

Kentucky Rural Water Association

Helping water and wastewater utilities help themselves

January 31, 2012

RECEIVED

FEB - 3 2012

PUBLIC SERVICE
COMMISSION

Mr. Jeff Derouen, Executive Director
Public Service Commission
P. O. Box 615
Frankfort, KY 40602-0615

Re: Case No. 2011-00479

Dear Mr. Derouen:

Kentucky Rural Water Association scheduled three regional meetings during the month of January, 2012. On behalf of Kentucky Rural Water Association, I hereby attest that these programs, herein referenced as Case No. 2011-00479, were held as scheduled in Morehead, Owensboro, and Draffenville. The planned course of instruction, approved for two (2) credit hours per session by the Commission, was performed as submitted with no changes.

As required, KRWA has included a list of commissioners who attended these sessions and earned continuing education credit for the approved courses. A copy of the handouts provided to attendees is also included.

Kentucky Rural Water Association would like to thank the Kentucky Public Service Commission and staff for their leadership and support in approving the training offered during our Regional Meetings.

Sincerely,



Janet Cole
Education Coordinator

jc

Enclosures

January 2012 Regional Meetings Sponsored by Kentucky Rural Water Association

PSC Case Number: 2011-00479

Northeast Regional - Morehead - January 17, 2012			
No Commissioners attended this session			
Green River Regional - Owensboro - January 19, 2012			
Organization	First Name	Last Name	PSC Hrs
Nebo Water District	Gene	Turner	2
Western Regional - Draffenville - January 26, 2012			
Organization	First Name	Last Name	PSC Hrs
Jonathan Creek Water District	Larry	Conner	2
Jonathan Creek Water District	Barry	Hill	2
Jonathan Creek Water District	Michael	Edwards	2
Jonathan Creek Water District	Leon	Lovett	2
North Marshall Water District	Kendra	Capps	2
North Marshall Water District	Larry Joe	Draffen	2
North Marshall Water District	Billy	Driskill	2

Federal Regulatory Actions

- On track for final regulation:
 - Revised Total Coliform Rule (RTCR): Mid 2012
 - Long-Term Lead and Copper Rule
 - Unregulated Contaminant Monitoring Rule 3 (UCMR 3): Monitoring in 2013-2015
 - Perchlorate
- Considered for regulation or regulatory revision
 - Hexavalent chromium: In UCMR3?
 - Fluoride: Pending DPH action on supplementary fluoridation



Enforcement Response Policy & Targeting Tool

- In 2010 the ERP/ETT replaced the Significant Non-complier (SNC) list
 - Trial period January through September 2010
 - Effective October 2010
- No longer rule-by-rule
- Points assigned for violations
 - Similar to the PN Tiers
 - Acute=10 points, Chronic=5 points, M&R=1 point
 - PWSs with 11 points or more must be Returned to Compliance or under formal enforcement within 6 months
 - 22 PWSs in the ERP process right now
- DBPs are KY's main violations
- DW Enforcement Management Strategy



Federal Drinking Water Strategy

- Regulate contaminants by “groups”
 - Will first evaluate the carcinogenic VOCs
 - Common method, common treatment
 - Proposed rule in 2.5 years with final rule 2 years later
- Will revisit acrylamide and epichlorohydrin
- Improved working relationship with other federal programs (FIFRA, TSCA)
- Renewed focus on small systems
- More open with data (“transparency”)



Lead Reduction Act

- Congress passed new legislation lowering the lead content for solder and adding a “wetted” surface requirement (less than 0.25% lead)
 - Effective in 2014
 - May be incorporated into Long Term LCR revisions
 - NSF and other certifying authorities involved
 - **Does not require that all meters, etc in the system be changed**



State Regulations/Issues Affecting Public Water Systems



Drinking Water Engineering

- 401 KAR 8:100 (Design/Construction) was final on December 31, 2010
 - Clarified the Preliminary Engineering Report
 - Incorporated 2007 10 States Standard
 - New General Design Criteria
 - Incorporated plan applications

Recommended Standards
for
Water Works
2007 Edition

Policies for the Review and Approval
of Plans and Specifications for Public Water Supplies



KYG 64 KPDES Permit

- General permit will not apply to
 - Non-conventional types of treatment such as membranes
 - PWSs on outstanding resource waters or in waters impacted by “turbidity”
- Increase in discharge flows will result in an anti-degradation assessment
- Issues with test methods and detection levels
- Best Management Practices are to be developed
- <http://water.ky.gov/permitting/Pages/WastewaterDischarge.aspx>



Regulations Under Consideration

- 401 KAR 8:700 on Bottled Water
 - Removing citations to now non-existent regulations
 - Clarifying monitoring
- Capacity Development/Sustainability
 - Still considering
- Emergency Response Plans
 - May consider
- Submetering



Federal and State Regulations and Issues: Potential to Affect PWSs



State Drought Mitigation Plan

- Final on December 31, 2009
- First used in the late summer/early fall of 2010 and again in summer 2011
- Clarifies the roles of the agencies and organizations involved in tracking and evaluating droughts



Spring 2011 Flooding...

FEMA 374 DR: Kentucky Disaster Declaration as of 05/20/11

Record breaking rain and flood levels (rivaling 1937). Although main impacts were on the lower Ohio River and Mississippi River, issues were seen on eastern and central KY Corps reservoirs.

- | | |
|---|---|
| <p>Minor Drinking Water Impacts:</p> <ul style="list-style-type: none"> • Well fields/intakes flooded • Distribution breaks • Limited power outages | <p>Moderate Wastewater Impacts:</p> <ul style="list-style-type: none"> • Overflows and bypasses • Limited flooding |
|---|---|

FEMA/Corps of Engineer effort to assess costs—begin May 11 for Presidential declared counties



...and December 2011 Flooding

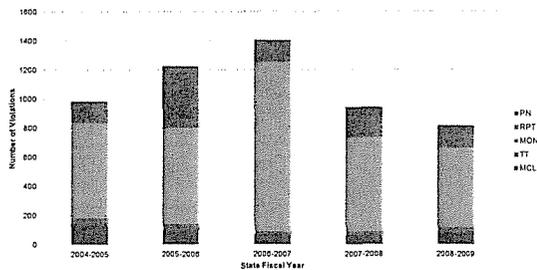


Drinking Water News



Drinking Water Compliance

KY SDWA VIOLATION TYPE AND NUMBER BY STATE FISCAL YEAR



2010 AWOP

- Microbial/turbidity AWOP
 - 39 PWS are “Totally Optimized Plants” serving 1,114,994 people (roughly 25% of the state population)
 - 2 AWOP Champion Awards were given out at the KWWOA conference opening session
 - Wood Creek Water District
 - Logan-Todd Regional Water Commission
 - Working on disinfection by-product optimization



PWS Staffing

- Despite the numbers, there is a shortage of certified operators in KY
- To address the issue, KY added “alternative staffing plan” language to 401 KAR 8:030
 - DOW willing to work with systems to staff plants and obtain certification for their operators
 - Systems must have a plan of action
 - 9 PWSs with approved alternate staffing with 1 pending
 - Contact Julie Roney for more information



Questions?? Comments??

<http://water.ky.gov>
<http://water.epa.gov/drink>



Technical Elements of the Sanitary Survey 2012 KRWA



To Protect and Enhance Kentucky's Environment

Sanitary Surveys

- Sanitary Surveys are a means by which a comprehensive inspection of the entire water system can be performed.
- Sanitary Surveys are carried out to evaluate:
 - The capability of a drinking water system to consistently and reliably deliver an adequate quality and quantity of safe drinking water to the consumer.
 - The system's compliance with drinking water regulations.



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Regulations

- 40 CFR 142 Special Primacy Requirements
 - 40 C.F.R. 142.16(b)(1)(ii), (iii),
 - and 142.16(b)(3) surface water
- 401 KAR 8:022
- 40 CFR 141.400
 - Subpart S (c) (1) groundwater



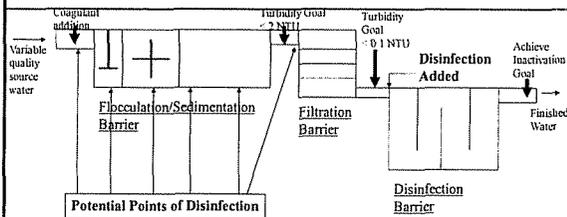
8 Elements

- The sanitary survey shall address 8 elements:
 - Source
 - Treatment
 - Distribution System
 - Finished Water Storage
 - Pumps, Pump Facilities, and Controls
 - Monitoring, Reporting, and Data Verification
 - System Management and Operation
 - Operator Certification Compliance



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MULTIPLE BARRIER CONCEPT FOR MICROBIAL CONTAMINANT PROTECTION



- Given a variable quality source water, the treatment objective is to produce a consistent, high quality finished water
- Protozoan parasites, such as Giardia and Cryptosporidium, are found in most source water, however, it is difficult to quantify their presence and assess their viability.
- Microbial pathogens in the source water, such as protozoan parasites, bacteria and viruses, can be physically removed as particles in treatment processes and inactivated through disinfection.
- Multiple barriers are provided in a treatment plant to remove or inactivate microbial pathogens
- Key treatment barriers include flocculation/sedimentation, filtration and disinfection



10 State Standards

- The Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers in 1950 created a Water Supply Committee.
- In 1978 a representative from the Province of Ontario was added.
- The Committee was assigned the responsibility for reviewing existing water works practices, policies, and procedures, and reporting its findings to the Board.



*Also found on Ground Water Disinfection Only & Purchaser form in Section II: Treatment

Follow-up for Surface Water Systems

Surface Water Systems

- Surface Water Systems have 45 days from the date on the deficiency letter from the State to respond with a letter stating how they are going to resolve the significant deficiencies. Failure to meet this deadline will result in an Notice of Violation.
- Surface Water systems have 90 days from the date on the deficiency letter from the State to respond with a letter stating how they are going to resolve their non-significant deficiencies. Failure to meet this deadline will result in an Notice of Violation.



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Follow-up for Groundwater Systems

Groundwater Systems

- Groundwater systems must be sent written documentation describing any significant deficiencies no later than 30 days after the State identifies those deficiencies through the sanitary survey cover letter and sanitary survey forms. Deadlines for submission of corrective action plans and responses to non-significant deficiencies are noted in the cover letter.
- Groundwater systems have 30 days from the date the significant deficiency was received from the State to consult with the DOW regarding appropriate corrective action to correct the significant deficiencies.
- In addition, the groundwater system has 120 days from the notification to either complete the corrective action or be in compliance with a DOW-approved schedule for completion of the corrective actions. The groundwater system is to notify the DOW of the completion of the corrective action plans.
- Once the groundwater system has reported to the DOW that corrective actions have been completed, the DOW has 30 days to verify the completion. This can be done through written documentation from the groundwater system or by an inspection.



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Sanitary Survey Cover Letter

The Division of Water Resources is conducting a Sanitary Survey (as part of the State Water System) on July 21, 2011. A Sanitary Survey is conducted to determine the health of the water system.

Significant deficiencies are reported within 45 days in our deficiency letter as required by statute (KRS 224.10-10).

- No remedial action is taken if they occur.

Non-significant deficiencies are reported within 90 days in our deficiency letter as required by statute (KRS 224.10-10).

- Deficient Cover letter should be completed and submitted for inspection.
- There is no fee for this service and no insurance is required.
- There are no medical or legal consequences for the health of the system.
- There should be no other actions taken on this date.

The Deficient Remedial:

- Providing information to the public.
- Developing an emergency management plan.
- Ensuring that the system has adequate supplies and is able to serve the entire population.
- Providing the public with information to ensure the system has enough water to serve the population.
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www.kywater.com Kentucky Department of Water Resources



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