

6-30-2009

# State of Maine Public Drinking Water Commission 2009 Annual Report

Maine Department of Health and Human Services

Maine Center for Disease Control and Prevention

Maine Public Drinking Water Commission

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STATE OF MAINE  
PUBLIC DRINKING WATER COMMISSION



2009 ANNUAL REPORT  
YEAR ENDING JUNE 30, 2009

**Annual Report  
of the  
Maine Public Drinking Water Commission**

for the period ending  
June 30, 2009

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## **Introduction**

The Annual Report of the Maine Public Drinking Water Commission (MPDWC) has been prepared for the Commissioner of the Department of Health and Human Services pursuant to Title 22 MRSA Section 2660-C 4<sup>th</sup>. The purpose of the report is to provide the Commissioner with an understanding of the issues the MPDWC and the Maine CDC 's Drinking Water Program (DWP) have dealt with during the last year and to outline the goals and work for the upcoming year. This report contains information about the DWP and its operations, with reports from the DWP Director and the Compliance and Enforcement, Field Inspection, Water Resources and Information Management Teams. Background information about the regulated water systems is also provided, along with the current fee structure in place and an explanation of the Drinking Water State Revolving Fund. Copies of this Annual Report are also submitted to the members of the Health and Human Services Committee of the Maine Legislature.

## **Enabling Legislation**

Legislation relating to the MPDWC is found in Title 22 MRSA § 2660-B et seq. The statutes were first established in 1993(c.410) and have been modified five times since (1995.c.581: 1995.c.21: 1997.c.705: 2001.c.232 and 2003.c.601).

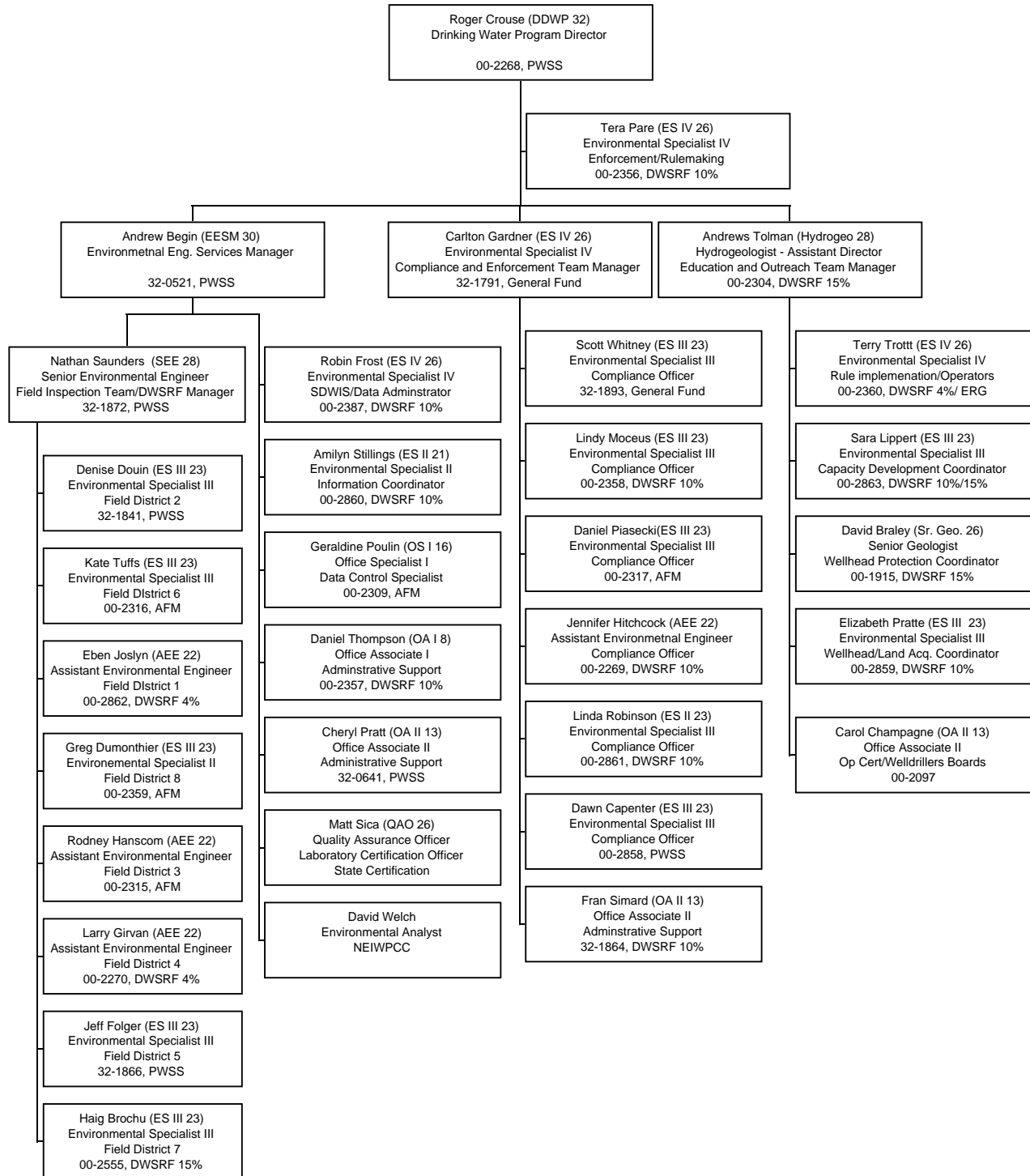
The legislation includes Definitions, Membership Requirements, Chair Responsibilities, Duties, Compensation, an annual work plan submission to the DHHS Commissioner and the Authority to impose an annual public water system operation fee.

## Members of the Maine Public Drinking Water Commission

Name, Address, E-Mail	Seat # Expiration Date	Statutory Provisions for Seat
Roger L. Crouse, P.E. Director, Maine CDC Drinking Water Program 11 State House, Station Augusta, ME. 04333-0011 287-5684 FAX 287-4172 E-mail: <a href="mailto:roger.crouse@maine.gov">roger.crouse@maine.gov</a>	Seat 1  Until Replaced	Commissioner of Health and Human Services or the Commissioner's designee
Rebecca Laliberte The Meadows PO Box 629 Greene, ME 04236 946-3007 E-mail: <a href="mailto:RLalib3967@aol.com">RLalib3967@aol.com</a>	Seat 2  August 31, 2010	Represent the water purveying community and be associated with a public water system serving a population of not more than 1,000.
Thomas J. Brennan, C.G., <b><u>Vice Chairperson</u></b> Nestle Waters North America – Poland Springs 123 Preservation Way Poland Spring, Maine 04274 998-6350 ext. 6350 FAX: 998-5181 E-mail: <a href="mailto:thomas.brennan@waters.nestle.com">thomas.brennan@waters.nestle.com</a>	Seat 3  August 31, 2009	Must represent the drinking water public
Robert N. MacKinnon, Jr. Yarmouth Water District, Superintendent PO Box 419, 14 Smith Street Yarmouth, ME 04096 846-5821 FAX 846-1240 E-mail: <a href="mailto:ywdbob@maine.rr.com">ywdbob@maine.rr.com</a>	Seat 4  August 31, 2010	Represent the water purveying community and be associated with a public water system serving a population of at least 1001, but not more than 10,000.
Judith W. Kelley, <b><u>Chairperson</u></b> 10 Ashley Terrace Rockport, ME 04856 236-8428 FAX 236-3701 E-mail: <a href="mailto:jwkelley@aquaamerica.com">jwkelley@aquaamerica.com</a>	Seat 5  August 31, 2009	Represent the water purveying community and be associated with a public water system serving a population greater than 10,000.
Allen York 221 Lakewood Road Madison, ME 04950 474-7353 E-mail: <a href="mailto:yonderhill@beeline-online.net">yonderhill@beeline-online.net</a>	Seat 6  August 31, 2009	Must be a user of a transient, noncommunity water system
Harvey A. Chesley, Jr. 25 Hill Crest Drive Clinton, ME 04927 397-2141 FAX 397-5324 E-mail: <a href="mailto:ptchc@gwi.net">ptchc@gwi.net</a>	Seat 7  August 31, 2008	Must be a user of a nontransient, noncommunity water system
George Dugovic PO Box 603 Alfred, ME 04002 324-0180 E-mail: <a href="mailto:alfredwater@verizon.net">alfredwater@verizon.net</a>	Seat 8  August 31, 2010	Must represent the drinking water public
Richard N. Berry, P.E. 650 Brighton Avenue Portland, ME 04102 774-8214 E-mail: <a href="mailto:richardnberry@me.acadia.net">richardnberry@me.acadia.net</a>	Seat 9  August 31, 2009	Must represent the drinking water public

# Drinking Water Program Organization Chart

DRINKING WATER PROGRAM, DIVISION OF ENVIRONMENTAL HEALTH, MAINE CDC  
 ORGANIZATIONAL CHART  
 May 12, 2009



## **Performance Review of the Drinking Water Program**

The MPDWC gets regular updates from the DWP, and assesses the performance of this State agency. The Director and the staff of the program are performing extremely well, given the ongoing budget and staffing constraints. Regulations and reporting requirements for drinking water systems continue to evolve and increase under the direction of the EPA, and the DWP continues to handle these increased responsibilities, although not without its challenges. In addition, the DWP has done an excellent job in implementing and administering the new ARRA/economic stimulus funds over the past year, and is ahead of other states in this area. Organizational changes made within the program over the past few years continue to improve service to Maine's water systems and allowed greater field work to insure the safety and reliability of our Maine water systems.

## **Current Fee Schedule**

### ***Alternative Funding Mechanism***

The MPDWC sets a fee charged each year to every public water system in the State; this fee is based on the population served by the system. Small systems pay the minimum fee of \$45. This fee system is called the Alternative Funding Mechanism (AFM).

Revenues derived from the collection of these fees are used to retain primacy, or maintaining state control of the DWP, including funding five DWP staff positions.

The fee is equal to the minimum fee plus the per capita rate, multiplied by the population capacity of the system, minus the exempt population.

#### Public Drinking Water Systems

Per capita rate	\$0.40
Minimum fee	\$45.00
Maximum fee	\$30,000.00
Minimum population	100

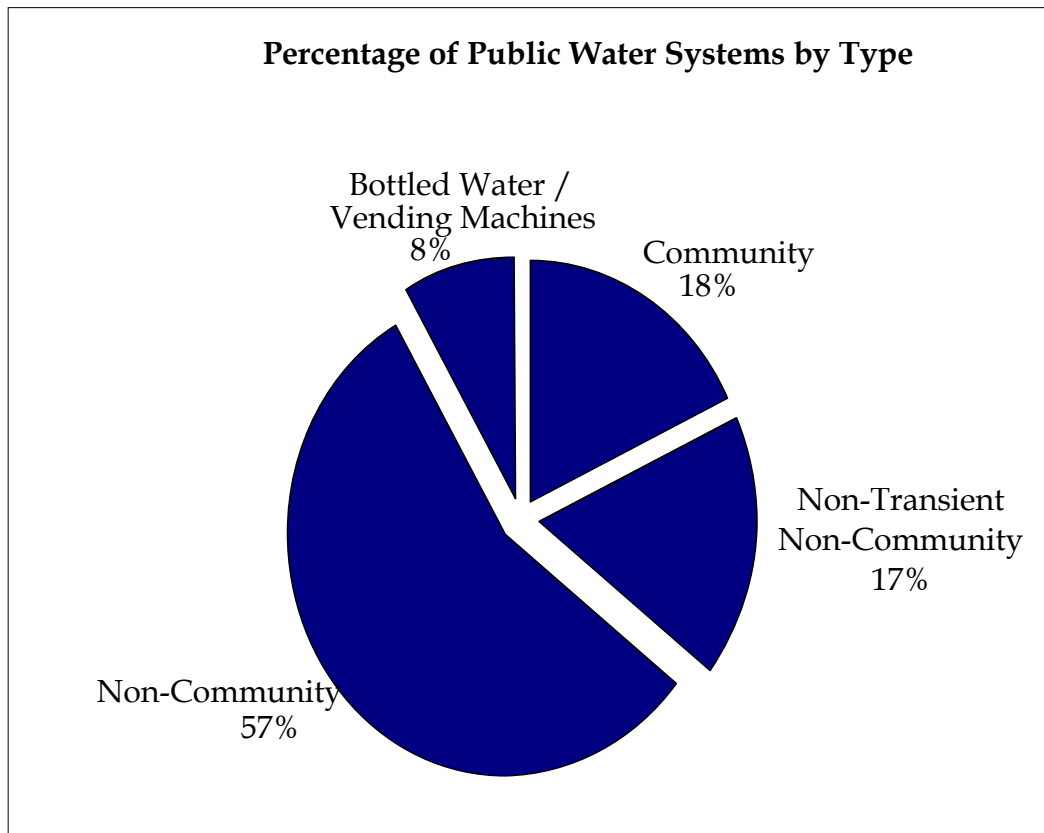
### **Bottled Water Fees**

The MPDWC sets a fee each year for in-state bottled water companies based on gallons produced while out-of-state bottlers are charged a flat fee and water vending machine businesses are charged based on the number of machines.

#### Annual Bottled Water Fees

Fee	Gallons per Year	# of Systems
\$65	Small (up to 250,000 gallons)	13
\$200	Medium (>250,000 to 20 Million gallons)	11
\$2600	Large (>20 Million gallons)	6
\$260	Out-of-State	106
\$15	Per Water Vending Machine, Minimum \$65 per vendor, Maximum \$200	33 machines

### **Types of Public Water Systems Regulated by the DWP**





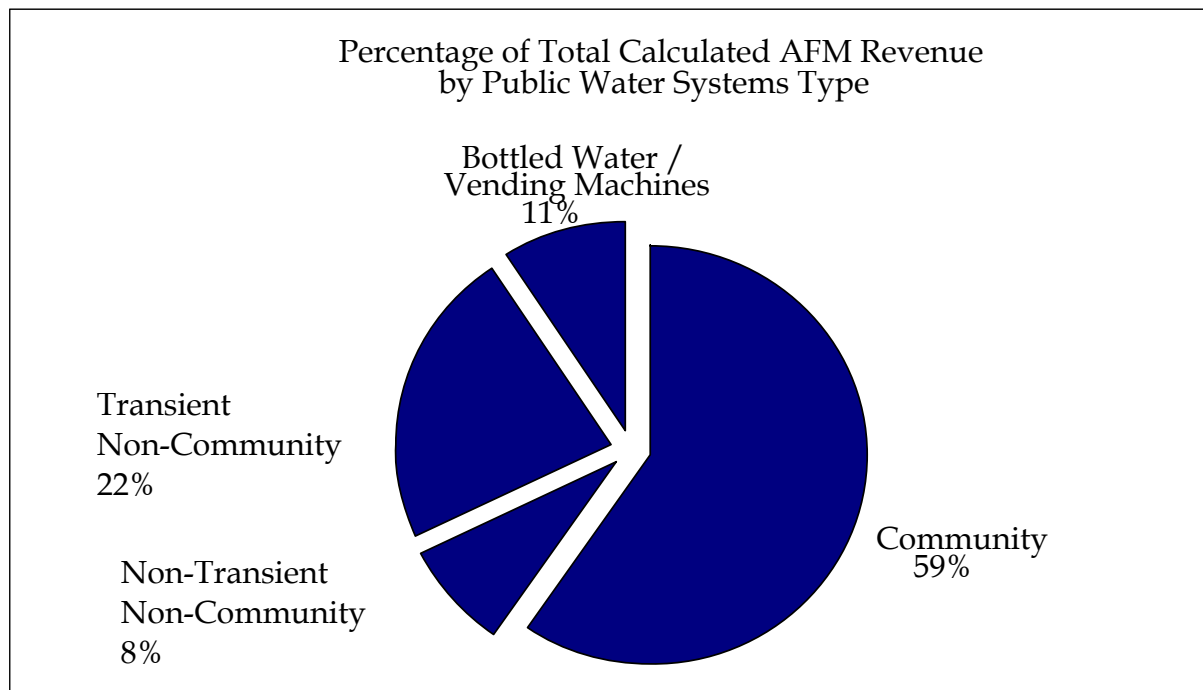
# Fee Billings and Collections

State Fiscal Year 2009

Summary of AFM Fee Billings

Data as of July 18, 2009

Types of PWS	Number of Public Water Systems	% of total Public Water Systems	Population Served	Calculated Revenue	% of Total Calculated Revenue
Community	382	18%	661,603	\$ 244,193	59%
Non-Transient Non-Community	359	17%	68,358	\$ 33,237	8%
Non-Community	1,162	57%	183,619	\$ 91,804	22%
Bottled Water / Vending Machines	171	8%	N/A	\$ 46,765	11%
<b>Totals</b>	<b>2,074</b>	<b>100%</b>	<b>913,580</b>	<b>\$ 416,000</b>	<b>100%</b>



## Drinking Water State Revolving Fund

The Drinking Water State Revolving Fund (DWSRF) provides financial assistance to public water systems in Maine for infrastructure improvements. In order to secure the annual DWSRF grant of approximately \$8.5 million from the U. S. Environmental Protection Agency, the State of Maine must contribute a 20 percent state match. During the 2008 Legislative Session, the Legislature and Governor approved a general obligation bond of \$1.7 million for the DWSRF. In November 2008 voters approved this bond. The \$1.7 million was used to secure the 2009 DWSRF grant of \$8,100,000.

In February 2009 Congress and the President passed the American Recovery and Reinvestment Act of 2009 (ARRA). This legislation provided an additional \$19.5 million for the DWSRF. No State Match was required for the additional funding.

One of the goals of ARRA was to provide funding to projects that could be under construction quickly. This requirement results in significantly reduced timelines for the DWP staff to review and prioritize applications for over \$100 million worth of construction projects. DWP staff combined the \$19.5 million in ARRA funding with regular DWSRF funds to provide a total package of \$40 million for 2009. The additional funding has appreciably increased staff workload this year.

During the 2009 Legislative Session the Legislature approved a \$3.4 million bond package for the DWSRF to be voted by the voters on in June 2010. The \$3.4 million will provide State Match for \$17 million in federal funds. Normally this would represent two years worth of match. However, President Obama and the Congress have proposed increases to the annual DWSRF allotment. Maine's grant amount may be as high as \$14.5 million per year. This would require an annual State Match of \$2.9 million.

In addition to funding construction projects, the DWSRF also funds many other activities approved by the U.S. Environmental Protection Agency including well head protection grants, technical assistance providers, operator training, land acquisition loans, source water protection resources and 17 staff positions at the Drinking Water Program.

## **DWP Program Accomplishments and Goals**

### ***Director's Report***

#### Responsibilities

- ◆ Provide program direction and leadership.
- ◆ Develop staffing and budgetary needs to meet primacy requirements.
- ◆ Provide DWP Staff with the resources to effectively perform their work.
- ◆ Set priorities for staff time and resources.
- ◆ Adopt drinking water regulations that are no less stringent than the federal regulations.
- ◆ Adopt and implement adequate procedures for the enforcement of State regulations.
- ◆ Provide technical assistance to PWS to assure compliance with the SDWA.
- ◆ Work with state and federal entities to ensure adequate funding of the DWP.
- ◆ Advocate for Safe Drinking Water.
- ◆ Insure the state lab's ability to perform analytical measurements of all National Primary Drinking Water Regulations.
- ◆ Work with Department Leadership to maintain and when possible increase support for the DWP.
- ◆ Respond as needed to all proposed legislation that affects the ability of public water systems to provide safe and reliable drinking water.

## Accomplishments

- ◆ In 2009 the Drinking Water Program had the opportunity to access \$19.5 million from the American Recovery and Reinvestment Act (ARRA). These funds supplemented the existing Drinking Water State Revolving Fund. Maine's Drinking Water Program was the first program in New England to receive ARRA funding for the State Revolving Fund (Clean Water and Drinking Water). Maine has been very successful in committing ARRA funding to projects and getting the projects to start construction.
- ◆ Received 2008 Drinking Water State Revolving Fund (DWSRF) grant (\$8,100,000). Applied for and received 2009 DWSRF grant (\$8,100,000).
- ◆ Hired a new Chief Engineer/ Information Management Team Leader
- ◆ Received annual Public Water System Supervision Grant (\$900,000)
- ◆ Increased collaboration with the Department of Agriculture and the DHHS Health Inspection Program.
- ◆ Maintained a strong, committed workforce
- ◆ Continued to foster strong relationships with EPA, state agencies, water utilities, water associations and non-profit agencies
- ◆ Maintained full compliance with all primacy requirements
- ◆ Staff participated on many state and national boards, commissions and workgroups
- ◆ Worked to address several legislative initiatives dealing with groundwater ownership.
- ◆ Began work with the Office of Information Technology to develop and implement an imaging system to eliminate most of the paper filing system.
- ◆ Began work with other Program in the Division of Environmental Health to find efficiencies and provide better customer service.

## Goals

- ◆ Continue to implement the Safe Drinking Water Act with an estimated 50 percent of the needed workforce. The DWP will continue to be creative and efficient. Five DWP employees are retiring in the summer of 2009. We are unsure when we will be able to fill these positions. The DWP Management Team will prioritize to reduce the impact on our customers.
- ◆ Continue to work with Division of Environmental Health management team to find efficiencies through inspection and administrative staff.
- ◆ Work with contractors and other water industry partners to improve outreach and technical assistance to public water systems.
- ◆ Work with the Department as needed on proposed legislation.
- ◆ Work with the Drinking Water Commission to support initiatives of the DWP.
- ◆ Prepare for the implementation of the Ground Water Rule.
- ◆ Maintain and promote good staff morale.
- ◆ Provide staff with the necessary resources and support so they can accomplish their work.
- ◆ Provide excellent customer service
- ◆ Maintain and foster strong alliances and working relationships.
- ◆ Strive for Continuous Program Improvement.
- ◆ Continue working within new organizational and operational structure and redirect as needed.

- Continue to shape state and national drinking water policy.

## ***Compliance and Enforcement Team***

### Responsibilities

- Administer and enforce all State and federal safe drinking water rules and regulations promulgated from the Safe Drinking Water Act and Maine Water for Human Consumption Act, including the Maine Rules Relating to Drinking Water (10-144 CMR 231) and the Code of Federal Regulations (40 CFR 141, 142, and 143);
- Identify any rule violations, input appropriate violation data, and notify public water systems of such violation(s) through notices of violation, notices of noncompliance, consent orders, compliance orders and notices of penalty assessment;
- Create and change monitoring schedules for public water systems;
- Train public water system owners and operators on new, existing, or upcoming rules and procedures;
- Review water quality and monitoring data from public water systems and bottled water producers and sellers, to determine contaminant levels, appropriate collection and analysis times, as well as sample site methods and locations. This review includes reviewing submitted reports like monthly operating reports and consumer confidence reports;
- Issue and Remove Boil Water Orders, Boil Water Advisories and Do Not Drink Orders;
- Track water quality results for new source approval;
- Conduct watershed inspections and review watershed reports;
- Communicate internally and externally with Drinking Water Program staff and State and federal agencies and stakeholders regarding any relevant compliance and enforcement information associated with public water system issues, applications, or reviews;
- Review and approve or deny treatment installation plans affecting water quality;
- Review and approve or deny sampling plans and synthetic organic compound waivers;
- Refer any recalcitrant public water systems to the Maine Attorneys General Office and provide testimony, background, and technical expertise for administrative and civil hearings;
- Enforcement & Rulemaking Coordinator oversees and ushers all proposed rule changes through internal approval, advertising, public hearing, and adoption procedure;
- Enforcement & Rulemaking Coordinator oversees all public requests for information and ensures compliance with Maine's Freedom of Access Act

### Accomplishments

- Compliance and Enforcement Team members continued their work participating in task forces (subgroups) to address areas of the program identified as needing improvement, including clarifying roles and responsibilities in the Drinking Water Program; expediting enforcement efforts against public water systems; setting and following through with goals and measurements; developing methods to consistently update and purge written documents; and securing and improving database reliability and automation, consistency, and accuracy.

- ◆ Enforcement staff provided input on EPA's new Significant Non-Compliant Tool, designed to assess point values within a formula that considers type of violation (acute vs. chronic), length of time violation existed, population of public water system, and type of public water system (community systems receive greater point values than non-community).
- ◆ Enforcement staff, with assistance from Compliance Officers and Field Inspectors, provided a report to EPA, Region 1 which identified systems with long-term capacity problems that caused their non-compliance and led to three or more quarters on the Historical Significant Non-Compliance List. This list is developed every three years and is distributed to all states and primacy agencies throughout the country. Maine's enforcement staff researched and provided reasons for the 74 systems listed. The majority of systems resolved their violations, 20% were on long-term compliance schedules to correct the problem(s), and less than 10% indicated long-term compliance issues.
- ◆ Compliance staff provided input on EPA's National Advisory Committee on proposing changes to the Total Coliform Rule.
- ◆ Compliance staff added even more to their full plates by fully assuming responsibility for reviewing and recording Monthly Operating Reports submitted by public water systems. This task was originally performed by the field inspectors of the DWP.
- ◆ In an effort to continue to educate public water systems in complying with safe drinking water rules and regulations, compliance staff created yet another successful calendar that was mailed to all public water systems. This educational and entertaining calendar provides a series of visual reminders on regulatory deadlines, technical information on contaminants and treatment, as well as information on protecting the source.
- ◆ Compliance officers participated in a series of trainings to assist public water systems with complying with existing and upcoming regulations affecting their systems, including but not limited to the Arsenic Rule, Long Term 2 Enhanced Surface Water Treatment Rule, Stage 2 Disinfectant/Disinfection Byproducts Rule, and the Groundwater Rule.
- ◆ Compliance staff adeptly responded to a number of drinking water emergency calls and events, resulting from weather disasters, lack of water, acute contamination and treatment failures.
- ◆ The *Rules Relating to Drinking Water* (10-144 CMR 231) was revised, with changes effective on March 12, 2008.
- ◆ Compliance and enforcement staff provided thoughtful feedback and input on all proposed policies and procedures by Drinking Water Program staff and worked to ensure that final policies first protected public health and then improved workplace efficiencies.
- ◆ Compliance and enforcement staff implemented a system of coverage for the office that ensures that *E. coli* and total coliform positive results reported from certified labs receive prompt attention.
- ◆ Trained certified labs on reporting results electronically, which has improved data reliability if a human is not required to manually enter data.

- ◆ Continued to improve the process of receiving information from public water systems, communicating that information to all appropriate staff, and storing it in an easily retrievable format, when necessary.
- ◆ Improved communication internally within the Drinking Water Program to present a consistent message to public water systems.
- ◆ Revised the structure of the CET meetings, reduced the frequency from weekly to biweekly with specific agendas to provide stronger follow-up, clarify the structure, and save everyone time each week.
- ◆ Transitioned completely to regionalized compliance districts for Maine

## Goals

- ◆ Implement proposals for expedited and more effective administrative enforcement, including imposing collection fees for public water systems failing to collect samples in the required timeframes, posting a list of public water systems in violation of particular violations, rewarding public water systems in compliance, along with other efforts that will encourage public water systems to be in compliance. One effort will entail a pilot project of the 25 worst transient offenders, in order to test the Program's procedure for tracking and implementing imposing collection fees for samples missed.
- ◆ Work with the Information Management Team to develop stronger tracking efforts in compliance follow-up.
- ◆ Work with the new SNC tool, offer feedback and determine which public water systems require action first.
- ◆ Continue efforts to collaborate with other State agencies to offer a more cohesive message to public water systems and avoid confusion. Specific emphasis will be placed on day care facilities and restaurants.
- ◆ Continue to improve internal processes that directly effect compliance, in order to maintain data integrity and secure the highest accuracy of rule compliance.
- ◆ Update the Enforcement Strategy to better reflect more efficient enforcement efforts to be implemented and incorporate clearer roles and responsibilities for enforcement and compliance staff.
- ◆ Update any state rules under the jurisdiction of the Drinking Water Program that need it. Currently on the agenda are the Rules Relating to Bottled Water, Bulk Water, and Water Vending Machines, Rules Relating to Cross Connections, Rules Relating to the Licensure of Water Treatment Plant Operators, and Rules Relating to Drinking Water.
- ◆ Apply for primacy for Stage 2 Disinfectants/ Disinfection Byproducts Rule, Long Term 2 Enhanced Surface Water Treatment Rule, and Minor Revisions to the Lead/Copper Rule. Create updated forms, letters, policies, and standard operating procedures for these new changes.

## ***Field Inspection Team***

### Responsibilities:

- ◆ Conduct sanitary surveys and field investigations.
- ◆ Oversee new system and new well approval projects for public water supply wells.
- ◆ Work with public water systems to complete the process for obtaining a general operations permit.
- ◆ Review proposed septic system variances that could impact public water supply sources
- ◆ Provide follow up inspections and field technical assistance to PWSs with violations.
- ◆ Provide on-site advice and assistance to PWSs regarding operation, maintenance, treatment, quality control, testing waivers and testing requirements.
- ◆ Investigate water quality complaints made by the public.
- ◆ Provide technical advice to PWSs in emergency situations.
- ◆ Provide waterborne disease investigation.
- ◆ Investigate requests for deregulation and authorize deregulation of water system as warranted.
- ◆ Maintain a Sanitary Survey Priority List.
- ◆ Draft, issue, and track Engineering Orders.
- ◆ Inform and interact with all other pertinent DWP sections regarding field conditions of PWSs.
- ◆ Provide field assistance on the placement and removal of all Boil Water Orders.
- ◆ Inspect the construction of PWS facilities, both DWSRF and non-DWSRF funded.
- ◆ Conduct watershed inspections.
- ◆ Evaluate water systems operator classification.
- ◆ Review and provide comments on preliminary plans and engineering reports for PWSs.
- ◆ Review and approve final plans and specifications for new or modified water facilities.
- ◆ Provide engineering assistance and guidance to PWSs.
- ◆ Provide assistance and guidance on optimization of treatment processes.
- ◆ Review and approve all requests for waivers of main separation requirements and tank painting/coating.
- ◆ Review and approve all requests for waivers to the 300 foot setback requirement between PWS well and septic leach field.
- ◆ Review and provide input on the approval of requests for waivers to the 1000 foot setback requirement between PWS well and Underground Storage Tanks (USTs).

Included with these activities are conducting facility reviews and evaluating the ability of systems, both engineered and non-engineered, to provide safe and reliable drinking water to the public. Facility evaluations include sanitary surveys; new system and new well approval projects from preliminary approval through final system approval; records, data and performance reviews; and engineering inspections. Engineering enforcement actions are initiated and tracked as necessary.

Routine inspections of public water systems will be conducted during the upcoming fiscal year. Additional inspections are initiated in response to violations, customer complaints, known health threats, siting and approving new public water supply wells and their water systems, or at the request of the system.

DWSRF projects proceed through the construction phase under the oversight of a Field Engineer from the Drinking Water Program. Projects start with a kick-off meeting, a preconstruction meeting, and contract signing. During the construction phase, projects are inspected monthly in conjunction with pay requisition meetings. At the end of a project, an inspection is done to verify substantial completion and final pay requisitions.

Other Drinking Water Program activities include the review and evaluation of new and emerging technologies, preliminary and final water system plans and specifications, engineering studies, engineering orders and pilot projects. In addition, technical assistance will be provided to consulting engineers and public water systems regarding engineering issues. All facilities construction will be inspected in a timely manner.

### Accomplishments

After the DWP restructuring of 2006, this third year of skill transfer and development continues to yield positive results in that we are seeing a continuing reduction in the number of sanitary surveys due at any given time. Individual sanitary survey goals have been given to each inspector and results are reviewed on a quarterly basis.

Approximately 359 sanitary surveys of public water systems were completed along with 308 other field visits relating to various activities including new system or well approval projects, sample rechecks, construction inspections, boil water orders, and miscellaneous events. Emergency responses, investigations, water system inspections, follow up inspections for Total Coliform Rule violations and the issuance of engineering orders were performed. Continued providing funding, direction, and oversight for technical assistance to PWSs through one circuit rider employed by Maine Rural Water Association.

Field Inspectors continue to transition to the use of the Electronic Sanitary Survey. This will enable sanitary survey records to be recorded and maintained electronically, enabling inspectors in satellite field offices to access previous sanitary surveys before completing the next scheduled sanitary survey.

Created the Electronic Field Manual which includes all pertinent policies and procedures related to field inspection activities. The manual is controlled and available for downloading onto electronic equipment brought into the field.

Field inspectors continue to support the acquisition of sub-meter GPS locational data for major public water system components such as wells, intake structures, and treatment buildings.

Participated in the development of several DWP Policies including Boil Water Order & Do Not Drink Order Policy, Deregulation Policy, UV Policy revision, Underground Storage



Tank Setback Waiver Policy, and a revision to the leach field setback waiver policy regarding the handling of systems licensed by other Maine agencies.

Created and implemented the Sanitary Survey Summary Report Form. This form is now used for all small to medium sized PWSs to capture deficiencies, recommendations and requirements that result from a sanitary survey.

After approximately three years of cross training and experience, all field inspectors are now working capably in both arenas of New System Approval and Sanitary Surveys.

A revision of the Maine Cross Connection Rules is nearing completion at this time. Two workgroup sessions and multiple draft revisions have occurred during this time period, allowing us to work more in conjunction with the Maine Uniform Plumbing Code on cross connection issues.

Field Inspectors oversee the issuance of General Operations Permits for Community and Non Community – Non Transient public water systems that are new or have substantially changed their operation after October 1<sup>st</sup>, 1999.

During sanitary surveys, field inspectors are now verifying that public water systems have designated operators with licenses that are commensurate with the operational class of the system.

There were 16, 2008 SRF projects started during State Fiscal 2009 on the following community systems:

- Houlton Water Company
- Passamaquoddy Water District
- Boothbay Region Water District – Two projects
- Eagle Lake Water & Sewer District
- Milo Water District
- Princeton Water District
- Auburn Water District – Two projects
- Brunswick & Topsham Water District
- Kennebunk, Kennebunkport & Wells Water District
- Danforth Water District – Two projects
- Portland Water District
- Ellsworth Water Department
- Dover Foxcroft

These projects involve: new sources or source modification, new storage facilities, new treatment or treatment modifications, and major transmission and distribution main work.

Completed the plan review process for numerous water system projects.

Completed watershed inspections on the State's water systems that have filtration avoidance approvals.

The DWP's computer data base records were updated to include information gained as a result of sanitary surveys and other inspections.

Technical assistance activities continue to be enhanced through the use of documented policies and procedures. These have allowed the field staff to consistently and efficiently administer SDWA rules and State of Maine Rules Relating to Drinking Water.

### Goals and Objectives

- ◆ Continue to perform sanitary surveys on regulated water systems based on a three-year/five-year rotation plan.
- ◆ Continue to monitor data on sanitary survey completion.
- ◆ Provide review and approval of new public water supply wells and water systems.
- ◆ Prepare for and implement new Ground Water Rule requirements.
- ◆ Review septic setback waiver requests to ensure public health is protected.
- ◆ Review underground storage tank (UST) setback waiver requests to ensure public health is protected.
- ◆ Provide on-site technical assistance to small water systems.
- ◆ Provide on-site training to small water system operators.
- ◆ Complete construction inspections on all projects submitted for review.
- ◆ Respond to emergency situations including boil water orders.
- ◆ Conduct rechecks sampling for routine coliform positive samples.
- ◆ Complete plan reviews within 30 days of receipt of all necessary review information.
- ◆ Oversee the issuance of General Operations Permits.
- ◆ Continue the implementation of the Electronic Sanitary Survey
- ◆ Implement updates to the Cross Connection Rules
- ◆ Incorporate future EPA regulations into the review process.
- ◆ Insure compliance with our rules regarding requirements of final plans and specifications submission and approval prior to the initiation of construction of water facilities by PWSs.
- ◆ Complete inspection form for all construction inspections on ARRA & DWSRF funded and non-DWSRF projects.
- ◆ Continue New System Approval work on Manufactured Housing Communities
- ◆ Review, update, and modify, as necessary, all databases.
- ◆ Continue development of the DWP staff of eight field inspectors for both new system/well approval and field inspection work.

### ***Water Resources Team***

The Water Resources Team provides technical assistance, outreach and training for DWP staff, Public Water Systems, and the public. Areas where we focus that assistance include Water Operator and Well Driller licensing, system Capacity Development assessment and improvement, Security, Source Protection, and new regulations.

## Responsibilities

- ◆ Participate in Maine's Board of Licensure of Water Treatment Plant Operators. This includes administration of exams and reviewing training courses for relevancy.
- ◆ Provide DWP support to the Board of Licensure of Water Treatment Plant Operators for license renewal and examination process. (See annual Operator Certification Report for details. )
- ◆ Organize and conduct training for PWS owners, operators, and supervisors.
- ◆ Ensure that DWP personnel receive appropriate training related to their current and anticipated duties.
- ◆ Assist Field Inspection Team in evaluating water systems classification.
- ◆ Assist Field Inspection Team in assessing water system compliance with licensed operator requirements.
- ◆ Provide guidance and direction to MRWA's circuit riders. Administer charges to DWSRF 2% Technical Assistance
- ◆ Perform Environmental Review cross-cutter information for DWSRF funded projects and prepare an Environmental Assessment.
- ◆ Review DWSRF recipient systems' technical, financial and managerial procedures to address system capacity
- ◆ Inform PWS management of methods to improve capacity development.
- ◆ Utilize and monitor the Security Grant to assist the DWP and Public Water Systems for improving their security and emergency preparedness (See Security Grant reports for details.)
- ◆ Disseminate *Emergency Response Handbooks* to assist systems in the development of plans for water system emergencies.
- ◆ Participate in the development of intrastate and interstate Water/wastewater Agency Response Networks, (WARN).
- ◆ Represent the DWP on the WARN Steering Committee as an associate member.
- ◆ Utilize and monitor the ERG grant to assist in training and administration of water operators. (See ERG grant reports for details).
- ◆ Manage and administer the Water Well Drillers' and Pump Installers' Board.
- ◆ Continue to implement a Source Water Assessment and Protection Program for Maine.
- ◆ Operate and maintain the DWP GIS.
- ◆ Make source water protection and security information available in appropriate forums, including the Internet.
- ◆ Provide maps depicting source water protection areas and water resource features to utilities, all affected municipalities, consultants, and others.
- ◆ Encourage and facilitate source water protection activities of public water systems.
- ◆ Market and administer the Land Acquisition Loan Program
- ◆ Administer Maine's Wellhead Protection Grant Program.
- ◆ Coordinate the DWP education and outreach program, including exhibiting at conferences, publishing a quarterly newsletter and maintaining the DWP website.

## Accomplishments

- ◆ Updated the *Public Water System Emergency Response Plan Handbook* and sent updates to all systems that had received a handbook in 2005 and 2006.

- ◆ Contracted with Gradient Planning, LLC to update the DWP's emergency response plan (ERP), and to conduct both internal (with Maine CDC) exercises and tabletops with County EMA's and water systems.
- ◆ Continued to develop the Maine Water/wastewater agency Response Network (MeWARN) to provide assistance to water and wastewater utilities during times of emergencies. Assisted the WARN in developing promotional materials and a website.
- ◆ Achieved 97 percent compliance rate for the 760 PWS required to be operated by a licensed operator.
- ◆ Administered examination preparatory and continuing education classes through the EPA Operator Expense Reimbursement Grant (ERG) in order to increase operator availability
- ◆ Implemented the new database Safe Water Operator Certification System (SWOCS) to improve the licensing and renewal process for water operators
- ◆ Conducted 21 capacity reviews for DWSRF loan applicants
- ◆ Reimbursed eight systems for projects through Capacity Development Grants; 11 projects are ongoing.
- ◆ Provided technical support for the general operations permitting process to the Field Inspection Team
- ◆ Completed 11 environmental reviews in FFY 2008
- ◆ Initiated a review of the Capacity Development Plan, and conducted a stakeholder meeting to solicit input for new priorities. Circulated a draft of key portions of the plan.
- ◆ Continued a joint project with Maine DEP and MRWA to assess land ownership around small community PWS's, and provide them with system security and source protection assistance.
- ◆ Worked with Maine DEP to implement the provisions of the new Wellhead Protection Act, restricting above-ground storage of petroleum and hazardous substances around water supplies
- ◆ Worked with The Trust for Public Land to assess areas where state and local governments and other entities can work together to protect drinking water supplies
- ◆ Worked with the Maine Conservation Corps to hire staff to conduct assessments of public water supplies brought on line since the completion of the assessments in 2003, and to work with those systems to develop source protection plans.
- ◆ Developed a contract with NEIWPC to provide staff to assist systems with fluoridation and emergency planning.
- ◆ Worked with the Well Driller's Board to obtain legislative authorization to regulate geothermal well installation, and began the process of writing regulations.
- ◆ Processed consumer complaints, unlicensed practice investigations, and examinations of new well drillers for the Well Driller's Board. Worked closely with the DWP on the installation of proposed public water supply wells.
- ◆ Approved \$113,900 in Wellhead Protection Grants
- ◆ Approved more than \$780,000 for land acquisition to protect drinking water sources
- ◆ Distributed the *Service Connection* newsletter quarterly to more than 5000 readers
- ◆ Maintained DWP website to highlight rule changes, emergency information and resources for public water systems

- ◆ Exhibited at Maine Water Conference, Maine Municipal Association Annual Conference, Maine Water Utilities Association Annual Trade Show, and Maine Rural Water Association annual conference to promote safe drinking water and network with public and private stakeholder groups.
- ◆ DWP staff members provided training on the new groundwater rule, source water protection, D/DBP Stage 2, LT1ESWTR, LT2ESWTR, rule compliance and emergency response planning to owners and operators of public water systems. Program personnel attended training seminars or web casts offered by the EPA, AWWA, NEWWA, MRWA, MWUA and other educational associations on a variety of subject matters related to drinking water in FFY-2008.
- ◆ Provided regular monthly oversight and direction to MRWA Water Quality Specialists (WQS) funded by the DWSRF technical assistance set-aside. With closer targeting and oversight the WQS conducted 558 site visits. The site visits help water systems with violations, operator licensing, trouble-shooting, installing, and operating treatment systems.
- ◆ Worked with public water suppliers, Maine Rural Water Association, Maine Water Utilities Association, The George Mitchell Center, Maine NEMO, as well as other state agencies to facilitate the implementation of the recommendations resulting from the assessments. We are working with the State Planning Office to provide source protection education and information to municipal officials.
- ◆ Initiated site visits and provided System Design Capacity determinations to four public water systems for the water flow and level requirements associated with DEP Chapter 587 .
- ◆ Staff serve on several Association of State Drinking Water Administrators, ASDWA, committees that work with other states, EPA and professional organizations to develop guidance, build comments and perform studies for small system operations, security initiatives, water resource vulnerabilities and revisions to the Total Coliform Rule.

## Goals

- ◆ Continue to maintain the new mapping web site, providing downloadable GIS and Assessment data to suppliers, municipalities, and the general public.
- ◆ Complete our work with the Trust for Public Land team and begin to implement their recommendations for improving the fabric of water supply protection in Maine.
- ◆ Develop alliances with land conservation groups and regional planners to encourage good land use planning leading to more effective source protection.
- ◆ Continue and expand education and outreach efforts to assist both water suppliers and municipalities in making good land use decisions in source water protection areas.
- ◆ Provide support and coordination with DEP, Land Use Regulation Commission, and other state agencies to assure that source water protection issues are considered in their permitting processes.
- ◆ Emphasize the need for active management plans in wellhead protection areas in source approval, waiver review, and consultation with systems.
- ◆ Complete revisions to the Capacity Development Plan.
- ◆ Continue to streamline the environmental review process while maintaining a high integrity.

- ◆ Support the Board of Licensure of Water System Operators in their actions to maintain the professionalism of the water operator license.
- ◆ Provide staff and logistical assistance to the Well Drillers' and Pump Installers' Board, administering the examination, licensing, complaint, and discipline process.
- ◆ Develop a means track documentation of training contact hours electronically for license renewals.
- ◆ Assist training organizations in the development, and approval of relevant training for water system personnel.
- ◆ Develop outreach programs by staff to increase operator knowledge concerning regulatory requirements.
- ◆ Provide DWP staff members with training pertinent to their job performance and relationship to water system operations.
- ◆ Involve the Water Operator Board to make improvements to clarify operator responsibility in system compliance matters.
- ◆ Continue to aid community and non-transient, non-community systems in retaining appropriately licensed operators
- ◆ Assure systems requiring licensed operators have satisfactory coverage
- ◆ Administer the Operator ERG with effort being placed on continuing education
- ◆ Continue oversight of MRWA Circuit Rider program
- ◆ Continue to improve and streamline the Grant administration process
- ◆ Continue conducting DWSRF capacity reviews for capital projects
- ◆ Continue conducting capacity reviews of those systems identified as particularly needing TFM capacity development improvements
- ◆ Continue to provide capacity development grant money to assist systems in maintaining or improving TFM capacity
- ◆ Work cooperatively with the PWS and the DWP compliance section to bring non-compliant systems into compliance
- ◆ Enhance the capacity review documentation to address differences in system types and needs
- ◆ Continue to balance the improvement of the human environment through safe and adequate water systems with the protection of natural, historical and cultural features
- ◆ Finalize a procedure to address historical SNCs through capacity development.
- ◆ Provide technical assistance in the form of operator training and directed workgroups
- ◆ Work with the Board of Licensure of Water System Operators to improve pass rates for water operator examinations
- ◆ Support industry efforts to address water operator workforce sustainability. Continue to collaborate with professional organizations and State agencies that concentrate on post secondary and job training.
- ◆ Continue a presence on MWUA, NEWWA, JETCC and other professional organization committees to enhance training opportunities and capacity development awareness.
- ◆ Continue working with PWS to improve their emergency preparedness through interactive exercises.
- ◆ Participate in the formation of the Maine WARN and an Interstate WARN
- ◆ Raise awareness of emergency response procedures to all PWS.

- ◆ Distribute Emergency Response Handbooks to all systems in 2010. We also hope to partner with the Department of Education to disseminate information to schools for inclusion in their all hazard plans.

## ***Information Management Team***

### Responsibilities

- ◆ Manage data flow into the DWP, both electronically and by hard copy - this includes sample data, MOR data, GIS data, AFM payments, etc.
- ◆ Create and maintain database and GIS applications to support all functions of the DWP
- ◆ Manage financial aspects of the DWP
- ◆ Manage QA/QC processes of all DWP data
- ◆ Manage New Source Approval / New Well Approval processes, including tracking and coordination between DWP personnel and other State agencies
- ◆ Provide quarterly data to EPA
- ◆ Run queries and provide data to EPA contractors, Maine CDC, other State agencies and for FOIA requests
- ◆ Manage Source Water Assessment program, including creating SWAP reports and maps
- ◆ Create maps as requested to PWS and towns
- ◆ Provide support and training to DWP staff for SDWIS, PDA/GPS units, other technology

### Accomplishments

- ◆ Migrated Data from SDWIS 8 to SDWIS Web. Now in SDWIS Web production without loss of service to Public Water Systems. Maintaining production database on the enterprise server.
- ◆ Provided training and guidance documents to staff (mostly FIT/CET) for SDWIS Web use.
- ◆ Enhanced process for managing and tracking New Source Approval / New Well Approval process, added a priority ranking methodology.
- ◆ Maintained quarterly EPA reporting
- ◆ Transitioned shiplog and sample data transfers with HETL to new SDWIS web Schema.
- ◆ Worked with GEC to make necessary Sweet Central Modifications to import/receive private lab sample data for migration to SDWIS Web. The implementation of electronic transfer of data from Private Labs was impeded by the SDWIS Schema changes.
- ◆ Well Drillers and Water Operators applications have moved into SWOCS to integrate with SDWIS Web, no longer maintaining a separate database.
- ◆ Enhancing process to manage hard copy data flowing to DWP from private labs. An MS Access application is nearly complete to enter private lab sample data for Total Coliform and Nitrate/Nitrite. This will speed up the process for clerical staff to enter sample data. This will also enable a QA/QC step prior to migrating this data to SDWIS.
- ◆ Continued to increase QA/QC of DWP data in all applications, including SDWIS

- ◆ Provided training and support to FIT and CET groups in a variety of areas, including use of SDWIS and use of PDA/GPS units
- ◆ Added a contract Environmental Analyst position to manage financial tracking and reporting.
- ◆ Provided support to the ARRA needs for reporting and tracking of projects and spending.
- ◆ Provided weekly updates for all DWSRF/ARRA projects
- ◆ Improved communication with the MMBB
- ◆ Successfully worked with Northbridge and SAIC to utilize ESS web for sanitary surveys.
- ◆ Support FIT with the use of PDA/GPS units and ESS Implementation.
- ◆ Worked with CET to indentify SDWIS issues, these have been passed on to SAIC for resolution.

### Goals

- ◆ Maintain the same level of service to the program recognizing loss of staff to retirement. Identify creative and more efficient ways to manage/QC/enter data to reduce overall staff time. Use contract labor as necessary to manage workload if permanent positions can not be filled.
- ◆ Prepare for next SDWIS upgrade to implement the GWR changes and SDWIS updates.
- ◆ Continue working with HETL to reduce the amount of rejected samples from Lab Transfer.
- ◆ Complete move of all DWP supporting applications (including ShipLog, HETL sample data import, AFM, Field Data, SRF, etc.) to new SDWIS Web schema
- ◆ Continue moving toward electronic data transfer from all private labs
- ◆ Maintain/increase QA/QC of all DWP data
- ◆ Lab Samples (units of measure, data quality)
- ◆ Add Queries for both SDWIS and GIS data.
- ◆ Create and implement an efficient process for managing GIS and ESS data collected by FIT inspectors
- ◆ Maintain routine GIS updates.
- ◆ Continue working with SAIC and Northbridge for ESS migration to SDWIS.
- ◆ Work with FIT for continued acceptance of using ESS (field or desktop).
- ◆ Maintain timeliness of Federal Violations Reporting.
- ◆ Restart Source Water Assessment program, starting with creating SWAP reports for all PWS that have not been assessed, and moving toward providing a report as each new system or well is brought online
- ◆ Continue to provide support and training to DWP staff, including intensive training for SDWIS Web
- ◆ Priority rank all New Source Approvals / New Well Approvals
- ◆ Enhance the SRF application to priority rank project submissions for funding.
- ◆ Receive resolution from SAIC on SDWIS Web issues reported in a collaborative effort with CET.



## **Laboratory Certification and Capability**

### Responsibilities

- Issues laboratory certificates that clearly reflect the analytical capabilities of participating laboratories.
- Provides technical assistance that will result in improved quality and defensibility of analytical data generated by laboratories for use in the DWP.
- Develop, review and revise State rules and regulations for laboratory certification to clearly reflect consistency with the *“Manual of Certification of Laboratories Analyzing Drinking Water”* and recognized national standards on laboratory quality systems.
- Evaluates laboratory PT results to determine compliance with rule requirements.
- Maintains the central files which contain applications, certificates, audit reports, PT results and correspondence for all laboratories.
- Participates actively in the development of a national laboratory standard.

### Accomplishments

- Provided training and technical support to laboratories and the DWP on laboratory issues.
- Processed applications for certification and generated initial, renewal and replacement certificates for regulated laboratories.
- Tracked laboratory results of PT samples.
- Maintained the computer database of certified laboratories, including a web posting of certified laboratory list on the DWP web site.
- Maintained the central files which contain applications, certificates, audit reports and correspondence for all laboratories.
- Assisted laboratories to stay in compliance by publishing guidance documents that interpret Department rules and analytical methods.
- Maintained Standard Operating Procedures for Laboratory Certification.
- Provided technical support to laboratories to improve efficiencies and electronic transfers of data to the DWP.
- Prepared a draft rule proposed to repeal and replace the existing rule in its entirety to: make it more efficient to administer, facilitate compliance with it from the regulated community, improve the structure used for certifying laboratories and introduce laboratory quality systems. Highlights of this proposal include:
  - Provisions for issuing laboratory certificates that clearly reflect the analytical capabilities of participating laboratories.
  - Clarifications and improvements of the application process for participating laboratories.
  - Procedures the program will follow to evaluate laboratories on site.
  - Comprehensive requirements that incorporate a systematic approach to ensure the quality of the data submitted to the DWP by laboratories.

### Goals

- To continue all ongoing operational details as mentioned above.
- To continue with rule-making process for laboratory certification rules.
- To continue working towards a paperless Laboratory Certification Program.

## **Annual Staff Meeting and Annual Staff Merit Award**

The annual staff meeting was held on July 16, 2009. Sessions included information on fire safety including issues confronting public water systems that provide fire water supply for fire protection. We were pleased to have Rich McCarthy from the State Fire Marshall's Office as a presenter. The management team provided updates on various topics important to the entire staff. The staff meeting also included a team building exercise that challenged staff to work together to successful cross an imaginary river.

An announcement and presentation of the Annual Staff Merit Award was also made. This award, given annually by the MPDWC, recognizes an employee of the Drinking Water Program who has made a significant contribution in the past year to the goals and mission of the program. Nominations are solicited and received from the drinking water "community" in Maine, including the DWP staff, other Maine water industry associations, and public water systems.

This year, the Commission was pleased to present the award to Amilyn Stillings the DWP's Information Coordinator. Amilyn was recognized for tireless efforts in improving the quality of data within the DWP's database. Amilyn patiently trained and reminded staff of the need for correct and consistent data entry. Amilyn developed Standard Operating Procedures to guide staff in their data entry. Amilyn is always helpful and willing to go the extra mile to help everyone. Amilyn's efforts have significantly improved data quality at the DWP.

## **MPDWC Objectives for the Coming Year**

The Maine Public Drinking Water Commission will continue to support and guide the Drinking Water Program, as needed, and to continue to prudently oversee the alternative funding mechanism established to fund a portion of the program's budget. However, staffing and funding will continue to be large, and growing, issues for the program. To that, the Commission in the upcoming year will:

- Continue to work toward greater State general funding to support needed positions, through meetings with administration and/or legislation
- Continue to support and work for the appropriate bonding for the State match of the Drinking Water State Revolving Fund
- Be a resource and an advocate for the DWP, its director and it staff
- Be knowledgeable of changing State attitudes and rules regarding the use and planning for Maine's water resources, and participate as needed in shaping new policy

## **Acknowledgements**

The Drinking Water Commission would like to acknowledge the hard work and dedication of all employees of the Drinking Water Program. As water issues continue to escalate

nationally, statewide and locally, the stretched staff of this program quietly and efficiently do everything they can to protect the safety and reliability of Maine's over 2,100 water systems.

The Commissioners would like to thank retiring Commissioner Dick Berry, who served on the Drinking Water Commission since its inception in 1993 and has faithfully served the drinking water public with his service.