
TITLE 327 WATER POLLUTION CONTROL DIVISION**Proposed Rule**
LSA Document #21-132**DIGEST**

Amends [327 IAC 8-1-3](#), [327 IAC 8-2-1](#), [327 IAC 8-2.5-2](#), [327 IAC 8-3.4-1](#), [327 IAC 8-4.1-1](#), and [327 IAC 8-10-1](#) concerning the definition of "public water system" with the goal of making the state regulatory definition consistent with the federal definition. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-7](#) and Second Notice of Comment Period: April 14, 2021, Indiana Register (DIN: [20210414-IR-327210132FDA](#)).

Notice of First Hearing: April 14, 2021, Indiana Register (DIN: [20210414-IR-327210132PHA](#)).

Change in Notice of Public Hearing: September 15, 2021, Indiana Register (DIN: [20210915-IR-327210132CHA](#)).

Date of First Hearing: November 10, 2021.

PUBLIC COMMENTS UNDER [IC 13-14-9-4.5](#)

[IC 13-14-9-4.5](#) states that a board may not adopt a rule under [IC 13-14-9](#) that is substantively different from the draft rule published under [IC 13-14-9-4](#), until the board has conducted a third comment period that is at least 21 days long. Because this proposed rule is not substantively different from the draft rule published on April 14, 2021, at DIN: [20210414-IR-327210132FDA](#), the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

After the Findings and Determination of the Commissioner pursuant to [IC 13-14-9-7](#) and Second Notice of Comment Period was posted in the Indiana Register on April 14, 2021, U.S. EPA commented that the definition section at [327 IAC 8-3.4-1](#) should be included in the rulemaking to add a definition of "public water system" along with its alternate terms and acronyms. As well, U.S. EPA commented that the definition of "community public water system" at [327 IAC 8-3.4-1\(5\)](#), the definition of "noncommunity public water supply system" at [327 IAC 8-3.4-1\(16\)](#), and the definition of "small nontransient noncommunity public water system" at [327 IAC 8-3.4-1\(30\)](#) needed slight revisions along the lines of the other definition revisions made in this rulemaking. These changes are in the proposed rule that was preliminarily adopted by the Environmental Rules Board on November 10, 2021. Since this type of definition revisions was included in other sections in the draft rule and no comments were received regarding them, IDEM does not consider the addition of these definition revisions in [327 IAC 8-3.4-1](#) a substantive change.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from April 14, 2021, through May 14, 2021, on IDEM's draft rule language. No comments were received during the comment period.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On November 10, 2021, the Environmental Rules Board (board) conducted the first public hearing/board meeting concerning the development of amendments to [327 IAC 8-1-3](#), [327 IAC 8-2-1](#), [327 IAC 8-2.5-2](#), [327 IAC 8-3.4-1](#), [327 IAC 8-4.1-1](#), and [327 IAC 8-10-1](#) concerning the definition of "public water system". No comments were made at the first hearing.

[327 IAC 8-1-3](#); [327 IAC 8-2-1](#); [327 IAC 8-2.5-2](#); [327 IAC 8-3.4-1](#); [327 IAC 8-4.1-1](#); [327 IAC 8-10-1](#)

SECTION 1. [327 IAC 8-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 8-1-3](#) Definitions

Authority: [IC 13-14-8](#); [IC 13-14-9](#); [IC 13-15-1-2](#); [IC 13-15-2-1](#); [IC 13-18-3-1](#); [IC 13-18-4-1](#)

Affected: [IC 13-11-2](#); [IC 13-13-5-1](#); [IC 13-18-2](#)

Sec. 3. In addition to the definitions in [IC 13-11-2](#), the following definitions apply throughout this rule:

(1) "Direct additives" means additives that are used in public water systems for the treatment of raw water ~~Direct additives are also used~~ and to protect drinking water during storage and distribution. Examples of direct additives include the following:

(A) Agents used for coagulation and flocculation.

- (B) Corrosion and scale control.
 - (C) Softening.
 - (D) Sequestering.
 - (E) Precipitation.
 - (F) pH adjustment.
 - (G) Disinfection and oxidation.
 - (H) Miscellaneous treatment applications.
 - (I) Miscellaneous water supply products.
- (2) "Entry point to the distribution system" means one (1) of the following points:
- (A) In public water systems that utilize water treatment facilities, the point at which the drinking water has left the treatment facilities and has entered the water distribution system.
 - (B) In public water systems that do not utilize water treatment facilities, the point at which the drinking water has left the supply facilities and has entered the water distribution system.
- (3) "Indirect additives" means additives that are materials or equipment that come in contact with drinking water or come in contact with drinking water direct additives. Examples of indirect additives include the following:
- (A) Pipes.
 - (B) Valves and related products.
 - (C) Barrier materials.
 - (D) Joining and sealing materials.
 - (E) Protective materials and related products.
 - (F) Mechanical devices used in treatment, transmission, and distribution systems.
- (4) "Operator" means the person in direct or responsible charge and supervising the operation of a:
- (A) water treatment plant;
 - (B) wastewater treatment plant; or
 - (C) water distribution system.
- (5) "Public water system", "**public water supply**", "**public water supply system**", "**PWS**", or "**PWSS**":
- (A) means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if ~~such~~ **the system**:
 - (i) has at least fifteen (15) service connections; or
 - (ii) regularly serves **an average of** at least twenty-five (25) individuals ~~The term~~ **daily at least sixty (60) days out of the year;**
 - (B) includes any:
 - (i) collection, treatment, storage, and distribution facilities under control of the operator of the system and used primarily in connection with the system; and ~~any~~
 - (ii) collection or pretreatment storage facilities not under ~~such~~ **the operator's** control that are used primarily in connection with the system; **and**
 - (C) **is either a CWS, as defined in [327 IAC 8-2-1\(12\)](#), or an NCWS, as defined in [327 IAC 8-2-1\(63\)](#).**

(Water Pollution Control Division; [327 IAC 8-1-3](#); filed Mar 31, 1999, 1:50 p.m.: 22 IR 2492; filed Mar 6, 2000, 7:56 a.m.: 23 IR 1622; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; filed Apr 24, 2006, 3:00 p.m.: 29 IR 2947; readopted filed Jul 18, 2012, 2:25 p.m.: [20120815-IR-327120261BFA](#); readopted filed Jun 6, 2018, 1:59 p.m.: [20180704-IR-327180171BFA](#))

SECTION 2. [327 IAC 8-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 8-2-1](#) Definitions

Authority: [IC 13-13-5](#); [IC 13-14-8-7](#); [IC 13-14-9](#); [IC 13-18-3](#); [IC 13-18-16](#)

Affected: [IC 13-11-2-140.8](#); [IC 13-18](#)

Sec. 1. In addition to the definitions contained in [IC 13-11-2](#) and [327 IAC 1](#), [327 IAC 8-1](#), the following definitions apply throughout this rule, [327 IAC 8-2.1](#), [327 IAC 8-2.3](#), [327 IAC 8-2.5](#), and [327 IAC 8-2.6](#):

- (1) "Act" means the Safe Drinking Water Act (42 U.S.C. 300f et seq.).
- (2) "Action level" means the concentration of lead or copper in water specified in section 36(c) of this rule that determines, in some cases, the treatment requirements contained in sections 36 through 47 of this rule that a water system is required to complete.
- (3) "Adjustment program" means the addition of fluoride to drinking water by a PWS for the prevention of dental cavities.
- (4) "Administrator" means the administrator of the U.S. EPA.
- (5) "Bag filters" means pressure-driven separation devices that remove particulate matter larger than one (1)

micrometer (μm) using an engineered porous filtration media. They are typically constructed of a nonrigid, fabric filtration media housed in a pressure vessel in which the direction of flow is from the inside of the bag to the outside.

(6) "Bank filtration" means a water treatment process that uses a well to recover surface water that has naturally infiltrated into ground water through a river bed or bank. Infiltration is typically enhanced by the hydraulic gradient imposed by a nearby pumping water supply or other well.

(7) "Best available technology" or "BAT" means best technology, treatment techniques, or other means that the commissioner finds are available, after examination for efficacy under field conditions, and not solely under laboratory conditions, and after taking cost into consideration. For the purpose of setting MCLs for synthetic organic chemicals, any BAT must be at least as effective as granular activated carbon.

(8) "Cartridge filters" means pressure-driven separation devices that remove particulate matter larger than one (1) micrometer (μm) using an engineered porous filtration media. They are typically constructed as rigid or semirigid, self-supporting filter elements housed in pressure vessels in which the flow is from the outside of the cartridge to the inside.

(9) "Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

(10) "Combined distribution system" means the interconnected distribution system consisting of the distribution system of wholesale systems and of the consecutive systems that receive finished water.

(11) "Commissioner" means the commissioner of the Indiana department of environmental management or the designated agent of the commissioner.

(12) "Community water system", or "CWS", "**community public water supply system**", or "**CPWSS**" means a PWS that:

(A) serves at least fifteen (15) service connections used by year-round residents; or

(B) regularly serves at least twenty-five (25) year-round residents.

(13) "Compliance cycle" means the nine (9) year calendar year cycle during which PWSs must monitor. Each compliance cycle consists of three (3) three-year compliance periods **that continue in perpetuity. The first compliance cycle is established** according to the following:

(A) The first calendar year cycle begins January 1, 1993, and ends December 31, 2001.

(B) The second calendar year cycle begins January 1, 2002, and ends December 31, 2010.

(C) The third calendar year cycle begins January 1, 2011, and ends December 31, 2019.

(14) "Compliance period" means a three (3) year calendar year period within a compliance cycle. Each compliance cycle has three (3) three-year compliance periods. ~~according to~~ The following **shows the compliance periods within the compliance cycles shown as an example in subdivision (13):**

(A) Within the first compliance cycle, the compliance periods are as follows:

(i) The first compliance period runs from January 1, 1993, to December 31, 1995.

(ii) The second compliance period runs from January 1, 1996, to December 31, 1998.

(iii) The third compliance period runs from January 1, 1999, to December 31, 2001.

(B) Within the second compliance cycle, the compliance periods are as follows:

(i) The first compliance period runs from January 1, 2002, to December 31, 2004.

(ii) The second compliance period runs from January 1, 2005, to December 31, 2007.

(iii) The third compliance period runs from January 1, 2008, to December 31, 2010.

(C) Within the third compliance cycle, the compliance periods are as follows:

(i) The first compliance period runs from January 1, 2011, to December 31, 2013.

(ii) The second compliance period runs from January 1, 2014, to December 31, 2016.

(iii) The third compliance period runs from January 1, 2017, to December 31, 2019.

(15) "Comprehensive performance evaluation" or "CPE" means a thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. For purposes of compliance with [327 IAC 8-2.6-1](#), the CPE must consist of at least the following components:

(A) Assessment of plant performance.

(B) Evaluation of major unit processes.

(C) Identification and prioritization of performance limiting factors.

(D) Assessment of the applicability of comprehensive technical assistance.

(E) Preparation of a CPE report.

(16) "Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter, or a portion thereof, in which bacterial colonies are not discrete.

(17) "Consecutive system" means a PWS that receives some or all of its finished water from one (1) or more wholesale systems. Delivery can be through a direct connection or through the distribution system of one (1) or more consecutive systems.

(18) "Contaminant" means any:

- (A) microorganisms;
- (B) chemicals;
- (C) waste;
- (D) physical substance;
- (E) radiological substance; or
- (F) wastewater;

introduced or found in the drinking water.

(19) "Conventional filtration treatment" means a series of processes, including:

- (A) coagulation;
- (B) flocculation;
- (C) sedimentation; and
- (D) filtration;

resulting in substantial particulate removal.

(20) "Corrosion inhibitor" means a substance capable of reducing the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.

(21) "CT" or "CTcalc" means the product of residual disinfectant concentration (C) in milligrams per liter determined before or at the first customer and the corresponding disinfectant contact time (T) in minutes, such as C × T. If a PWS applies disinfectants at more than one (1) point prior to the first customer, the PWS must determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or total inactivation ratio. In determining the total inactivation ratio, the PWS must determine the residual disinfectant concentration of each disinfection sequence and corresponding contact time before any subsequent disinfection application point. CT_{99.9} is the CT value required for ninety-nine and nine-tenths percent (99.9%) (3-log) inactivation of *Giardia lamblia* cysts. CT_{99.9} for a variety of disinfectants and conditions appears in Tables 1.1-1.6, 2.1, and 3.1 of 40 CFR 141.74(b)(3)*.

$$\frac{CT_{calc}}{CT_{99.9}}$$

is the inactivation ratio. The sum of the inactivation ratios or total inactivation ratio shown as:

$$\sum \frac{(CT_{calc})}{(CT_{99.9})}$$

is calculated by adding together the inactivation ratio for each disinfection sequence. A total inactivation ratio equal to or greater than one (1.0) is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts.

(22) "Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which:

- (A) a precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and
- (B) while the water is filtered by passing through the cake on the septum, additional filter media known as body feed are continuously added to the feed water to maintain the permeability of the filter cake.

(23) "Direct filtration" means a series of processes, including coagulation and filtration but excluding sedimentation, resulting in substantial particulate removal.

(24) "Disinfectant" means any oxidant, including, but not limited to:

- (A) chlorine;
- (B) chlorine dioxide;
- (C) chloramines; and
- (D) ozone;

added to water in any part of the treatment or distribution process that is intended to kill or inactivate pathogenic microorganisms.

(25) "Disinfectant contact time" or "T in CT calculations" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of disinfectant residual measurement to a point before or at the point where residual disinfectant concentration (C) is measured. Where only one (1) C is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at where C is measured. Where more than one (1) C is measured, T is:

- (A) for the first measurement of C, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first C is measured; and
- (B) for subsequent measurements of C, the time in minutes that it takes for water to move from the previous C measurement point to the C measurement point for which the particular T is being calculated.

Disinfectant contact time in pipelines must be calculated based on plug flow by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe. Disinfectant contact time within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

- (26) "Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.
- (27) "Disinfection profile" means a summary of daily *Giardia lamblia* inactivation through a treatment plant. The procedure for developing a disinfection profile is contained in:
- (A) [327 IAC 8-2.6-2](#) for systems serving at least ten thousand (10,000) individuals; and
 - (B) [327 IAC 8-2.6-2.1](#) for systems serving fewer than ten thousand (10,000) individuals.
- (28) "Domestic or other nondistribution system plumbing problem" means a coliform contamination problem in a PWS with more than one (1) service connection that is limited to the specific service connection from which the coliform-positive sample was taken.
- (29) "Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as **that** account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRUM).
- (30) "Drinking water violation" means violations of the:
- (A) MCL;
 - (B) treatment technique (TT);
 - (C) monitoring requirements; and
 - (D) testing procedures;
- in this rule. [327 IAC 8-2.1-16](#) identifies the tier assignment for each specific violation or situation requiring a public notice.
- (31) "Dual sample set" means a set of two (2) samples collected at the same time and at the same location, with one (1) sample analyzed for TTHM and the other sample analyzed for HAA5. Dual sample sets are collected under [327 IAC 8-2.5-10](#) through [327 IAC 8-2.5-20](#).
- (32) "Effective corrosion inhibitor residual" means a concentration sufficient to form a passivating film on the interior walls of a pipe for the purpose of sections 36 through 47 of this rule only.
- (33) "Enhanced coagulation" means the addition of sufficient coagulant for improved removal of disinfection byproduct precursors by conventional filtration treatment.
- (34) "Enhanced softening" means the improved removal of disinfection byproduct precursors by precipitative softening.
- (35) "Filter profile" means a graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed.
- (36) "Filtration" means a process for removing particulate matter from water by passage through porous media.
- (37) "Finished water" means water that is:
- (A) introduced into the distribution system of a PWS; and
 - (B) intended for distribution and consumption without further treatment, except treatment necessary to maintain water quality in the distribution system (for example, booster disinfection or addition of corrosion control chemicals).
- (38) "First draw sample" means a one (1) liter sample of tap water collected in accordance with section 37 of this rule that:
- (A) has been standing in the plumbing pipes at least six (6) hours; and
 - (B) is collected without flushing the tap.
- (39) "Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.
- (40) "Flowing stream" means a course of running water flowing in a definite channel.
- (41) "GAC10" means granular activated carbon filter beds with an empty-bed contact time of ten (10) minutes based on average daily flow and a carbon reactivation frequency of every:
- (A) one hundred eighty (180) days; or
 - (B) one hundred twenty (120) days when the carbon reactivation frequency for GAC10 is used as a BAT for compliance with MCLs under [327 IAC 8-2.5-2\(b\)](#).
- (42) "GAC20" means granular activated carbon filter beds with an empty-bed contact time of twenty (20) minutes based on average daily flow and a carbon reactivation frequency of every two hundred forty (240) days.
- (43) "Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.
- (44) "Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.
- (45) "Ground water under the direct influence of surface water" means any water beneath the surface of the

ground with:

(A) significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia* or, for Subpart H systems serving at least ten thousand (10,000) individuals and beginning January 1, 2005, systems serving fewer than ten thousand (10,000) individuals, *Cryptosporidium*; or
(B) significant and relatively rapid shifts in water characteristics, such as:

- (i) turbidity;
- (ii) temperature;
- (iii) conductivity; or
- (iv) pH;

that closely correlate to climatological or surface water conditions.

Direct influence must be determined for individual sources in accordance with criteria established by the commissioner. The commissioner's determination of direct influence may be based on site-specific measurements of water quality or documentation of well construction characteristics and geology with field evaluation, or both.

(46) "Haloacetic acids (five)" or "HAA5" means the sum of the concentrations in milligrams per liter of the haloacetic acid compounds:

- (A) monochloroacetic acid;
- (B) dichloroacetic acid;
- (C) trichloroacetic acid;
- (D) monobromoacetic acid; and
- (E) dibromoacetic acid;

rounded to two (2) significant figures after addition.

(47) "Halogen" means one (1) of the following chemical elements:

- (A) Chlorine.
- (B) Bromine.
- (C) Iodine.

(48) "Initial compliance period" means January 1993 to December 1995 for the contaminants listed in the following:

(A) Section 4 of this rule, other than the following:

- (i) Arsenic.
- (ii) Barium.
- (iii) Cadmium.
- (iv) Fluoride.
- (v) Lead.
- (vi) Mercury.
- (vii) Selenium.
- (viii) Silver.

(B) Section 5 of this rule.

(C) Section 5.4(a) of this rule, other than the following:

- (i) Benzene.
- (ii) Vinyl chloride.
- (iii) Carbon tetrachloride.
- (iv) 1,2-dichloroethane.
- (v) Trichloroethylene.
- (vi) 1,1-dichloroethylene.
- (vii) 1,1,1-trichloroethane.
- (viii) para-dichlorobenzene.

(49) "Lake/reservoir" means a natural or manmade basin or hollow on the earth's surface in which water collects or is stored that can or cannot have a current or single direction of flow.

(50) "Large water system" means a water system that serves more than fifty thousand (50,000) people for the purpose of sections 36 through 47 of this rule only.

(51) "Lead service line" means a service line made of lead that connects the water main to the building inlet and any:

- (A) lead pigtail;
- (B) gooseneck; or
- (C) other fitting;

that is connected to the lead line.

(52) "Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

(53) "Locational running annual average" or "LRAA" means the average of sample analytical results for samples taken at a particular monitoring location during the previous four (4) calendar quarters.

(54) "Manmade beta particle and photon emitters" means all radionuclides emitting:

- (A) beta particle;
- (B) photons; or
- (C) both clauses (A) and (B);

listed in "Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure", NBS Handbook 69, as amended August 1973**, U.S. Department of Commerce, except the daughter products of thorium-232, uranium-235, and uranium-238.

(55) "Maximum contaminant level" or "MCL" means the maximum permissible level of a contaminant in water that is delivered to the free flowing outlet of the ultimate user of a PWS, except in the case of turbidity where the maximum permissible level is measured at the point of entry to the distribution system. The term does not include contaminants added to the water under circumstances controlled by the user, except those resulting from corrosion of piping and plumbing caused by water quality.

(56) "Maximum contaminant level goal" or "MCLG" means the maximum level of a contaminant in drinking water:

- (A) at which no known or anticipated adverse effect on the health of persons would occur; and
- (B) that includes an adequate margin of safety.

(57) "Maximum residual disinfectant level" or "MRDL" means a level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects.

(58) "Maximum residual disinfectant level goal" or "MRDLG" means the maximum level of a disinfectant added for water treatment:

- (A) at which no known or anticipated adverse effect on the health of individuals would occur; and
- (B) that allows an adequate margin of safety.

(59) "Maximum total trihalomethane potential" or "MTP" means the maximum concentration of TTHM produced in a given water containing a disinfectant residual after seven (7) days at a temperature of twenty-five (25) degrees Celsius or above.

(60) "Medium size water system" means a water system that serves greater than three thousand three hundred (3,300) and less than or equal to fifty thousand (50,000) persons for the purpose of sections 36 through 47 of this rule only.

(61) "Membrane filtration" means the following:

- (A) A pressure or vacuum driven separation process in which:
 - (i) particulate matter larger than one (1) micrometer (μm) is rejected by an engineered barrier, primarily through a size-exclusion mechanism; and
 - (ii) a measurable removal efficiency of a target organism can be verified through the application of a direct integrity test.
- (B) The term includes the common membrane technologies of:
 - (i) microfiltration;
 - (ii) ultrafiltration;
 - (iii) nanofiltration; and
 - (iv) reverse osmosis.

(62) "Near the first service connection" means at one (1) of the twenty percent (20%) of all service connections in the entire system that are nearest the water supply treatment facility, as measured by water transport time within the distribution system.

(63) "Noncommunity water system", or "NCWS", means a PWS that: (A) has at least fifteen (15) service connections used by nonresidents; or (B) regularly serves twenty-five (25) or more nonresident individuals daily for at least sixty (60) days per year. **"noncommunity public water supply system", "NCPWSS", or "noncommunity public water system" has the meaning set forth at [IC 13-11-2-140.8](#).**

(64) "Nontransient noncommunity water system" or "NTNCWS" means a PWS that is not a CWS that regularly serves the same twenty-five (25) or more persons at least six (6) months per year.

(65) "Optimal corrosion control treatment" means the corrosion control treatment that minimizes the lead and copper concentrations at users' taps while ensuring that the treatment does not cause the water system to violate this article for the purpose of sections 36 through 47 of this rule only.

(66) "Performance evaluation sample" or "PE sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the administrator. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

(67) "Picocuri" or "pCi" means the quantity of radioactive material producing two and twenty-two hundredths (2.22) nuclear transformations per minute.

(68) "Plant intake" means the works or structures at the head of a conduit through which water is diverted from a source, for example, a river or lake, into a treatment plant.

(69) "Point of disinfectant application" means the point where:

- (A) the disinfectant is applied; and
 - (B) water downstream of that point is not subject to recontamination by surface water runoff.
- (70) "Point-of-entry treatment device" or "POE" means a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in drinking water distributed throughout the house or building.
- (71) "Point-of-use treatment device" or "POU" means a treatment device to a single tap used for the purpose of reducing contaminants in drinking water at that one (1) tap.
- (72) "Presedimentation" means a preliminary treatment process used to remove:
- (A) gravel;
 - (B) sand; and
 - (C) other particulate material;
- from the source water through settling before the water enters the primary clarification and filtration processes in a treatment plant.
- (73) "Primacy agency" means the department of environmental management where the department exercises primary enforcement responsibility as granted by the EPA.
- (74) "Public water system", or **"public water supply", "public water supply system", "PWS", or "PWSS"**:
(A) means a ~~public water supply system~~ **public water supply system** for the provision to the public of water for human consumption through pipes or other constructed conveyances, if the system:
 - (i)** has at least fifteen (15) service connections; or
 - (ii)** regularly serves **an average of** at least twenty-five (25) individuals daily at least sixty (60) days out of the year; ~~The term~~**(B)** includes any:
 - ~~(A)~~ **(i)** collection, treatment, storage, and distribution facilities under control of the operator of the system and used primarily in connection with the system; and
 - ~~(B)~~ **(ii)** collection or pretreatment storage facilities not under ~~such~~ **the operator's** control that are used primarily in connection with the system; ~~A PWS and~~**(C)** is either a CWS, **as defined in subdivision (12)**, or an NCWS, as defined in ~~subdivisions (12) and~~ **subdivision (63)**.
- (75) "Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A millirem (mrem) is one-thousandth (1/1,000) of a rem.
- (76) "Repeat compliance period" means any subsequent compliance period after the initial compliance period.
- (77) "Residual disinfectant concentration" or "C in CT calculations" means the concentration of disinfectant measured in milligrams per liter in a representative sample of water.
- (78) "Sanitary survey" means an on-site review of the:
- (A) water source;
 - (B) facilities;
 - (C) equipment;
 - (D) operation; and
 - (E) maintenance;
- of a PWS for the purpose of evaluating the adequacy of clauses (A) through (E) for producing and distributing safe drinking water.
- (79) "Sedimentation" means a process for removal of solids before filtration by gravity or separation.
- (80) "Service interruption" means a disturbance in the provision of water to a customer affecting quality or quantity.
- (81) "Service line sample" means a one (1) liter sample of water collected in accordance with section 37(b)(3) of this rule that has been standing at least six (6) hours in a service line.
- (82) "Single family structure" means a building constructed as a single family residence that is currently being used as a:
- (A) residence; or
 - (B) place of business;
- for the purpose of sections 36 through 47 of this rule only.
- (83) "Slow sand filtration" means a process:
- (A) involving passage of raw water through a bed of sand at low velocity (generally less than four-tenths (0.4) meter per hour or forty-five (45) to one hundred fifty (150) gallons per day per square foot); and
 - (B) resulting in substantial particulate removal by physical and biological mechanisms.
- (84) "Small water system" means a water system that serves three thousand three hundred (3,300) persons or fewer for the purpose of sections 36 through 47 of this rule only.
- (85) "Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.
- (86) "Subpart H system" means a PWS using:
- (A) surface water; or

(B) ground water under the direct influence of surface water;
as a source that is subject to [327 IAC 8-2.6](#).

(87) "Supplier of water" means any person who:

- (A) owns;
- (B) operates; or
- (C) both owns and operates;

a PWS.

(88) "Surface water" means all water occurring on the surface of the ground, including water in the following:

- (A) A stream.
- (B) Natural and artificial lakes.
- (C) Ponds.
- (D) Swales.
- (E) Marshes.
- (F) Diffused surface water.

(89) "SUVA" means specific ultraviolet absorption at two hundred fifty-four (254) nanometers, an indicator of the humic content of water. SUVA is a calculated parameter obtained by dividing a sample's ultraviolet absorption at a wavelength of two hundred fifty-four (254) nanometers (UV_{254}) (in m^{-1}) by its concentration of dissolved organic carbon (DOC) (in milligrams per liter).

(90) "System with a single service connection" means a PWS that supplies drinking water to consumers via a single service line.

(91) "Too numerous to count" means that the total number of bacterial colonies exceeds two hundred (200) on a forty-seven (47) millimeter diameter membrane filter used for coliform detection.

(92) "Total organic carbon" or "TOC" means total organic carbon in milligrams per liter, measured using:

- (A) heat;
- (B) oxygen;
- (C) ultraviolet irradiation;
- (D) chemical oxidants; or
- (E) combinations of these oxidants in clauses (A) through (D);

that convert organic carbon to carbon dioxide, rounded to two (2) significant figures.

(93) "Total trihalomethanes" or "TTHM" means the sum of the concentration in milligrams per liter of the THM compounds:

- (A) trichloromethane (chloroform);
- (B) dibromochloromethane;
- (C) bromodichloromethane; and
- (D) tribromomethane (bromoform);

rounded to two (2) significant figures.

(94) "Transient noncommunity water system" or "TWS" means an NCWS that does not regularly serve at least twenty-five (25) of the same persons over six (6) months per year.

(95) "Trihalomethane" or "THM" means one (1) of the family of organic compounds, named as derivatives of methane, wherein three (3) of the four (4) hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure.

(96) "Two-stage lime softening" means a process in which chemical addition and hardness precipitation occur in each of two (2) distinct unit clarification processes in series prior to filtration.

(97) "Uncovered finished water storage facility" means a facility:

- (A) such as:
 - (i) a tank;
 - (ii) a reservoir; or
 - (iii) another facility;

open to the atmosphere that is used to store water that will undergo no further treatment to reduce microbial pathogens except residual disinfection; and

- (B) that is directly open to the atmosphere.

(98) "Undetectable disinfectant residual" means a disinfectant residual level that is less than:

- (A) two-tenths (0.2) milligram per liter measured as free chlorine;
- (B) five-tenths (0.5) milligram per liter measured as combined chlorine (chloramines); or
- (C) one-tenth (0.1) milligram per liter measured as chlorine dioxide.

The commissioner may require a system to demonstrate the level of chloramines present when measured as combined chlorine under clause (B).

(99) "U.S. EPA" or "EPA" means the United States Environmental Protection Agency.

(100) "Virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

(101) "Waterborne disease outbreak" means the significant occurrence of acute infectious illness epidemiologically associated with the ingestion of water from a PWS that is deficient in treatment as

determined by the commissioner.

(102) "Water loss" means the following:

(A) A calculation based on the difference between the following:

(i) The amount of water produced or purchased.

(ii) The annual volume of water metered, including unmetered water taken by the following:

(AA) Customers authorized to take water.

(BB) The water system.

(CC) Others authorized to take water.

(B) Inclusions of the following:

(i) Unauthorized consumption.

(ii) Metering inaccuracies.

(iii) Data handling errors.

(iv) Leaks, breaks, and overflows on the following:

(AA) Mains.

(BB) Service reservoirs.

(CC) Service connections up to the point of customer metering.

(103) "Wholesale system" means a PWS that:

(A) treats source water as necessary to produce finished water; and

(B) delivers some or all of that finished water to another PWS.

Delivery can be through a direct connection or through the distribution system of one (1) or more consecutive systems.

***This document is incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204.**

****This document is incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, U.S. EPA National Service Center for Environmental Publications (www.epa.gov/nscep), or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, Thirteenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.**

(Water Pollution Control Division; [327 IAC 8-2-1](#); filed Sep 24, 1987, 3:00 p.m.: 11 IR 705; filed Dec 28, 1990, 5:10 p.m.: 14 IR 1003; errata filed Jan 9, 1991, 2:30 p.m.: 14 IR 1070; errata filed Aug 6, 1991, 3:45 p.m.: 14 IR 2258; filed Apr 12, 1993, 11:00 a.m.: 16 IR 2151; filed Aug 24, 1994, 8:15 a.m.: 18 IR 19; errata filed Oct 11, 1994, 2:45 p.m.: 18 IR 531; filed Oct 24, 1997, 4:30 p.m.: 21 IR 932; filed Mar 6, 2000, 7:56 a.m.: 23 IR 1623; filed Nov 20, 2001, 10:20 a.m.: 25 IR 1075; filed May 1, 2003, 12:00 p.m.: 26 IR 2808; filed Jun 13, 2005, 2:30 p.m.: 28 IR 3184; filed May 7, 2010, 9:30 a.m.: [20100602-IR-327080198FRA](#); errata filed May 26, 2017, 2:28 p.m.: [20170607-IR-327170275ACA](#))

SECTION 3. [327 IAC 8-2.5-2](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 8-2.5-2](#) Maximum contaminant levels; disinfection byproducts

Authority: [IC 13-13-5-1](#); [IC 13-14-8-2](#); [IC 13-14-8-7](#); [IC 13-18-3-2](#)

Affected: [IC 13-12-3-1](#); [IC 13-13-5-2](#); [IC 13-14-9](#); [IC 13-18-11](#)

Sec. 2. (a) The MCLs for disinfection byproducts are as follows:

Disinfection Byproduct	MCL (mg/L)
TTHM	0.080
HAA5	0.060
Bromate	0.010
Chlorite	1.0

(1) Subpart H systems shall comply with this subsection according to the following:

(A) Beginning January 1, 2002, for a system serving ten thousand (10,000) or more persons.

(B) Beginning January 1, 2004, for systems serving fewer than ten thousand (10,000) persons and systems using only ground water not under the direct influence of surface water.

(2) The commissioner hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the MCLs for disinfection byproducts identified in this

subsection:

Disinfection Byproduct TTHM	Best Available Technology Enhanced coagulation or enhanced softening, or GAC10, with chlorine as the primary and residual disinfectant.
HAA5	Enhanced coagulation or enhanced softening, or GAC10, with chlorine as the primary and residual disinfectant.
Bromate	Control of ozone treatment process to reduce production of bromate.
Chlorite	Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.

(b) This subsection relates to LRAA compliance under sections 11 through 20 of this rule. The MCLs for TTHM and HAA5 are as follows:

Disinfection Byproduct TTHM	MCL (mg/L) 0.080
HAA5	0.060

(1) The MCLs for TTHM and HAA5 must be complied with as a LRAA at each monitoring location beginning at the date specified for compliance in section 11(c) of this rule.

(2) The commissioner hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the MCLs for TTHM and HAA5 identified in this subsection for all systems that disinfect their source water:

Disinfection Byproduct TTHM and HAA5	Best Available Technology Enhanced coagulation or plus GAC10 , enhanced softening plus GAC10, or nanofiltration with a molecular weight cutoff less than or equal to one thousand (1,000) Daltons, or GAC20.
---	---

(3) The commissioner hereby identifies the following as the BAT, treatment techniques, or other means available for achieving compliance with the MCLs for TTHM and HAA5 identified in this subsection for consecutive systems and applies only to the disinfected water that consecutive systems buy or otherwise receive:

Disinfection Byproduct TTHM and HAA5	Best Available Technology Systems serving greater than or equal to ten thousand (10,000): Improved distribution system and storage tank management to reduce residence time, plus the use of chloramines for disinfectant residual maintenance. Systems serving less than ten thousand (10,000): Improved distribution system and storage tank maintenance to reduce residence time.
---	---

(Water Pollution Control Division; [327 IAC 8-2.5-2](#); filed May 1, 2003, 12:00 p.m.: 26 IR 2840; filed May 7, 2010, 9:30 a.m.: [20100602-IR-327080198FRA](#); errata filed May 26, 2017, 2:28 p.m.: [20170607-IR-327170275ACA](#))

SECTION 4. [327 IAC 8-3.4-1](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 8-3.4-1](#) Definitions

Authority: [IC 13-13-5-1](#); [IC 13-15-1-2](#); [IC 13-15-2-1](#); [IC 13-18-2](#); [IC 13-18-3-1](#); [IC 13-18-4-1](#)

Affected: [IC 13-11-2-140.8](#); [IC 16-41-26-1](#); [IC 25-17.6](#); [IC 25-31](#); [IC 25-39-3](#)

Sec. 1. In addition to the definitions in [IC 13-11-2](#), the following definitions apply throughout this rule:

- (1) "Agricultural labor camp" means an area as described in [IC 16-41-26-1](#).
- (2) "Annulus" means the space between the:
 - (A) exterior of a well casing; and
 - (B) inside diameter of the borehole.
- (3) "Bentonite" has the meaning set forth in [312 IAC 13-1-4](#).
- (4) "Bentonite slurry" means a mixture, made according to manufacturer specifications, of water and commercial grouting or plugging bentonite that contains high concentrations of solids. The term does not include sodium bentonite products that:
 - (A) contain low solid concentration; or
 - (B) are designed for drilling fluid purposes.

- (5) "Community public water supply system", "CPWSS", "~~community~~", or "community public water system", **"community water system", or "CWS"** means a public water system that:
- (A) serves at least fifteen (15) service connections used by year-round residents; or
 - (B) regularly serves at least twenty-five (25) year-round residents.
- (6) "Course grade crushed bentonite" means natural bentonite crushed to an average size range of three-eighths (3/8) to three-fourths (3/4) inches.
- (7) "Direct additives" means chemical additives that are used in public water systems for the treatment of raw water. Direct additives are also used to protect drinking water during storage and distribution. Examples of direct additives include agents used for the following:
- (A) Coagulation and flocculation.
 - (B) Corrosion and scale control.
 - (C) Softening.
 - (D) Sequestering.
 - (E) Precipitation.
 - (F) pH adjustment.
 - (G) Disinfection.
 - (H) Oxidation.
- (8) "Drawdown" means the vertical difference measured between the static and the pumping water levels. The term is commonly expressed in units of length.
- (9) "Entry point to the water distribution system" means one (1) of the following points:
- (A) For public water systems that utilize water treatment facilities, the point at which the drinking water has:
 - (i) left the treatment facilities; and
 - (ii) entered the water distribution system.
 - (B) For public water systems that do not utilize water treatment facilities, the point at which the water has:
 - (i) left the supply facilities; and
 - (ii) entered the water distribution system.
- (10) "Flowing well" means a well completed in a confined aquifer where the water rises naturally to an elevation above land surface.
- (11) "Indirect additives" means additives that are materials or equipment that come in contact with drinking water or direct additives. Examples of indirect additives include the following:
- (A) Pipes, valves, and related products.
 - (B) Barrier or baffle materials.
 - (C) Joining and sealing materials.
 - (D) Protective materials and related products.
 - (E) Mechanical devices or structures used in:
 - (i) treatment;
 - (ii) storage;
 - (iii) transmission; and
 - (iv) distribution;systems.
- (12) "Isolation area" means the separation distance of a public water system production well from a potential or existing source of contamination or damage as described in section 9 of this rule.
- (13) "Licensed professional geologist" means a person who is licensed as a professional geologist by the Indiana board of licensure for professional geologists under [IC 25-17.6](#).
- (14) "Licensed well driller" means a person who is licensed as a well driller under [IC 25-39-3](#).
- (15) "Medium grade crushed bentonite" means natural bentonite crushed to an average size range of one-fourth (1/4) to three-eighths (3/8) inch.
- (16) "Noncommunity public water supply system" or "NCPWSS" ~~means a public water system that serves at least fifteen (15) service connections used by nonresidents or regularly serves twenty-five (25) or more nonresident individuals daily for at least sixty (60) days per year.~~ **has the meaning set forth at [IC 13-11-2-140.8](#).**
- (17) "Nontransient noncommunity public water supply system" means a public water system that is not a community water system that regularly serves the same twenty-five (25) or more persons at least six (6) months per year.
- (18) "Normal operating pressure" means the water pressure maintained in a system regardless of public service load in the absence of extenuating circumstances.
- (19) "Peak daily consumer demand" means the flow rate as determined in [327 IAC 8-3.3](#).
- (20) "Pitless adapter" means a device or assembly of parts that:
- (A) will permit water to pass through the wall of the well casing or extension thereof; and
 - (B) provides access to the well and parts of the water system within the well in a manner to prevent the entrance of contaminants into the well and the water produced.

- (21) "Primary pump" means a pump used to deliver drinking water to a water distribution system.
- (22) "Production well" or "well" means a well that provides water for human consumption within the applicability of section 2 of this rule.
- (23) "Professional engineer" means a person who is registered as a professional engineer by the state board of registration for professional engineers under [IC 25-31](#).
- (24) "Public water system", "public water supply", "public water supply system", "PWS", or "PWSS" has the meaning set forth in [327 IAC 8-2-1\(74\)](#).**
- ~~(24)~~ **(25)** "Pumping test" means a test that is conducted to determine well performance or aquifer characteristics.
- ~~(25)~~ **(26)** "Rated capacity" means the flow rate that a pump is capable of producing at a total dynamic head as determined by the manufacturer of that pump. The term is usually expressed as a unit of volume produced from a well within a unit of time.
- ~~(26)~~ **(27)** "Regulatory flood" has the meaning set forth in [312 IAC 10-2-35](#).
- ~~(27)~~ **(28)** "Sanitary setback" means an isolation area.
- ~~(28)~~ **(29)** "Schedule 40" refers to the unit of size of standard steel pipe. Standard pipe sizes are designated by the nominal size and schedule number. The schedule numbers are related to the:
- (A) permissible operating pressure; and
 - (B) allowable stress of the steel;
- of the pipe. The range of schedule numbers is from ten (10) to one hundred sixty (160) with the higher numbers indicating a heavier wall thickness. Since all schedules of pipe of a given nominal size have the same outside diameter, the higher schedules have a smaller inside diameter.
- ~~(29)~~ **(30)** "Small nontransient noncommunity public water system" means a public water system that:
- (A) meets the definition of a nontransient noncommunity public water system under [327 IAC 8-2-1\(64\)](#);
 - (B) serves one hundred (100) or fewer individuals; and
 - (C) does not utilize surface water or ground water under the influence of surface water as its water source.
- ~~(30)~~ **(31)** "Small transient noncommunity public water system" means a public water system that:
- (A) meets the definition of a transient noncommunity public water system under [327 IAC 8-2-1\(94\)](#);
 - (B) serves two hundred fifty (250) or fewer individuals per day; and
 - (C) does not utilize surface water or ground water under the influence of surface water as its water source.
- ~~(31)~~ **(32)** "Specific capacity" means the rate of discharge of a production well per unit of drawdown. The term is commonly expressed as a unit of volume produced from a well within a unit of time per length or depth of drawdown.
- ~~(32)~~ **(33)** "Static water level" means the level of water (including seasonal fluctuations) in the production well that is not influenced by pumping.
- ~~(33)~~ **(34)** "Test well" means a well that is installed to:
- (A) obtain hydrogeological information; or
 - (B) monitor the quality or quantity of ground water.
- ~~(34)~~ **(35)** "Unconsolidated formations" means geologic materials overlying bedrock, such as sand, gravel, and clay.
- ~~(35)~~ **(36)** "Usable capacity" means the volume of water available in a hydropneumatic or other tank as measured from the pump shut-off pressure to the pump starting pressure.
- ~~(36)~~ **(37)** "Water distribution system" means that part of the public water system in which water is conveyed from the water treatment plant to the premises of the consumer.

(Water Pollution Control Division; [327 IAC 8-3.4-1](#); filed Jun 17, 1999, 1:50 p.m.: 22 IR 3366; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; errata filed Feb 6, 2006, 11:15 a.m.: 29 IR 1937; filed Apr 24, 2006, 3:00 p.m.: 29 IR 2959; readopted filed Nov 21, 2007, 1:16 p.m.: [20071219-IR-327070553BFA](#); readopted filed Jul 29, 2013, 9:21 a.m.: [20130828-IR-327130176BFA](#); readopted filed Jun 14, 2019, 1:59 p.m.: [20190710-IR-327190246BFA](#))

SECTION 5. [327 IAC 8-4.1-1](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 8-4.1-1](#) Definitions

Authority: [IC 13-14-8](#); [IC 13-18-3](#); [IC 13-18-17-6](#)

Affected: [IC 13-11-2-43](#); [IC 13-13-2](#); [IC 13-18](#); [IC 15-16-4](#); [IC 15-16-5](#); [IC 25-17.6-1](#); [IC 25-39-4](#)

Sec. 1. In addition to the definition in [IC 13-11-2-43](#), the following definitions apply throughout this rule:

- (1) "Aquifer" means an underground geological formation that has the ability to receive, store, and transmit water in amounts sufficient for the satisfaction of any beneficial use.
- (2) "Best management practices" means schedules of activities, prohibitions of practice, treatment requirements, operation and maintenance procedures, use of containment facilities, and other management

practices to prevent or reduce the pollution of waters of the state.

(3) "Calibration" means the process of refining the model representation of the hydrogeologic framework, hydraulic properties, and boundary conditions to achieve a desired degree of correspondence between the model simulation and observations of the ground water flow system.

(4) "Certified professional geologist" means a professional geologist certified by the state of Indiana under [IC 25-17.6-1](#).

(5) "Community public water supply system", or "CPWSS", "**community water system**", or "**CWS**" means a public water supply system that:

(A) serves at least fifteen (15) service connections used by year-round residents; or

(B) regularly serves at least twenty-five (25) year-round residents.

(6) "Conceptual model" means a description of the hydrogeologic system that represents the movement of ground water, for example:

(A) geologic and hydrologic framework;

(B) media type;

(C) physical processes;

(D) hydraulic properties; and

(E) water budget.

(7) "Confined aquifer" means an aquifer in which ground water is confined under pressure that is significantly greater than atmospheric pressure.

(8) "Critical water users" means water users whose immediate health or welfare would be affected in an adverse manner if water use is denied.

(9) "Customers" means **the** number of persons served by the public water supply system.

(10) "Delineation" means a process used to define boundaries of the wellhead protection area.

(11) "Department" means the department of environmental management created under [IC 13-13-2](#).

(12) "Emergency condition" means a condition related to ground water contamination ~~which~~ **that** threatens to disrupt water supply service from a community public water supply system wellfield.

(13) "Hydrogeology" means the study of the geology of ground water, with particular emphasis on the chemistry and movement of water.

(14) "Hydrostratigraphic unit" means a grouping of geologic units of similar hydrogeologic properties, for example, aquifers and confining units.

(15) "Large community public water supply system" means a public water supply system serving greater than fifty thousand (50,000) customers.

(16) "Medium community public water supply system" means a public water supply system serving from three thousand three hundred one (3,301) up to and including fifty thousand (50,000) customers.

(17) "Model" means an investigative technique using a mathematical or physical representation of a system or theory that accounts for all or some of its known properties.

(18) "Pesticide review board" means the Indiana pesticide review board created by [IC 15-16-4](#) to collect, analyze, and interpret information on matters relating to the use of pesticides.

(19) "Potential source of contamination" means a facility, site, practice, or activity that possesses the ability to contaminate ground water.

(20) "Public water supply system", "**public water system**", "**public water supply**", or "PWSS", or "**PWS**":

(A) means a ~~public water supply~~ **system** for the provision to the public of water for human consumption through pipes or other constructed conveyances, if ~~such~~ **the** system:

(i) has at least fifteen (15) service connections; or

(ii) regularly serves **an average** of at least twenty-five (25) individuals daily at least sixty (60) days out of the year; ~~The term~~

(B) includes any:

(i) collection, treatment, storage, and distribution facilities under control of the operator of ~~such~~ **the** system and used primarily in connection with ~~such~~ **the** system; and ~~any~~

(ii) collection or pretreatment storage facilities not under ~~such~~ **the operator's** control that are used primarily in connection with ~~such~~ **the** system; **and**

(C) is either a CWS, as defined in [327 IAC 8-2-1\(12\)](#), or an NCWS, as defined in [327 IAC 8-2-1\(63\)](#).

(21) "Qualified ground water scientist" means an individual who possesses a bachelor's degree or higher in the physical sciences, for example, geology or engineering, with a sufficient level of experience to make sound professional judgments regarding site characterization and hydrogeology. This level of experience may be demonstrated by certification or registration as a professional geologist or engineer, either of whom shall have education or professional experience in hydrogeology or ground water hydrology.

(22) "Sanitary setback" means an area established around a CPWSS production well to protect ground water from direct contamination.

(23) "Small community public water supply system" means a public water supply system serving up to and including three thousand three hundred (3,300) customers.

(24) "State chemist" means the office of the Indiana state chemist authorized by [IC 15-16-4](#) and [IC 15-16-5](#) to administer the use, application, storage, mixing, loading, transportation, and disposal of pesticides in Indiana under those chapters.

(25) "Time of travel" or "TOT" means the calculated length of time a particle of water takes to reach a CPWSS production well from a certain point.

(26) "Time of travel (TOT) threshold" means a threshold determined by the community or CPWSS to suit the hydrogeologic conditions and needs of the community; however, a minimum five (5) year TOT for modeled wellhead protection areas and three thousand (3,000) feet for fixed radius wellhead protection area is allowed.

(27) "Wellhead protection area" or "WHPA" means the surface and subsurface area, delineated by fixed radius, hydrogeological mapping, analytical, semianalytical, or numerical flow/solute transport methods, which contributes water to a CPWSS production well or wellfield and through which contaminants are likely to move through and reach the well within a specified period.

(28) "Wellhead protection program" or "WHPP" means a program to sustain drinking water quality in ground waters that supply public water supply wells and wellfields. The program is mandated by the 1986 amendments to the federal Safe Drinking Water Act, Title II, Section 205, Subsection 1428.

(29) "Well log" means a drilling record that describes the subsurface formations that have been drilled through and gives details of well completion as required by [IC 25-39-4](#) and [312 IAC 13-2-6](#).

(Water Pollution Control Division; [327 IAC 8-4.1-1](#); filed Feb 28, 1997, 4:18 p.m.: 20 IR 1723; filed Mar 6, 2000, 7:56 a.m.: 23 IR 1627; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; readopted filed Nov 21, 2007, 1:16 p.m.: [20071219-IR-327070553BFA](#); readopted filed Jul 29, 2013, 9:21 a.m.: [20130828-IR-327130176BFA](#); errata filed Jul 31, 2017, 11:06 a.m.: [20170809-IR-327170349ACA](#); readopted filed Jun 14, 2019, 1:59 p.m.: [20190710-IR-327190246BFA](#))

SECTION 6. [327 IAC 8-10-1](#) IS AMENDED TO READ AS FOLLOWS:

[327 IAC 8-10-1](#) Definitions

Authority: [IC 13-14-8](#); [IC 13-14-9](#); [IC 13-15-1-2](#); [IC 13-15-2-1](#); [IC 13-18-3-1](#); [IC 13-18-4-1](#)

Affected: [IC 13-11-2](#); [IC 13-13-5-1](#); [IC 13-18-2](#)

Sec. 1. In addition to the definitions in [IC 13-11-2](#) and ~~[327 IAC 1](#)~~, [327 IAC 8-1](#), the following definitions apply throughout this rule:

- (1) "Air gap" means an unobstructed vertical distance through atmosphere between the:
 - (A) discharge end of a pipeline supplied from a public water supply; and
 - (B) overflow rim of the receiving portion of the customer water system.
- (2) "Atmospheric vacuum breaker backsiphonage prevention assembly" means an assembly containing:
 - (A) an air inlet valve;
 - (B) a check valve seat; and
 - (C) an air inlet port.
- (3) "Backflow" means the flow of water or contaminants into the public water supply distribution system from a source other than the public water supply.
- (4) "Booster pump" means a pump installed on a pipeline to increase water pressure or flow.
- (5) "Commissioner" means the commissioner of the Indiana department of environmental management, or the commissioner's authorized representative.
- (6) "Cross connection" means any physical arrangement, including cross connection control devices not in working order, whereby a public water supply distribution system is directly connected, either continuously or intermittently, with any secondary source of supply, sewer, drain, conduit, pool, piping, storage reservoir, plumbing fixture, or other device that contains, or may contain, and is capable of imparting to the public water supply, contaminants, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality.
- (7) "Cross connection control device" means any device or assembly, approved by the commissioner for construction on or installation in water supply piping, that is capable of preventing contaminants from entering the public water supply distribution system.
- (8) "Cross connection control device inspector" means a person who has:
 - (A) successfully completed training in testing and inspection of cross connection control devices from a training provider approved by the commissioner;
 - (B) received a registration number from the commissioner; and
 - (C) not been notified by the commissioner that the registration number has been revoked in accordance with section 11(b) of this rule.
- (9) "Cross connection hazard" means any customer facility that, because of the nature and extent of activities on the premises or the materials used in connection with the activities or stored on the premises, would

present an immediate or potential danger or health hazard to customers of the public water supply should backflow occur.

(10) "Customer" means any person who receives water from a public water supply.

(11) "Customer service line" means the pipeline from the public water supply to the:

(A) first tap, fixture, receptacle, or other point of customer water use; or

(B) secondary source of supply or pipeline branch in a building.

(12) "Customer water system" means all piping, fixtures, and appurtenances, including secondary sources of supply, used by a customer to convey water on ~~his or her~~ **the customer's** premises.

(13) "Double check valve assembly" means a device or assembly composed of two (2) tightly closing shutoff valves surrounding two (2) independently acting check valves, with four (4) test cocks, one (1) upstream of the four (4) valves and one (1) between each of the four (4) check and shutoff valves.

(14) "Downstream" means the direction of flow when only the public water supply is supplying water through the customer water system and backflow is not occurring.

(15) "Pressure vacuum breaker" means a device or assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the downstream side of the check valve for relieving a vacuum or partial vacuum in a pipeline.

(16) "Public water system", "**public water supply**", "**public water supply system**", "**PWS**", or "**PWSS**":

(A) means a ~~public water supply~~ **system** for the provision to the public of water for human consumption through pipes or other constructed conveyances, if the system:

(i) has at least fifteen (15) service connections; or

(ii) regularly serves **an average of** at least twenty-five (25) individuals daily at least sixty (60) days out of the year; ~~The term~~

(B) includes any:

(i) collection, treatment, storage, and distribution facilities under control of the operator of the system and used primarily in connection with ~~such~~ the system; and ~~any~~

(ii) collection or pretreatment storage facilities not under the **operator's** control that are used primarily in connection with the system; **and**

(C) **is either a CWS, as defined in [327 IAC 8-2-1\(12\)](#), or an NCWS, as defined in [327 IAC 8-2-1\(63\)](#).**

(17) "Reduced pressure principle backflow preventer" means a device composed of two (2) tightly closing shutoff valves surrounding two (2) independently acting pressure reducing check valves that, in turn, surround an automatic pressure differential relief valve, and four (4) test cocks, one (1) upstream of the five (5) valves and one (1) between each of the four (4) check and shutoff valves. The check valves effectively divide the structure into three (3) chambers. Pressure is reduced in each downstream chamber allowing the pressure differential relief valve to vent the center chamber to **the** atmosphere should either or both check valves malfunction.

(18) "Registration number" means a unique number assigned to a person by the commissioner demonstrating that the person:

(A) has fulfilled the education and examination requirements as described in section 11 of this rule; and

(B) is recognized by the state as a cross connection control device inspector.

(19) "Secondary source of supply" means any well, spring, cistern, lake, stream, or other water source, intake structure, pumps, piping, treatment units, tanks, and appurtenances used, either continuously or intermittently, to supply water other than from the public water supply to the customer, including tanks used to store water to be used only for firefighting, even though the water contained therein is supplied from the public water supply.

(20) "Spill resistant vacuum breaker" means an assembly containing an independently operating, internally loaded check valve, and an independently operating, loaded air inlet valve, located on the discharge side of the check valve. The assembly is to be equipped with a properly located, resilient seated test cock, a properly located bleed or vent valve, and tightly closing, resilient seated shutoff valves, attached at each end of the assembly.

(21) "Supplier of water" means any person who owns or operates a public water supply.

(22) "Training provider" means an organization that conducts or presents a cross connection control device inspector course approved by the commissioner in conformance with section 12 of this rule.

(23) "Upstream" means the direction of flow opposite to downstream.

(Water Pollution Control Division; [327 IAC 8-10-1](#); filed Sep 24, 1987, 3:00 p.m.: 11 IR 714; filed Mar 31, 1999, 1:50 p.m.: 22 IR 2515; errata filed Aug 30, 1999, 12:06 p.m.: 23 IR 25; filed Mar 6, 2000, 7:56 a.m.: 23 IR 1629; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; readopted filed Nov 21, 2007, 1:16 p.m.: [20071219-IR-327070553BFA](#); filed Nov 13, 2012, 11:39 a.m.: [20121212-IR-327100414FRA](#); readopted filed Jul 29, 2013, 9:21 a.m.: [20130828-IR-327130176BFA](#); readopted filed Jun 14, 2019, 1:59 p.m.: [20190710-IR-327190246BFA](#))

Posted: 12/01/2021 by Legislative Services Agency
An [html](#) version of this document.