

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner



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DWS Circular Letter # 2013-05

To: Community and Non-Transient Non-Community Public Water Systems

From: Lori Mathieu, Public Health Section Chief, Drinking Water Section 

Date: October 10, 2013

Subject: Reduction of Lead in Drinking Water Act

In January 2011 Congress enacted *The Reduction of Lead in Drinking Water Act* (Lead Reduction Act) which amends Section 1417 of the Safe Drinking Water Act (SDWA) to primarily change the definition of "lead-free" from 8.0 percent to 0.25 percent. The Lead Reduction Act takes effect on January 4, 2014 and requires pipes, pipe fittings, plumbing fittings, and fixtures to be "lead free." The SDWA states the following: "*it [is] unlawful for any person to introduce into commerce any pipe, or any pipe or plumbing fitting or fixture that is not lead free*" and "*no person may use any pipe, any pipe or plumbing fitting or fixture, any solder, or any flux, in the installation or repair of any public water system or any plumbing in a residential or nonresidential facility providing water for human consumption that is not lead free.*"

Lead is not normally found in source water, but can enter drinking water systems through the corrosion of pipes and plumbing fixtures. Regulatory efforts to reduce the presence of lead in drinking water tend to focus on the lead content of water system components. The federal law applies to any product used in systems where water is *anticipated* to be used for human consumption. Key revisions of the Act include:

- The lead content amendments become effective concurrently with the use prohibition in 1417(a)(1) and the introduction into commerce prohibition in 1417(a)(3);
- A product introduced into commerce legally on January 3, 2014, can't be used in the installation or repair of a PWS or residential or non-residential facility providing water for human consumption on January 4, 2014;
- Potential purchasers that could be affected by the lack of a staggered effective date include: plumbers, plumbing product retailers, developers, schools, and water systems;
- Back inventory that does not meet the 0.25% lead free calculation cannot be installed after January 3, 2014 unless it is exempt from the prohibitions.

Michael Hage is the Department's subject matter expert and the Environmental Protection Agency (EPA) has additional guidance available on its website (<http://water.epa.gov/drink/info/lead/index.cfm#lfree>) to assist public water systems and other impacted entities. The complete text of the Lead Reduction Act can be found at <http://www.gpo.gov/fdsys/pkg/BILLS-111s3874enr/pdf/BILLS-111s3874enr.pdf>.

cc: Ellen Blaschinski, DPH Regulatory Services Branch Chief; Certified Water System Operators; Cross-Connection Survey Inspectors; Backflow Prevention Device Testers; Licensed Lead Consultants; Richard Hurlburt, Director, DCP Occupational & Professional Licensing; Plumbing and Piping Work Examining Board; Joseph Cassidy, Acting State Building Inspector, DAS Division of Construction Services; Betsey Gara, CWWA; Pam Monahan, CT Section-AWWA; Local Health Directors



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DWS Circular Letter # 2013-06

TO: Community Public Water Systems, Regional Planning Organizations, DPH Water Utility Coordinating Committee (WUCC) Chairs Advisory Group

FROM: Lori Mathieu, Public Health Section Chief, Drinking Water Section *L. Mathieu*

DATE: November 6, 2013

SUBJECT: Connecticut General Statute (CGS) 25-33q – High Quality Source (HQS) List

The High Quality Source (HQS) list ensued from legislation drafted by the Department of Public Health (DPH) to ensure that the highest quality sources of water are readily available statewide for use as public water supplies now and in the future. CGS 25-33q requires the Commissioner of Public Health to prepare a list designating sources or potential sources of water that require protection so that the highest quality sources of water are available to provide water for human consumption. The statute requires that the list be updated annually or more frequently as deemed necessary by the commissioner and that individual water supply plans pursuant to CGS 25-32d, WUCC regional coordinated plans pursuant to CGS 25-33h, and the state water resource plan pursuant to CGS 22a-352 be considered in preparing the list. The Office of Policy and Management must also consider the list and related water policies in CGS 22a-380 and 25-33c when preparing state Conservation & Development plans pursuant to companion statute CGS 16-27a.

Please visit http://www.ct.gov/dph/lib/dph/drinking_water/excel/High_Quality_Source_List.xls to review the inaugural HQS List. The DPH was pleased to receive a September 11, 2012 Freedom of Information (FOI) determination from the Department of Administrative Services which allowed the list to be made available to the public. Review of technical materials required to prepare and publish the annual update to the state's HQS list is underway. Public water systems and regional planning organizations should review current and potential future sources detailed in the inaugural list to ensure that public water supply needs now and into the future are adequately represented. Requests to the DPH for consideration of additions, revisions, or omissions to the current list must be submitted in writing to Mr. Steve Messer of the DPH Drinking Water Section Statewide Water Supply Planning Unit no later than December 31, 2013.

Recent events like the 2011 pre-winter storms and Hurricane Sandy provided excellent reminders of the importance of protecting drinking water sources. Connecticut's public drinking water supplies are located upstream of sewage treatment plants; thus, in the event of a plant failure the public supply remains well protected for human consumption. Connecticut and Rhode Island are the only states that prohibit the use of surface waters that receive treated wastewater or industrial discharges as public sources. The value of the state discharge prohibition is further borne out by emerging contaminants such as pharmaceutical by-products and personal care products that are now being detected in public supplies elsewhere. Preserving high quality source waters helps the DPH maintain maximum public health protections for consumers.

Cc: Ellen Blaschinski, Regulatory Services Branch Chief; State Agencies; Local Health Directors; Connecticut Fund for the Environment; Rivers Alliance of Connecticut; Chief Elected Officials



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DWS Circular Letter # 2014-01

To: All Public Water Systems, Municipal Chief Elected Officials and Local Health
Department Directors

From: Lori Mathieu, Public Health Section Chief
Drinking Water Section

A handwritten signature in black ink, appearing to be "LM", written over the printed name of Lori Mathieu.

January 28, 2014

Subject: Revised Public Water System Screening Form

The Department of Public Health Drinking Water Section (DWS) has developed a new [Public Water System Screening Form](#). This new form replaces the existing Public Water System Information Form, the Screening Application for Water Companies and the Food Service Establishment Water System Registration Form. This form is used to determine if a proposed project or a change in operation at an existing facility will result in the creation of a new water company or public water system or change the status of an existing public water system.

Connecticut General Statutes (CGS) §16-262m(a), defines a water company as: "As used in this section and section 8-25a, "water company" means a corporation, company, association, joint stock association, partnership, municipality, other entity or person, or lessee thereof, owning, leasing, maintaining, operating, managing or controlling any pond, lake, reservoir, stream, well or distributing plant or system employed for the purpose of supplying water to fifteen or more service connections or twenty-five or more persons on a regular basis."

Such proposed water companies must obtain a Certificate of Public Convenience and Necessity (CPCN) prior to any construction of the water system. CGS § 8-25a requires that: "No proposal for a development using water supplied by a company incorporated on or after October 1, 1984, shall be approved by a planning commission or combined planning and zoning commission unless such company has been issued a certificate pursuant to section 16-262m. The municipality in which the planning commission or combined planning and zoning commission is located shall be responsible for the operation of any water company created without a certificate after October 1, 1984."

The Regulations of Connecticut State Agencies (RSCA) § 19-13-B102(a)(65) defines a Public Water System as "any water company supplying water to 15 or more consumers or 25 or more



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persons, based on the "Design Population" as defined in section 16-262m-8(a)(3) of the Regulations of Connecticut State Agencies, jointly administered by the department and the Public Utilities Regulatory Authority, daily at least 60 days of the year that does not meet all of the following conditions:

- (A) Consists only of distribution and storage facilities;
- (B) Does not have any treatment facilities, other than those for non-potable use;
- (C) Obtains all of its water from, but is not owned or operated by, a public water system;
- (D) Does not separately bill the consumers for water use or consumption; and
- (E) Is not a carrier which conveys passengers in interstate commerce;"

Please submit completed forms and all supporting documents to:

DWDCompliance@ct.gov

or

Department of Public Health
Drinking Water Section
410 Capitol Avenue, MS#51WAT
P.O. Box 340308
Hartford, CT 06134-0308

Cc: Ellen Blaschinski, DPH; Suzanne Blancaflor, DPH; Tracey Weeks, DPH

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DWS Circular Letter # 2014-02

To: Drinking Water State Revolving Fund (DWSRF) Loan Applicants

From: *JM* Lori Mathieu, Public Health Section Chief, Drinking Water Section
aw Cameron Walden, Supervising Sanitary Engineer, Drinking Water Section

Date: March 28, 2014

Subject: Application of the "Use of American Iron and Steel" Requirements to Federal Fiscal Year (FFY) 2014 DWSRF Assistance Agreements

The Environmental Protection Agency's (EPA) Office of Water issued the attached memorandum on March 20, 2014 to regional EPA offices offering guidance on the application of the "Use of American Iron and Steel" (AIS) provision in the FFY 2014 Appropriation Bill (H.R. 3547) to DWSRF projects. This document follows a memorandum issued by EPA on January 24, 2014 that clarified initial information regarding the application of these requirements. This second memorandum clarifies how these requirements will be implemented and how compliance will be documented. It is important for you to be aware of these requirements and share them with your consultants.

The EPA has also drafted two national public interest waivers which are currently posted on EPA's [AIS website](#) for a 15 day public review and comment period. These waiver requests include a waiver for de minimus incidental components of eligible infrastructure projects that comprise less than a total of 5 percent of the total material costs. Also included is a waiver for eligible projects that had engineering plans and specifications submitted prior to January 17, 2014 and approved between January 17, 2014 and the date of the waiver.

The attached memorandum also outlines the waiver process for any further waivers, and includes an information checklist in Appendix 1. Should you expect that any such waivers from this requirement may be necessary for all or part of your project, please contact a DWSRF Program representative to aid you in this process.

Compliance with the AIS requirements will be required in your loan agreement with DPH unless EPA has issued a waiver for all or part of your project. Appendix 4 of the attached memorandum provides an example of EPA recommended language to be included in construction contracts with your contractor(s). A step certification process, as outlined in the memo, is also recommended to ensure producers adhere to the AIS requirement and allow



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DWSRF loan recipients to document compliance with the AIS requirement. A sample certification is provided in Appendix 5.

More information on this new requirement is available on the EPA's [AIS website](#). Our staff is committed to working with you as necessary to address your project's compliance with AIS requirements and will update you if any new information becomes available. If you have any questions, please contact a DWSRF Program representative at (860) 509-7333.

Cc: Ellen Blaschinski, DPH

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DWS Circular Letter # 2014-03

To: All Public Water Systems, Local Officials and other interested parties

From: Lori Mathieu, ^{JEM}Public Health Section Chief, Drinking Water Section

Date: April 9, 2014

Subject: Revisions to the Drinking Water State Revolving Fund's Project Priority Lists for State Fiscal Years 2014 and 2015

Pursuant to Regulations of Connecticut State Agencies (RCSA) Section 22a-482-1(c)(5)(B) the Department of Public Health (DPH) has made minor revisions to the Drinking Water State Revolving Fund's (DWSRF) Project Priority Lists (PPLs) for State Fiscal Years (SFY) 2014 and 2015. The reason for the revision is an unintentional omission of a DWSRF Eligibility Application filed by Woodbury Knoll, LLC on February 21, 2013 under the DWSRF's Emergency Power Generator Program and a revision to the location and cost of Regional Water Authority's finished water reservoir overflow modification project. These two revisions are detailed below:

Woodbury Knoll, LLC

A DWSRF Eligibility Application was received by DPH from Woodbury Knoll, LLC prior to the February 28, 2013 deadline but was unintentionally omitted from the SFY 2014 PPL. The project consists of the installation of a generator system to provide emergency stand-by power to operate Woodbury Knoll, LLC's public water system in Woodbury, CT in the case of a power outage. The project was reviewed the DPH's Drinking Water Section (DWS) and received 15 priority points according to the Priority Ranking System established for the DWSRF Program. Woodbury Knoll, LLC is a small community public water system and the Priority Ranking System also requires the DPH to provide at least 15% of the available DWSRF funding each year to small public water systems to the extent that sufficient applications are received. Based on the Priority Ranking System, Woodbury Knoll, LLC's project has been added and ranked at #42 on the SFY2014 PPL. The project is expected to cost \$28,550.

Regional Water Authority

Regional Water Authority (RWA) submitted a DWSRF Eligibility Application for \$310,000 to install an air gap on the overflow piping at each of their two Millrock Basins to correct a regulatory violation identified by the DPH during a sanitary survey of the facility. The project



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has already been engineered and determined to cost only \$50,000 for which RWA now intends to use local sources of funding and a local contractor. RWA has requested to the DPH to revise their DWSRF eligibility application to correct the same violation at their Lake Gaillard Water Treatment Plant finished water reservoir. This project involves the installation of an air gap on the overflow piping of the storage basin to correct a regulatory violation identified by the DPH during a sanitary survey of this facility. The RWA has requested \$840,000 from the DWSRF for this project. Based on the Priority Ranking System this project received 20 priority points and appears as project #10 on the revised SFY 2015 PPL.

Since January 1, 2014 several public water systems have requested to withdraw their DWSRF Eligibility Applications or their project has been determined to be ineligible for DWSRF funding. The revised SFY 2014 and 2015 PPLs have been updated to reflect these actions and these projects are listed as "withdrawn" or "ineligible" at the bottom of revised SFY2015 PPL. As a result, the addition of Woodbury Knoll, LLC's project and the revision to Regional Water Authority's project are not considered significant and will not decrease the amount of funding to other eligible drinking water projects that were listed above the funding line on the SFY 2014 and 2015 PPLs that the DPH published on December 24, 2013. These actions have also made increased levels of funding available to other projects on the original SFY 2014 and 2015 PPLs. The public water systems affected by these changes have already been notified of the increased availability of funding for their projects and these changes are provided on the revised PPLs.

As required by federal law under 40 CFR 35.555(b), the revised SFY2014 and 2015 PPLs are being made available for a 30 day public review and comment period. The DPH will review and consider all comments received after which time the DPH will incorporate appropriate PPL revisions into the DPH's Intended Use Plan for approval by the United States Environmental Protection Agency. Anyone wishing to submit comments must do so in writing. Comments must be received by the DPH **no later than 4:30pm on May 9, 2014**. Please mail comments to the following address:

**Department of Public Health
Drinking Water Section - Drinking Water State Revolving Fund
Attn: Cameron Walden, Supervising Sanitary Engineer
410 Capitol Avenue, MS#51WAT
P.O. Box 340308
Hartford, CT 06134-0308**

Questions may be directed to Cameron Walden, Supervising Sanitary Engineer, at (860) 509-7333.

Cc: Ellen Blaschinski, DPH

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DWS Circular Letter # 2014-04

TO: Community Public Water System Serving >1,000 Population

FROM: Lori Mathieu, Public Health Section Chief, Drinking Water Section *L. Mathieu*

DATE: April 8, 2014

SUBJECT: Free Water Sector Emergency Response Training Opportunities

CT DPH Drinking Water Section would like to announce two free water sector emergency response training opportunities for public water and wastewater system management and operations staff. **Connecticut Water Sector Free Incident Command System (ICS)/National Response Framework (NRF) Training**, sponsored by EPA Water Security Division and brought to you in coordination with CT Department of Public Health and CtWARN. There will be two separate courses offered by EPA training provider, Horsley Witten.

A one day, ICS 200/800 course will be held on Wednesday April 23, 2014 at the Lake Whitney Surface Water Treatment Plant Community Room, 900 Whitney Avenue, Hamden, CT. The specific courses being offered as part of this workshop are:

- IS-200.b ICS for Single Resources and Initial Action Incidents
- IS-800.b National Response Framework, an Introduction

An intermediate/advanced 4-day ICS 300/400 course will be held on June 17-20, 2014 at the Buck-Forman Community Room at the Portland Police Department, 265 Main Street, Portland, CT. The specific courses being offered as part of this workshop are:

- ICS-300 Water Sector Intermediate ICS (2 ½ days)
- ICS-400 Water Sector Advanced ICS (1 ½ days)

DWS would like to encourage water system management and operations staff, especially from the larger CPWS in the state, to take advantage of this free training opportunity. Even if you have taken ICS classes before, these classes will focus on responding to an emergency from the unique perspective of water and wastewater systems. Additionally, you will be able to attend and collaborate with your partners at the Department of Public Health who will be in attendance.

The ICS/NRF Training Workshop - ICS 200/800 has been approved for water operators by the CT DPH for 6.0 TCHs and for wastewater operators by the CT DEEP for 6.5 TCHs. Applications will also be submitted to be able to provide water and wastewater operator Training Contact Hours (TCHs) for workshop participation in the 300/400 class. Please see the attached workshop flyers for more specific course details including prerequisite course information and registration web links.

cc: Ellen Blaschinski, Regulatory Services Branch Chief; Denise Ruzicka, DEEP, Director of Planning and Standards Division



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DWS Circular Letter #2014-05

To: All Community Public Water Systems

From: ^{JAM} Lori Mathieu, Public Health Section Chief, Drinking Water Section

Date: April 14, 2014

Subject: Existing service areas

In preparation for the Water Utility Coordinating Committee (WUCC) process, the Department of Public Health (DPH) is requesting the most current existing service area maps in electronic form. Geographic Information System (GIS) shapefiles are greatly appreciated; however, paper maps are acceptable if shapefiles do not exist. The data provided to the DPH will serve as a basis for the planning process related to the ongoing realignment of the WUCCs.

Please provide shapefiles electronically to Justin.Milardo@ct.gov or maps by June 1, 2014. Please mail maps to the following address:

Department of Public Health
Drinking Water Section
Attn: Justin Milardo, Environmental Analyst
410 Capitol Avenue, MS#51WAT
P.O. Box 340308
Hartford, CT 06134-0308

Cc: Ellen Blaschinski, Regulatory Services Branch Chief



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