

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

**NOTICE OF PUBLIC HEARINGS AND PROPOSED AMENDMENTS TO GEORGIA'S
RULES AND REGULATIONS FOR SAFE DRINKING WATER
CHAPTER 391-3-5**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, the Environmental Protection Division (hereinafter, "EPD") of the Georgia Department of Natural Resources proposes amendments to Georgia's Rules and Regulations for Safe Drinking Water, Chapter 391-3-5 (hereinafter "proposed Rule Amendments"). The Director of EPD certifies that the amendments of Rule 391-3-5 are required by 40 CFR Parts 136, 141, 142, and 143 delegated by the U.S. Environmental Protection Agency to implement Sections 300f-j of the Safe Drinking Water Act (42 USC 6A).

The proposed amendments modify the drinking water regulations to maintain conformity with federal drinking water regulations and to maintain Georgia as a Primacy state. The changes are listed as follows:

- 1) **Rule 391-3-5-.02 Definitions.** Subparagraph (68) is amended to reference subsequent editions of *Standard Methods for Examination of Water and Wastewater* in the definition of Heterotrophic Plate Count.
- 2) **Rule 391-3-5-.05 Preparation and Submission of Engineering Reports, Plans and Specifications for Public Water Systems.** Subparagraphs (1) and (4) are amended to remove requirements to provide two sets of plans and specifications.
- 3) **Rule 391-3-5-.09 Water Treatment Facilities.** Subparagraph (1)(f)4 is amended to refine the requirement of providing forced air ventilation from a confined room or facility; Subparagraph (1)(q) is being amended to clarify the definition of continuous chlorine monitoring and calibration of online chlorine monitoring equipment.
- 4) **Rule 391-3-5-.10 Distribution System.** Subparagraph (11) is being amended to require adoption of local plumbing codes to use lead-free solder.
- 5) **Rule 391-3-5-.14 Operation.** Subparagraph (5) is being amended to clarify the requirement for surface water source certified operators to be on duty and onsite.
- 6) **Rule 391-3-5-.18 Primary Maximum Contaminant Levels for Drinking Water.** Subparagraph (1)(a) is amended to remove reference to an enforcement date of January 23, 2006; Subparagraphs (7)(b), (c), (d) are amended to require compliance with applicable Maximum Contaminant Levels for Stage 2 Disinfection Byproducts until the date specified in federal regulations and the disinfection byproduct concentrations are to be calculated as locational running annual averages; Subparagraph (7)(i) is being amended to correct a Code of Federal Regulations citation and to improve readability.
- 7) **Rule 391-3-5-.21 Inorganic Chemical Sampling and Analytical Requirements.** Subparagraph (3)(c) is amended to reduce the amount of time to resample from one

month to two weeks for water systems that sampled and exceeded the Maximum Contaminant Level for Arsenic and to remove reference to an enforcement date of January 23, 2006; Subparagraph (14) is amended to require laboratories to report the Arsenic concentration to the nearest 0.001 mg/L; Subparagraph (15) is amended to correct a Code of Federal Regulations citation.

- 8) **Rule 391-3-5-.25 Treatment Techniques, Lead and Copper Requirements.** Subparagraph (2) is being amended to correct federal and state rule citations for corrosion control and monitoring frequency; to require the Division to provide written notification to water systems that exceed lead or copper action levels regarding corrosion controls; Subparagraph (7)(b) is being amended to clarify methodology for collection of unpreserved samples; Subparagraph (7)(d) is being amended to provide for written notification of systems that meet criteria for reduced monitoring for lead and copper; to require systems on reduced schedules to resume monitoring on a standard schedule in the case of additions of new sources of water or long-term changes in water treatment techniques; to require water systems to collect representative samples during reduced monitoring periods; and to require the Division to approve a change in the sampling schedules for small water systems with waivers; Subparagraph (8) is being amended to allow water systems to resume reduced monitoring after completing two consecutive six-month rounds of monitoring that meet the criteria.
- 9) **Rule 391-3-5-.27 Monitoring Frequency and Analytical Methods for Radioactivity in Community Water Systems.** Subparagraph is amended to remove a reference to a Code of Federal Regulations citation that conflicted with state regulations.
- 10) **Rule 391-3-5-.32 Public Notification.** Subparagraph (1) adds a requirement to submit a certification of the public notification to the Division within ten (10) days, along with a copy of the notification.
- 11) **Rule 391-3-5-.41 Consumer Confidence Reports.** Subparagraph (3) is amended to allow water systems to provide consumer confidence reports electronically.
- 12) **Rule 391-3-5-.52 Long Term 2 Enhanced Surface Water Treatment Rule (LT2SWTR).** Subparagraph (16)(e) is being amended to require unfiltered water systems that are required to provide a different level of treatment in response to a change in *Cryptosporidium* levels to comply with a Division-approved schedule.
- 13) **Rule 391-3-5-.53 Stage 2 Disinfection Byproducts Rule (Stage 2 DBPR).** Subparagraph (4)(b) is being amended to improve readability.
- 14) Various administrative changes to include section heading descriptions to aid in identifying the contents of the regulation section.

This notice, together with an exact copy of the proposed Rule Amendments and a synopsis of and statement of rationale for the Rule revisions, is being provided to all persons who have requested in writing that they be placed on a notification list. The proposed rule amendments may be viewed at <http://www.gaepd.org/envirnet/5> or during normal business hours of 8:00 a.m. to 4:30 p.m. at the Georgia Environmental Protection Division, Watershed Protection Branch, Drinking Water Program, 2 Martin Luther King Jr. Drive, East Floyd Towers Suite 1362, Atlanta, Georgia 30324. Copies may also be requested by contacting the Watershed Protection Branch at (404) 656-2750 or the EPD Director's Office at 1- 888-373-5947.

To provide the public an opportunity to comment upon and provide input into the proposed Rule Amendments, a public hearing will be held on **September 9, 2013 from 1:00 pm – 3:00 pm** at the Environmental Protection Division Training Center, Atlanta Tradeport, 4244 International Parkway, Suite 116, Atlanta, Georgia 30354. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument either orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted in writing for the official record. Oral statements should be concise.

Written comments are welcomed. To ensure their inclusion in EPD's package for the Board of Natural Resources, written comments should be received on or before **September 23, 2013**. Comments may be sent via regular mail addressed to: Ted Jackson, Manager, Drinking Water Program, 2 Martin Luther King Jr. Drive, Suite 1362 East Floyd Tower, Atlanta, Georgia 30334. Comments may be also be emailed to EPDComments@dnr.state.ga.us. If you choose to e-mail your comments, please include the words "**Drinking Water Rules**" somewhere in the subject line to help ensure that your comments will be forwarded to the correct staff.

The proposed Rule Amendments will be considered for adoption by the Board of Natural Resources at its meeting on October 22, 2013 at 9:00 a.m., in the DNR Board Room, 2 Martin Luther King, Jr. Drive, S.E., Suite 1252, East Floyd Tower, Atlanta, Georgia 30334. The meeting is open to the public. The proposed Rule Amendments are proposed for adoption pursuant to authority contained in the Georgia Safe Drinking Water Act, O.C.G.A. § 12-5-170, *et seq.*

For further information, please contact Ted Jackson at (404) 656-2750.