

# STATE OF MAINE PUBLIC DRINKING WATER COMMISSION



2008 Annual Report  
Year Ending June 30, 2008

**ANNUAL REPORT**  
of the  
**MAINE PUBLIC DRINKING WATER COMMISSION**

for the period ending  
June 30, 2008

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## **Introduction**

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

## **Enabling Legislation**

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

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

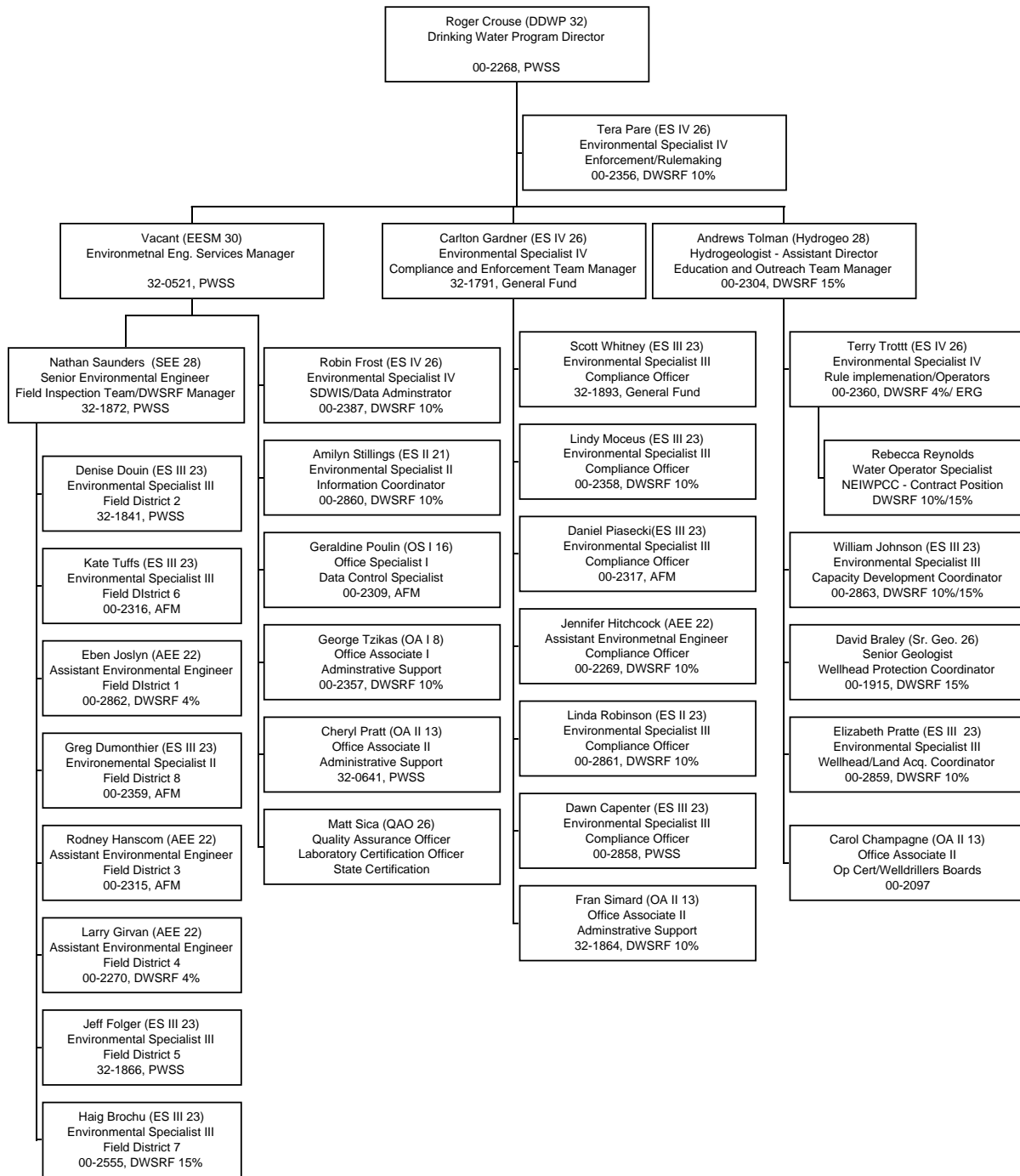
## Members of the Maine Public Drinking Water Commission

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

# Drinking Water Program Organization Chart

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

July 1, 2008



## Performance Review of the Drinking Water Program

The MPDWC gets regular updates from the DWP, and assesses the performance of this State agency. The Director and the staff of the program are performing extremely well, given the ongoing budget and staffing constraints. In addition, regulations and reporting requirements for drinking water systems continue to evolve and increase under the direction of the EPA, and the DWP continues to handle these increased responsibilities, although not without its challenges. Organizational changes made within the program this past year have improved service to Maine’s water systems and allowed greater field work to insure the safety and reliability of our Maine water systems.

## Current Fee Schedule

### **Alternative Funding Mechanism**

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

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

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

#### Public Drinking Water Systems

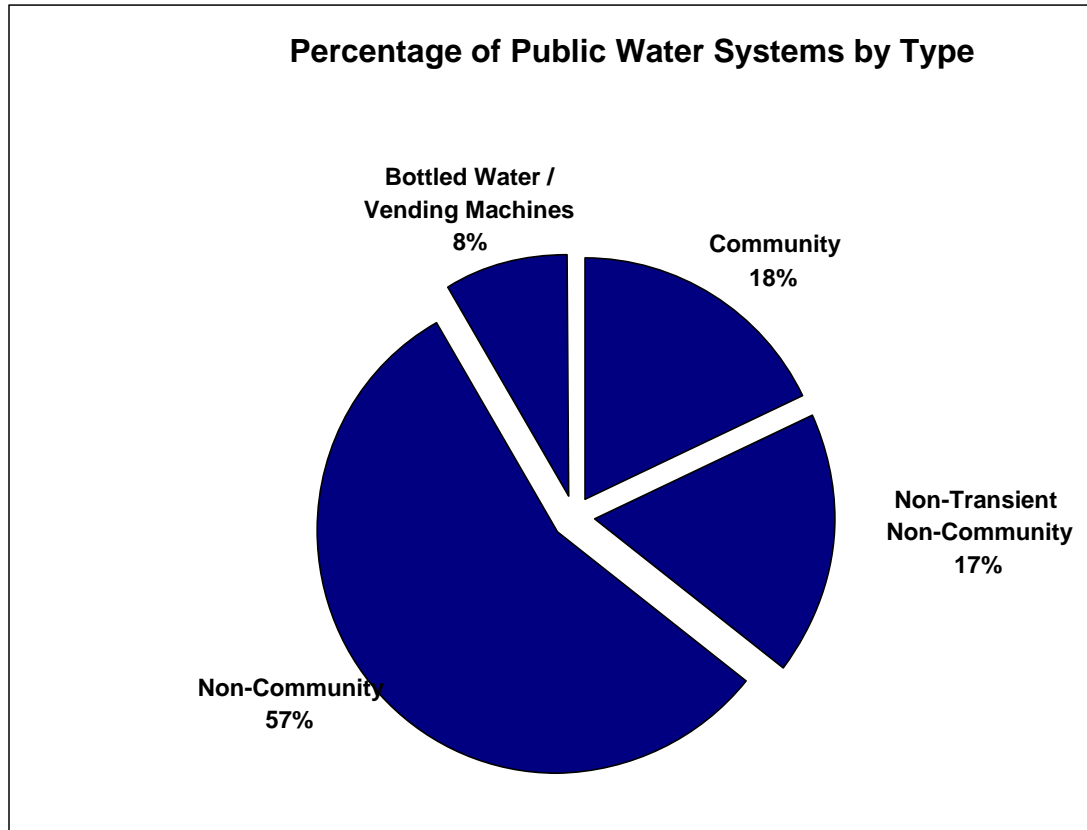
Per capita rate	\$0.40
Minimum fee	\$45.00
Maximum fee	\$30,000.00
Minimum population	100

### **Bottled Water Fees**

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

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

# Types of Public Water Systems Regulated by the DWP



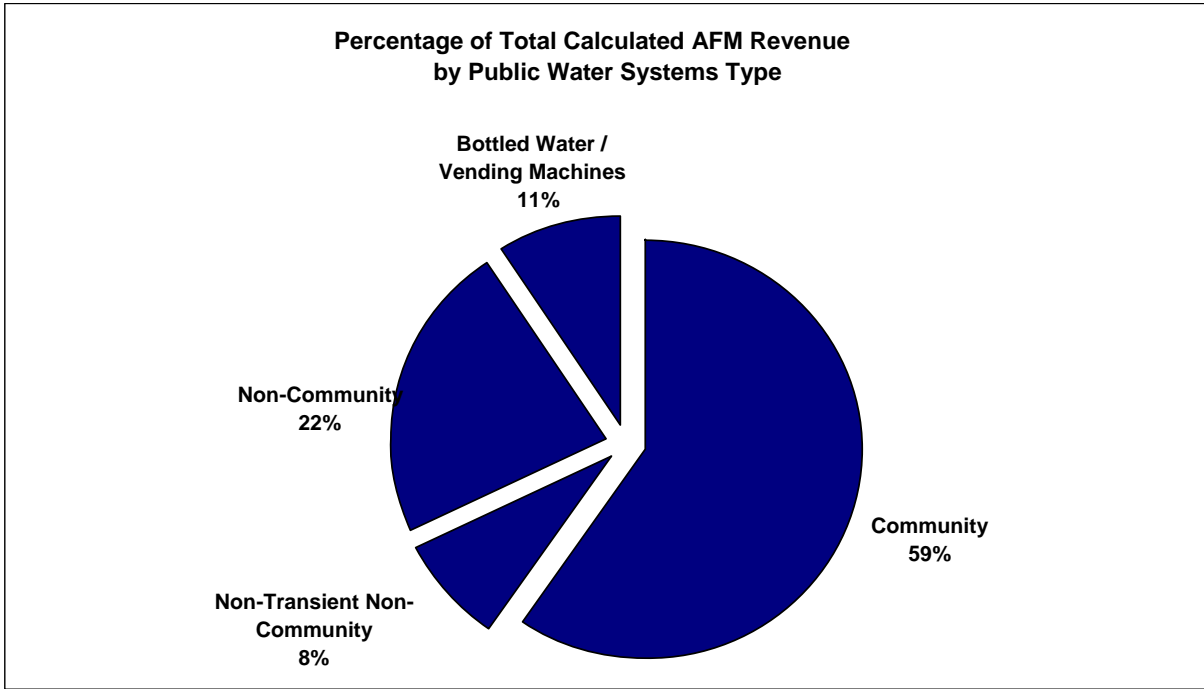
## Fee Billings and Collections

State Fiscal Year 2008

Summary of AFM Fee Billings

Data as of June 30, 2007

Types of PWS	Number of Public Water Systems	% of total Public Water Systems	Population Served	Calculated Revenue	% of Total Calculated Revenue
Community	388	18%	648,185	\$ 243,688	59%
Non-Transient Non-Community	369	17%	69,102	\$ 32,775	8%
Non-Community	1,183	57%	187,218	\$ 92,221	22%
Bottled Water / Vending Machines	164	8%	N/A	\$ 45,580	11%
<b>Totals</b>	<b>2,104</b>	<b>100%</b>	<b>904,505</b>	<b>\$ 415,265</b>	<b>100%</b>



## Drinking Water State Revolving Fund

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

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

## DWP Program Accomplishments and Goals

### *Director's Report*

#### Responsibilities

- Provide program direction and leadership.
- Develop staffing and budgetary needs to meet primacy requirements.
- Provide DWP Staff with the resources to effectively perform their work.
- Set priorities for staff time and resources.
- Adopt drinking water regulations that are no less stringent than the federal regulations.
- Adopt and implement adequate procedures for the enforcement of State regulations.
- Provide technical assistance to PWS to assure compliance with the SDWA.
- Work with state and federal entities to ensure adequate funding of the DWP.



- ◆ Advocate for Safe Drinking Water.
- ◆ Insure the state lab's ability to perform analytical measurements of all National Primary Drinking Water Regulations.
- ◆ Work with Department Leadership to maintain and when possible increase support for the DWP.

### Accomplishments

- ◆ Hired a new Drinking Water Program Director
- ◆ Received annual Public Water System Supervision Grant (\$900,000)
- ◆ Received 2007 Drinking Water State Revolving Fund (DWSRF) grant (\$8,300,000). The 2008 DWSRF grant should be awarded to Maine by mid-August 2008.
- ◆ Conducted an all staff meeting in November 2007 to identify opportunities for improvement. The result was the formation of five "subgroups" to address priority items. These subgroups are:
  - Clear Roles, tasks, responsibilities, procedures
  - Goals and measurements
  - Update and purge written documents
  - Database reliability and automation, consistency, accuracy
  - Stronger and expedited enforcement
- ◆ Increase collaboration with the Department of Agriculture and the DHHS Health Inspection Program.
- ◆ Maintained a strong, committed workforce
- ◆ Continued to foster strong relationships with EPA, state agencies, water utilities, water associations and non-profit agencies
- ◆ Maintained full compliance with all primacy requirements
- ◆ Staff participated on many state and national boards, commissions and workgroups

### Goals

- ◆ Continue to implement the Safe Drinking Water Act with an estimated 50 percent of the needed workforce. The DWP will continue to be creative and efficient. Additionally, the DWP will need to identify workload priorities.
- ◆ Implement changes that will help to reduce the number of violations.
- ◆ Secure \$1.7 million match for the Drinking Water State Revolving Fund for the 2009 construction season.
- ◆ Work with the Department as needed on proposed legislation.
- ◆ Work with the Drinking Water Commission to support initiatives of the DWP.
- ◆ Rewrite the Cross Connection and Bottled Water Rules.
- ◆ Prepare for the implementation of the Ground Water Rule.
- ◆ Maintain and promote good staff morale.
- ◆ Provide staff with the necessary resources and support so they can accomplish their work.
- ◆ Provide excellent customer service
- ◆ Maintain and foster strong alliances and working relationships.
  
- ◆ Strive for Continuous Program Improvement.
- ◆ Continue working within new organizational and operational structure and redirect as needed.
- ◆ Improve the Drinking Water Program's visibility.

- Continue to shape state and national drinking water policy.

## **Compliance and Enforcement Team**

### Responsibilities

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

### Accomplishments

- Compliance and Enforcement Team members joined task forces (subgroups) to address areas of the program identified as needing improvement, including the following: clarifying roles and responsibilities in the Drinking Water Program; expediting enforcement efforts against public water systems; setting and following through with goals and measurements; develop methods to consistently update and purge written documents; and secure and improve database reliability and automation, consistency, and accuracy.
- Enforcement staff provided input on EPA's new Significant Non-Compliant Tool, designed to assess point values within a formula that considers type of violation (acute vs. chronic), length of time violation existed, population of public water system, and type

of public water system (community systems receive greater point values than non-community).

- ◆ Compliance staff provided input on EPA's National Advisory Committee on proposing changes to the Total Coliform Rule.
- ◆ Compliance staff added even more to their full plates by fully assuming responsibility for reviewing and recording Monthly Operating Reports submitted by public water systems. This task was originally performed by the field inspectors of the DWP.
- ◆ In an effort to continue to educate public water systems in complying with safe drinking water rules and regulations, compliance staff created yet another successful calendar that was mailed to all public water systems. This educational and entertaining calendar provides a series of visual reminders on regulatory deadlines, technical information on contaminants and treatment, as well as information on protecting the source.
- ◆ Compliance officers participated in a series of trainings to assist public water systems with complying with existing and upcoming regulations affecting their systems, including but not limited to the Arsenic Rule, Long Term 2 Enhanced Surface Water Treatment Rule, Stage 2 Disinfectant/Disinfection Byproducts Rule, and the Groundwater Rule.
- ◆ Compliance staff adeptly responded to a number of drinking water emergency calls and events, resulting from weather disasters, lack of water, acute contamination and treatment failures.
- ◆ The *Rules Relating to Drinking Water* (10-144 CMR 231) was revised, with changes effective on March 12, 2008.
- ◆ Compliance and enforcement staff provided thoughtful feedback and input on all proposed policies and procedures by Drinking Water Program staff and worked to ensure that final policies first protected public health and then improved workplace efficiencies.
- ◆ Compliance and enforcement staff implemented a system of coverage for the office that ensures that *E. coli* and total coliform positive results reported from certified labs receive prompt attention.
- ◆ Trained certified labs on reporting results electronically, which has improved data reliability if a human is not required to manually enter data.
- ◆ Continued to improve the process of receiving information from public water systems, communicating that information to all appropriate staff, and storing it in an easily retrievable format, when necessary.
- ◆ Improved communication internally within the Drinking Water Program to present a consistent message to public water systems.
- ◆ Revised the structure of the CET meetings, reduced the frequency from weekly to biweekly with specific agendas to provide stronger follow-up, clarify the structure, and save everyone time each week.
- ◆ Transitioned completely to regionalized compliance districts for Maine

## Goals

- ◆ Implement proposals for expedited and more effective administrative enforcement, including imposing collection fees for public water systems failing to collect samples in the required timeframes, posting a list of public water systems in violation of particular violations, along with other efforts that will encourage public water systems to be in compliance.

- ◆ Work with the Information Management Team to develop stronger tracking efforts in compliance follow-up.
- ◆ Effectively transition to new data systems that include the State Active Directory and SDWIS Web Release.
- ◆ Work with the new SNC tool, offer feedback and determine which public water systems require action first.
- ◆ Continue efforts to collaborate with other State agencies to offer a more cohesive message to public water systems and avoid confusion. Specific emphasis will be placed on day care facilities and restaurants.
- ◆ Continue to improve internal processes that directly effect compliance, in order to maintain data integrity and secure the highest accuracy of rule compliance.
- ◆ Update the Enforcement Strategy to better reflect more efficient enforcement efforts to be implemented and incorporate clearer roles and responsibilities for enforcement and compliance staff.
- ◆ Update any state rules under the jurisdiction of the Drinking Water Program that need it. Currently on the agenda are the *Rules Relating to Bottled Water, Bulk Water, and Water Vending Machines, Rules Relating to Cross Connections, Rules Relating to the Licensure of Water Treatment Plant Operators, and Rules Relating to Drinking Water.*
- ◆ Apply for primacy for Stage 2 Disinfectants/ Disinfection Byproducts Rule, Long Term 2 Enhanced Surface Water Treatment Rule, and Minor Revisions to the Lead/Copper Rule. Create updated forms, letters, policies, and standard operating procedures for these new changes.

## ***Field Inspection Team***

### Responsibilities

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

- Review and approve final plans and specifications for new or modified water facilities.
- Provide engineering assistance and guidance to PWSs.
- Provide assistance and guidance on optimization of treatment processes.
- Review and approve all requests for waivers of main separation requirements and tank painting/coating.

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

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

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

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

## Accomplishments

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

Approximately 318 sanitary surveys of public water systems were completed along with 665 other field visits relating to various activities including new system or well approval projects, sample rechecks, construction inspections, boil water orders, and miscellaneous events. Emergency responses, investigations, water system inspections, follow up inspections for Total Coliform Rule violations and the issuance of engineering orders were performed. The Program continued to provide funding, direction, and oversight for technical assistance to PWSs through one circuit rider employed by Maine Rural Water Association.

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

During sanitary surveys, field inspectors are now obtaining sub-meter GPS locational data for major public water system components such as wells, intake structures, and treatment buildings.

Continued cross training of New System Approval and Sanitary Survey skills is enhancing the ability of field inspectors to work in both of these arenas instead of a single one, as was previously the case.

After significant cross functional involvement of DWP staff, the New System Approval Standard Operating Procedure was officially documented for the first time.

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

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

There were 19, 2007 SRF projects started during State Fiscal 2008 on the following community systems:

- Sandy Point Water Company
- Vinalhaven
- Madawaska
- Island falls
- Ellsworth
- Aqua Maine – Camden/Rockland Division
- Kingfield
- Buckfield
- Passamaquoddy
- Port Clyde
- Madison-Anson
- Nichols Trailer Park
- Wiscasset
- Range Pond Apartments
- Sugarloaf
- Aqua Maine – Millinocket Division
- Calais

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

The Program completed the plan review process for numerous water system projects.

Program staff completed watershed inspections on the State's water systems that have filtration avoidance approvals.

Provided training for water systems on the process of administering Boil Water Orders.

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

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

## Goals

- ◆ Continue to perform sanitary surveys on regulated water systems based on a three-year/five-year rotation plan.
- ◆ Provide review and approval of new public water supply wells and water systems.
- ◆ Review septic setback waiver requests to ensure public health is protected.
- ◆ Perform annual inspections of all surface water source systems with filtration waivers.
- ◆ Provide on-site technical assistance to small water systems.
- ◆ Provide on-site training to small water system operators.
- ◆ Complete construction inspections on all projects submitted for review.
- ◆ Respond to emergency situations, including boil water orders.
- ◆ Conduct rechecks sampling for routine coliform positive samples.
- ◆ Complete plan reviews within 30 days of receipt of all necessary review information.
- ◆ Oversee the issuance of General Operations Permits.
- ◆ Continue gaining experience using the Electronic Sanitary Survey software.
- ◆ Incorporate future EPA regulations into the review process.
- ◆ Insure compliance with our rules regarding requirements of final plans and specifications submission and approval prior to the initiation of construction of water facilities by PWSs.
- ◆ Complete inspection form for all construction inspections on DWSRF funded and non-DWSRF projects.
- ◆ Review, update, and modify, as necessary, all databases.
- ◆ Continue development of the DWP staff of eight field inspectors for both new system/well approval and field inspection work.

## **Water Resources Team**

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

### Responsibilities

- ◆ Participate in Maine's Board of Licensure of Water Treatment Plant Operators. This includes administration of exams and reviewing training courses for relevancy.
- ◆ Provide DWP support to the Board of Licensure of Water Treatment Plant Operators for license renewal and examination process. (See annual Operator Certification Report for details.)
- ◆ Organize and conduct training for PWS owners, operators, and supervisors.
- ◆ Ensure that DWP personnel receive appropriate training related to their current and anticipated duties.
- ◆ Assist Field Inspection Team in evaluating water systems classification.
- ◆ Assist Field Inspection Team in assessing water system compliance with licensed operator requirements.
- ◆ Provide guidance and direction to MRWA's circuit riders. Administer charges to DWSRF 2% Technical Assistance

- ◆ Perform Environmental Review cross-cutter information for DWSRF funded projects and prepare an Environmental Assessment.
- ◆ Review DWSRF recipient systems' technical, financial and managerial procedures to address system capacity
- ◆ Inform PWS management of methods to improve capacity development.
- ◆ Utilize and monitor the Security Grant to assist the DWP and Public Water Systems for improving their security and emergency preparedness (See Security Grant reports for details.)
- ◆ Disseminate *Emergency Response Handbooks* to assist systems in the development of plans for water system emergencies.
- ◆ Participate in the development of intrastate and interstate Water/wastewater Agency Response Networks, (WARN).
- ◆ Represent the DWP on the WARN Steering Committee as an associate member.
- ◆ Utilize and monitor the ERG grant to assist in training and administration of water operators. (See ERG grant reports for details).
- ◆ Manage and administer the Water Well Drillers' and Pump Installers' Board.
- ◆ Continue to implement a Source Water Assessment and Protection Program for Maine.
- ◆ Operate and maintain the DWP GIS.
- ◆ Make source water protection and security information available in appropriate forums, including the Internet.
- ◆ Provide maps depicting source water protection areas and water resource features to utilities, all affected municipalities, consultants, and others.
- ◆ Encourage and facilitate source water protection activities of public water systems.
- ◆ Market and administer the Land Acquisition Loan Program
- ◆ Administer Maine's Wellhead Protection Grant Program.
- ◆ Coordinate the DWP education and outreach program, including exhibiting at conferences, publishing a quarterly newsletter and maintaining the DWP website.

### Accomplishments

- ◆ Updated the *Public Water System Emergency Response Plan Handbook* and sent updates to all systems that had received a handbook in 2005 and 2006.
- ◆ Contracted with Gradient Planning, LLC to update the DWP's emergency response plan (ERP), to include a pandemic influenza plan and a business continuity component
- ◆ Helped establish a Maine Water/wastewater agency Response Network (MeWARN) to provide assistance to water and wastewater utilities during times of emergencies
- ◆ Achieved 96 percent compliance rate for the 780 PWS required to be operated by a licensed operator.
- ◆ Administered examination preparatory and continuing education classes through the EPA Operator Expense Reimbursement Grant (ERG) in order to increase operator availability
- ◆ Revised and adopted the "Rules Relating to the Licensure of Water System Operators"
- ◆ Progressed toward implementing the new database Safe Water Operator Certification System (SWOCS) to improve the licensing and renewal process for water operators
- ◆ Conducted 21 capacity reviews for DWSRF loan applicants
- ◆ Reimbursed eight systems for projects through Capacity Development Grants; 11 projects are ongoing.
- ◆ Transitioned the general operations permitting process to a joint responsibility with the Field Inspection Team
- ◆ Completed 13 environmental reviews in FFY 2007



- ◆ Developed review standards with DEP to implement PL 2007 586 Rules to protect community public water system groundwater sources.
- ◆ Initiated a joint project with Maine DEP and MRWA to assess land ownership around small community PWS's, and provide them with system security and source protection assistance.
- ◆ Worked with Maine DEP to pass a new Wellhead Protection Act, restricting above-ground storage of petroleum and hazardous substances around water supplies
- ◆ Worked with MEGIS and DEP to move web mapping of public water system source protection areas to a new platform, Google Earth. This has reduced our costs and made the data more integrated and easier to use.
- ◆ Applied for and received a technical assistance grant from a group led by the Trust for Public Lands. This grant is providing us with assistance in working with other state, local, and private entities to reduce risks to public water supplies.
- ◆ Conducted a rule revision for the Well Driller's Board.
- ◆ Processed consumer complaints, unlicensed practice investigations, and examinations of new well drillers for the Well Driller's Board. Worked closely with the DWP on the installation of proposed public water supply wells.
- ◆ Awarded \$72,800 in Wellhead Protection Grants
- ◆ Approved more than \$780,000 for land acquisition to protect drinking water sources
- ◆ Distributed the *Service Connection* newsletter quarterly to more than 5000 readers
- ◆ Maintained DWP website to highlight rule changes, emergency information and resources for public water systems
- ◆ Exhibited at Maine Water Conference, Maine Municipal Association Annual Conference, Maine Water Utilities Association Annual Trade Show, Maine Rural Water Association annual conference and Maine Oil Dealer's Association annual conference to promote safe drinking water and network with public and private stakeholder groups.
- ◆ DWP staff members provided training on source water protection, D/DBP Stage 2, LT1ESWTR, LT2ESWTR, rule compliance and emergency response planning to owners and operators of public water systems. Program personnel attended training seminars or web casts offered by the EPA, AWWA, NEWWA, MRWA, MWUA and other educational associations on a variety of subject matters related to drinking water in FFY-2007.
- ◆ Provided regular monthly oversight and direction to MRWA Water Quality Specialists (WQS) funded by the DWSRF technical assistance set-aside. With closer targeting and oversight the WQS conducted 570 site visits. The site visits help water systems with violations, operator licensing, trouble-shooting, installing, and operating treatment systems.
- ◆ Worked with public water suppliers, Maine Rural Water Association, Maine Water Utilities Association, The George Mitchell Center, Maine NEMO, as well as other state agencies to facilitate the implementation of the recommendations resulting from the assessments. We are working with the State Planning Office to provide source protection education and information to municipal officials.
- ◆ Collected data from public water systems for the water flow and level requirements associated with System Design Capacity (DEP Chapter 587).

## Goals

- ◆ Continue to maintain the new mapping web site, providing downloadable GIS and Assessment data to suppliers, municipalities, and the general public.
- ◆ Complete our work with the Trust for Public Lands team and begin to implement their recommendations for improving the fabric of water supply protection in Maine.
- ◆ Develop alliances with land conservation groups and regional planners to encourage good land use planning leading to more effective source protection.

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

- ◆ Distribute Emergency Response Handbooks to all systems in 2008. We also hope to partner with the Department of Education to disseminate information to schools for inclusion in their all hazard plans.

## ***Information Management Team***

### **Responsibilities**

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

### **Accomplishments**

- ◆ Created process for managing and tracking New Source Approval / New Well Approval process
- ◆ Moved SDWIS database to Enterprise server
- ◆ Began preparing for move to SDWIS Web database and application
- ◆ Worked with HETL and GEC to create a new ShipLog / HETL sample data import process
- ◆ Began working with private labs to establish an electronic data transfer process
- ◆ Moved AFM, Source Protection Data, and Water Operators out of MS FoxPro to new applications
- ◆ Created new process to manage hard copy data flowing to DWP from private labs
- ◆ Increased QA/QC of DWP data in all applications, including SDWIS
- ◆ Provided training and support to FIT and CET groups in a variety of areas, including use of SDWIS and use of PDA/GPS units

### **Goals**

- ◆ Move to SDWIS Web (October 2008)
- ◆ Complete move of all DWP supporting applications (including ShipLog, HETL sample data import, AFM, Field Data, SRF, etc.) to new SDWIS Web schema
- ◆ Continue moving toward electronic data transfer from all private labs
- ◆ Increase QA/QC of all DWP data

- ◆ Create and implement an efficient process for managing GIS and ESS data collected by FIT inspectors
- ◆ Improve timeliness of Federal Violations Reporting
- ◆ Restart Source Water Assessment program, starting with creating SWAP reports for all PWS that have not been assessed, and moving toward providing a report as each new system or well is brought online
- ◆ Continue to provide support and training to DWP staff, including intensive training for SDWIS Web

## ***Laboratory Certification and Capability***

### Responsibilities

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

### Accomplishments

- ◆ Provided training and technical support to laboratories and the DWP on laboratory issues.
- ◆ Processed applications for certification and generated initial, renewal and replacement certificates for regulated laboratories.
- ◆ Tracked laboratory results of PT samples.
- ◆ Maintained the computer database of certified laboratories, including a web posting of certified laboratory list on the DWP web site.
- ◆ Maintained the central files which contain applications, certificates, audit reports and correspondence for all laboratories.
- ◆ Assisted laboratories to stay in compliance by publishing guidance documents that interpret Department rules and analytical methods.
- ◆ Maintained Standard Operating Procedures for Laboratory Certification.
- ◆ Provided technical support to laboratories to improve efficiencies and electronic transfers of data to the DWP.

### Goals

- ◆ To continue all ongoing operational details as mentioned above.
- ◆ Present a draft rule proposed to repeal and replace the existing rule in its entirety to: make it more efficient to administer, facilitate compliance with it from the regulated

community, improve the structure used for certifying laboratories and introduce laboratory quality systems. Highlights of this proposal include:

- Provisions for issuing laboratory certificates that clearly reflect the analytical capabilities of participating laboratories.
- Clarifications and improvements of the application process for participating laboratories.
- Procedures the program will follow to evaluate laboratories on site.
- Comprehensive requirements that incorporate a systematic approach to ensure the quality of the data submitted to the DWP by laboratories.
- To plan and prepare a paperless Laboratory Certification Program.

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

The annual staff meeting was held in July, 2008. Sessions included information about Health Inspections of eating facilities, subsurface wastewater disposal and water and food borne disease outbreak investigations. We were very pleased to have as speakers Dean Jackson from the Health Inspection Program, Russ Martin from the Subsurface Wastewater Program and Katherine Harrison from the Epidemiology Program.

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

This year, the Commission was pleased to present the award to Denise Douin, one of the Program’s Field Inspectors. Denise is recognized for ability to go above and beyond the call of duty and produce efficient quality results. Her work on the creation and implementation of electronic sanitary surveys is a benefit not only to the Maine Drinking Water Program but to other programs across the nation. Denise quietly does her work, never looking for recognition but always seeking to the best job possible.

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

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

- Continue to work toward greater State general funding to support needed positions, through meetings with administration and/or legislation
- Continue to support and work for the appropriate bonding for the State match of the Drinking Water State Revolving Fund
- Be a resource and an advocate for the DWP, its director and its staff
- Introduce legislation that would eliminate the \$30,000 AFM cap

- Be knowledgeable of changing State attitudes and rules regarding the use and planning for Maine's water resources, and participate as needed in shaping new policy

## **Acknowledgements**

The Drinking Water Commission would like to acknowledge the hard work and dedication of all employees of the Drinking Water Program. As water issues continue to escalate nationally, statewide and locally, the stretched staff of this program quietly and efficiently do everything they can to protect the safety and reliability of Maine's over 2,100 water systems.

The Commissioners would like to thank retiring Commissioners Ken Sonagere and Vaughn Smith, who served on the Drinking Water Commission for many years and faithfully served the drinking water public with their service.

In addition, the Commission wishes to thank and congratulate Nancy Beardsley. Nancy was the Director of the Drinking Water Program from May 2000 to July 2007, until she was promoted to the Division Director of the Division of Environmental Health. Her leadership was a great benefit to the Commission, and more importantly, to the employees of the DWP and the citizens of Maine, with her superior management of the Program and her dedication to the health and safety of Maine's drinking water supplies.

<b>Position / Expense Category</b>	<u>Actual</u> <b>FY2002</b>	<u>Actual</u> <b>FY2003</b>	<u>Actual</u> <b>FY2004</b>	<u>Actual</u> <b>FY2005</b>	<u>Actual</u> <b>FY2006</b>	<u>Actual</u> <b>FY2007</b>	<u>Estimate</u> <b>FY2008</b>	<u>Estimate</u> <b>FY2009</b>	<u>Estimate</u> <b>FY2010</b>	<u>Estimate</u> <b>FY2011</b>	<u>Estimate</u> <b>FY2012</b>
Assistant Engineer							48,312	54,585	58,134	61,912	65,936
Environ. Specialist III							39,270	37,469	39,904	42,498	45,260
Environ. Specialist III							40,951	48,753	49,728	50,723	51,738
Office Specialist I							32,876	34,878	37,145	39,559	42,131
Environ. Specialist III							33,384	37,469	38,218	38,982	39,762
<b>Total Salaries</b>	<b>158,449</b>	<b>165,227</b>	<b>187,789</b>	<b>157,846</b>	<b>184,015</b>	<b>180,062</b>	<b>194,793</b>	<b>213,154</b>	<b>223,129</b>	<b>233,675</b>	<b>244,827</b>
Fringe Benefits	70,384	83,172	96,685	86,644	106,748	102,741	111,032	121,498	127,183	133,195	139,551
Travel	8,673	9,004	9,209	2,374	16,420	3,465	15,400	15,400	15,862	16,338	16,828
Training	25	-	775	702	1,200	692	7,700	3,600	3,708	3,819	3,934
Office											
Equipment/Computers	10,286	9,131	4,683	19,319	6,044		6,775	-	-	-	-
Office Space (Rent, Utilities, MIS)	11,297	15,896	21,640	21,235	12,591	39,129	16,000	28,800	29,664	30,554	31,471
Supplies	50	424	5,160	4,911	3,498	1,047	2,500	2,500	2,575	2,652	2,732
Information											
Technology	2,073	-	973	-	40	12,935	16,680	16,680	17,180	17,696	18,227
Contracts								10,000			
Indirect Cost	2,033	2,607	2,138	2,306	2,350	3,282	2,596	2,811	2,935	3,065	3,203
<b>Total Expenses</b>	<b>263,270</b>	<b>285,463</b>	<b>329,052</b>	<b>295,338</b>	<b>332,907</b>	<b>343,352</b>	<b>373,476</b>	<b>414,443</b>	<b>422,237</b>	<b>440,994</b>	<b>460,772</b>
							estimate for SFY 08 as of 4/14/08	398,000	FY2010 estimated at ~\$405K in Apr 07		
Other Sources						Transfer from PWSS grant	39,113				
AFM Fees Collected	262,766	285,785	327,305	302,820	289,694	306,120	384,217	405,599	405,599	405,599	405,599
<b>Total Revenues</b>	<b>262,766</b>	<b>285,785</b>	<b>327,305</b>	<b>302,820</b>	<b>289,694</b>	<b>306,120</b>	<b>423,329</b>	<b>405,599</b>	<b>405,599</b>	<b>405,599</b>	<b>405,599</b>
Annual Surplus / (Deficit)	179,564 (504)	179,061 322	179,382 (1,747)	177,635 7,483	159,951 (43,213)	116,737 (37,232)	79,505 49,854	85,384 (8,844)	76,540 (16,638)	59,902 (35,395)	24,508 (55,173)
AFM Carryover	179,061	179,382	177,635	185,118	116,737	79,505	129,359	76,540	59,902	24,508	(30,665)