

Document: IC 13-14-9 Notice

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TITLE 327 WATER POLLUTION CONTROL BOARD

FIRST NOTICE OF COMMENT PERIOD

#01-180(WPCB)

DEVELOPMENT OF A NEW RULE CONCERNING PUBLIC WATER SYSTEM TREATMENT PLANT AND DISTRIBUTION SYSTEM OPERATION

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on a new rule concerning the operation of water treatment plants and water distribution systems for public drinking water systems. IDEM seeks comment on the affected citations listed and any other provisions of Title 327 that may be affected by this rulemaking.

CITATIONS AFFECTED: 327 IAC 8-13.

AUTHORITY: IC 13-14-9; IC 13-18-3; IC 13-18-16.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Existing Indiana rules concerning public drinking water supplies are insufficient regarding daily operation and maintenance requirements for water treatment plants and distribution systems. These rules, patterned after the federal Safe Drinking Water Act, focus on the quality of the drinking water received at the consumer's tap. Problems that affect the quality of public drinking water supplies are many times the result of correctable water treatment plant and distribution system operation. The purpose of this rulemaking is to establish a rule to require standards of operation and corrections to water treatment plant and distribution system operations prior to any situation becoming so critical as to affect human health. Without rules to require proper operation of water treatment plants and distribution systems, Indiana has often not been able to act in any meaningful way to citizen complaints that stem from improper operations relying instead upon nonrule policies which are unenforceable documents. Having only unenforceable policies has resulted in past situations becoming drinking water emergencies before a satisfactory solution could be achieved.

STATUTORY AND REGULATORY REQUIREMENTS

IC 13-14-8-4 requires the board to consider the following factors in promulgating rules:

- (1) All existing physical conditions and the character of the area affected.
- (2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- (3) Zoning classifications.
- (4) The nature of the existing air quality or existing water quality, as the case may be.
- (5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- (6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

REQUEST FOR PUBLIC COMMENTS

At this time, IDEM solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.

Mailed comments should be addressed to:

#01-180(WPCB) Operational Rule for Public Water Systems

MaryAnn Stevens

Rules Section Acting Chief

Office of Water Quality

Indiana Department of Environmental Management

P.O. Box 6015

Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the IDEM receptionist on duty at the twelfth floor reception desk, Office of Water Quality, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana. Comments may be delivered by facsimile to (317) 232-8406. Please confirm the timely receipt of faxed comments by calling the Office of Water Quality Rules Section at (317) 233-8903.

COMMENT PERIOD DEADLINE

Comments must be postmarked or hand delivered by June 30, 2001.

Additional information regarding this action may be obtained from MaryAnn Stevens, Rules Section, Office of Water Quality, (317) 232-8635 or (800) 451-6027 (in Indiana).

Matthew C. Rueff

Assistant Commissioner

Office of Water Quality

Indiana Department of Environmental Management