with other permitting requirements before beginning construction of drinking water projects or placing new facilities into service.

KEY: drinking water, plan review, operation and maintenance requirements, permits

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