



## **MAINE CDC DRINKING WATER PROGRAM**

**Department of Health & Human Services**

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# **Multiplication Factors for Estimating the Population of a Public Water System (PWS)**

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## PURPOSE:

This policy specifies the method for using multiplication factors to determine the population served by a public water system. The number of people served water by a facility is used to determine if that facility is, or is not, a public water system, as well as for other determinations, such as the annual PWS Alternative Funding Mechanism (AFM) fee and sampling requirements. Therefore, this policy provides a system for consistent population calculations, so that records of these decisions reached as a result of this policy prove valuable and important to the DWP, if questions are posed.

## BACKGROUND:

Water systems which serve 25 or more persons for 60 days or more per year qualify as a public water system. Because determining the actual population served for the more than 1,800 public water systems regulated by the Drinking Water Program (DWP) is impractical and impossible to diligently track, the DWP has adopted the following policy. This policy determines population by using factors relating to the public water system's capacity to serve.

**SCOPE:** This policy applies to all Maine Public Water Systems

**ORIGINATOR/OWNER:** Roger Crouse/Amy Lachance

## DEFINITIONS:

- **Bottled Water Exemption (BWE):** A written record of how a PWS will be exempt from PWS regulation by serving bottled water instead of well water, available only to specific systems (See Appendices A and B)
- **Combined Water Systems:** Two or more water systems that are not "separate" (see definition of "Separate Water Systems").
- **Common Scheme of Development:** A plan or process of development which takes place on contiguous or non-contiguous parcels or lots in the same immediate vicinity and exhibits characteristics of a unified approach, method or effect, such as unified ownership, management, or supervision, sharing of common equipment or labor, or common financing.
- **Non-Community (NC):** A Non-Transient-Non-Community (NTNC) or a Transient (T) PWS.
- **Parent and Child Water System:** Separate\* water systems on the same property, or rarely on abutting properties, that are owned by the same individual/company. (\*unless an exception is approved by the DWP Director, See section 5. this document)
- **PWS:** Public Water System
- **SDWIS:** Safe Drinking Water Information System; the database used by the DWP to collect PWS data and information.
- **Seasonal System:** (From 40 CFR 141 Subpart A – definitions) A non-community water system that is not operated as a public water system on a year-round basis and starts up and shuts down at the beginning and end of each operating season.
- **Separate Water Systems:** All parts of the well system (well, pumping, storage, treatment, and distribution piping) must be completely separate; two independent well systems may not share any infrastructure; two wells are not considered separate if they both enter the same structure. If two or more water systems are not "separate", then the combined water systems together are evaluated against PWS criteria.

## RESPONSIBILITIES:

All DWP personnel shall use this policy and the DWP Policy for Determining Classification and Overall Population to determine the population of a Maine Public Water System.

## POLICY & PROCEDURE:

All population determinations and associated calculations (for new PWSs or changes to existing PWSs) must be recorded on the PWS Determination Form or in a sanitary survey written report. This record is needed to document the sometimes complex decisions that are made on-site and in further discussions with representatives of water suppliers regarding population and PWS status.

Determining the population of public water systems involves the evaluation of many different scenarios including different business characteristics and facility operations; scenarios differ widely depending on the specific establishment being evaluated. This policy provides the detail necessary for making population decisions and calculations consistently across the State. Use the contents of this policy to identify circumstances most similar to the establishment being evaluated. Numerous specific examples and characteristics are cited. If the function of an establishment is not adequately described by the examples given here, identify an example(s) in this policy that is similar to the establishment being evaluated and involve DWP management to help make a final population determination.

**Note:** Until further notice, the following definition of “Common Scheme of Development” will only be applied to facilities that are in the planning stage, and not to existing facilities, unless the existing facility is being repurposed to have a function that would qualify it as a PWS (e.g. renovating several existing buildings into an apartment complex).

When evaluating whether separate water systems are combined toward meeting the minimum criteria of a public water system, as of 1-9-2020, the definition of “Common Scheme of Development” shall be used:

**Common Scheme of Development** means a plan or process of development which takes place on contiguous or non-contiguous parcels or lots in the same immediate vicinity and exhibits characteristics of a unified approach, method or effect, such as unified ownership, management, or supervision, sharing of common equipment or labor, or common financing. Development built prior to 1-9-2020 will be included in PWS determinations only when new facilities are constructed after 1-9-2020 as part of that same common scheme of development. See Appendix E for additional information.

### 1. Bottled Water Companies

Because the population served by commercial bottlers cannot be estimated accurately, minimum population values are used for each.

Services = 1 (minimum)

Population = 25 (minimum)

### 2. Community Water Systems

**Community Water System (C):** A public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. (Year round is defined as permanent residence greater than six months.)

For this policy and procedure, 2.5 persons per household/connection is used consistently. The number 2.5 originally came from the US Census but after years of implementation has become a standard multiplier and is not changed with fluctuations of the US Census.

When applying the “Common Scheme of Development” definition on whether more than one water system are combined for PWS determination, only living units served by their own separate\* water system are not included as part of the potential PWS. See Appendix E for additional information.

#### A. Municipalities, Districts, Companies, Associations, Waterworks

$$\begin{aligned}\text{Services} &= \text{Customers} \\ \text{Population} &= \text{Services} \times 2.5\end{aligned}$$

#### B. Manufactured Housing Communities (Mobile Home Parks)

$$\begin{aligned}\text{Services} &= \begin{array}{l} \text{Number of licensed sites per} \\ \text{Manufactured Housing Board} \\ \text{licensing data} \end{array} \\ \text{Population} &= \text{Number of licensed sites} \times 2.5 \\ \text{(for PWS Determination)} & \\ \text{Population for AFM} & \begin{array}{l} \text{Include unoccupied existing} \\ \text{homes. This matches how} \\ \text{the population is calculated} \\ \text{for municipal systems,} \\ \text{adjusted at each sanitary} \\ \text{survey.} \end{array} \\ \text{(Alternative Funding} & \\ \text{Mechanism)} &\end{aligned}$$

A **Developed Site** is a site in a manufactured housing community that has been planned and approved, which must include one of the following: electrical, water, sewer, or the pad for the placement of a manufactured home. A developed site may or may not have a mobile home on it.

**Note:** For the purpose of PWS determination, a developed site (vacant or occupied) counts as a population of 2.5.

#### **MHC:** Manufactured Housing Community

During new system or new well approval after 1/9/2020, a MHC licensed for ten (10) or more sites by the Manufactured Housing Board will be regulated as an active Community PWS unless each manufactured home has its own separate water system.\*

\* For well systems to be considered as “separate”, all parts of the well system (well, pumping, storage, treatment, and distribution piping) must be completely separate; two independent well systems may not share any infrastructure; two wells are not considered separate if they both enter the same structure. For additional information on separating water systems to avoid PWS regulation, see the New System or Well Approval Policy and Procedure (DWP0068), and the Deregulation Policy and Procedure (DWP0045).

### C. Apartment Complexes, Condominiums

$$\begin{aligned}\text{Services} &= \text{Living Units} \\ \text{Population} &= \text{Living Units} \times 2.5\end{aligned}$$

### D. Senior Citizen Housing

Senior Citizen Housing facilities cater to elderly couples and individuals who live alone. It was determined that a multiplication factor of 1.5 individuals per dwelling unit would be a realistic estimate of the population served.

$$\begin{aligned}\text{Services} &= \text{Living Units} \\ \text{Population} &= \text{Living Units} \times 1.5\end{aligned}$$

### E. Assisted Living Homes, Nursing Homes

Assisted Living Homes usually accommodate elderly individuals who live alone and require some medical supervision.

$$\begin{aligned}\text{Services} &= \text{Actual (minimum is one)} \\ \text{Population} &= \# \text{ of Beds} + \# \text{ of Staff}\end{aligned}$$

**Note:** If an Assisted Living Home or Nursing Home does not have 25 beds, the facility may still be a NTNC PWS with population = # of Beds plus total staff all shifts.

### F. Residential Schools

Schools with dormitory facilities and/or housing served by the water system. Resident population must be present greater than six months. Otherwise, the system will be a NTNC or Transient public water system, depending on the system specifics. This classification is applicable to systems that are new to the Drinking Water Program or substantially changed after 10/9/07.

$$\begin{aligned}\text{Services} &= \text{Actual (minimum is one)} \\ \text{Population} &= \text{Residential Students} + \text{Residential Staff}\end{aligned}$$

#### Notes:

1. For Determining PWS Classification of Community vs. Transient for a Water System Serving Condominiums, Homes, or Similar Housing Available More Than Six Months per Year, see Appendix C.
2. Vacant (unoccupied) living units (apartments, condominiums, homes, residential units, etc.,) are assigned a population of 2.5 per living unit. Only living units that are rendered uninhabitable (water service permanently physically disconnected) are not assigned a population of 2.5. See this policy (section 2.B) for calculating population of Manufactured Housing Communities (Mobile Home Parks).

### 3. Non-Transient, Non-Community Water Systems

**Non-Transient Non-Community Water System (NTNC):** A public water system that is not a community water system and that regularly serves at least 25 of the same persons for six months or more per year and may include, but is not limited to, a school, daycare, factory, industrial park, or office building.

**Note:** A water system operating for fewer than 6 months of the year cannot be a NTNC PWS.

Populations for non-transient, non-community water systems vary greatly and cannot be estimated accurately. Consequently, actual population counts will be used for these systems.

#### A. Schools, Childcares, including Before & After Care

Services = Actual (minimum is one)

Population = Students plus total staff,  
children on Childcare license plus total staff

**Note:** Childcares and Before & After Care facilities will be regulated based on the number of children the facility is licensed for, plus staff. A Childcare or Before & After Care facility must have a license that will total 24 or less when the number of children for which it is licensed and the number of staff are combined in order to not be a public water system.

**Note on Before & After Care:** If the combined total time of the Before & After care is less than 4 hours per child, then the Before & After Care population does not count as NTNC population. (EPA's definition of an NTNC system includes a population being present at least 4 hours a day, 4 days a week, 26 weeks per year). Most Before & After Care arrangements do not meet this qualification of NTNC population. But, if Before & After Care is not considered NTNC population, it is considered Transient population. For example, a child care facility with an NTNC population of 22, that also has Before & After care for 10 children, will be considered a Transient PWS with a population of 32. See the Policy for Determining Classification and Overall Population (DWP0008) for additional guidance on determining population for facilities with combined populations.

#### B. Offices, Businesses

Services = Actual (minimum is one)

Population = Total staff all shifts

#### C. Factories

Services = Actual (minimum is one)

Population = Total staff all shifts

D. Hospitals, Medical, and Dental Facilities with 25+ Staff

**Note:** For Hospitals, medical, and dental facilities with less than 25 staff persons, see the Transient, Non Community System calculations, this policy.

Services = Actual (minimum is one)

Population =  $\frac{\text{Total staff all shifts (assumes patients as "Transient" population, present less than six months)}}{\text{Total staff all shifts (assumes patients as "Transient" population, present less than six months)}}$

**Note:** For patients present more than six months, see Assisted Living Homes, Nursing Homes calculations for Community Water Systems, this policy.

E. Eating and Lodging Establishments with a staff of 25 or more full-time equivalent (FTE) employees

FTE employees are calculated by the following:

$$\text{Total FTE} = \frac{\sum (\text{Number of hours worked by each employee per year})}{2080 \text{ hours/year/FTE}}$$

F. Miscellaneous Systems – Shopping Malls, Businesses, etc. with a staff of 25 or more full time equivalent (FTE) employees

FTE employees are calculated by the following:

$$\text{Total FTE} = \frac{\sum (\text{Number of hours worked by each employee per year})}{2080 \text{ hours/year/FTE}}$$

**Notes on the use of Full Time Equivalent employees (FTE) in (E) and (F) above:**

- FTE employees are considered for PWS classification and population determination when part-time employees are “regularly” present in a work force, e.g. a child care facility operating throughout the year (September to June) with regular part time employees. The EPA has provided guidance that NTNC population is present at least 4 hours per day, 4 days a week, 26 weeks per year. It is estimated that although some part time shifts are less than 4 hours, the majority of part time shifts are more than 4 hours. Therefore, the use of FTE’s for calculating population meets the intent of the EPA guidance on NTNC population. As an example, a child care facility that serves (combined) 23 children and full time staff, along with 4 part-time employees, each working a half-day throughout the year, will be an NTNC PWS with a population of  $23 + \frac{1}{2} + \frac{1}{2} + \frac{1}{2} + \frac{1}{2} = 25$ .
- Seasonal Staff Increase: Transient PWS with seasonal (less than six month) employee increases will not be changed from Transient to NTNC classification as a result of an FTE calculation. An example is a restaurant that has 20 full time employees throughout the year and adds an additional 5 full time staff or 10 part time staff from May through September (5 Months); when the seasonal staff increase of employees makes a total of 25 FTE staff or more, this restaurant will still remain a Transient PWS.



## G. Churches with a School or Childcare

Note: Churches operating without any additional services/functions provided (such as a school, a childcare, or function room available for public events) are not regulated as public water systems.

- Church with a School:

NTNC Population = church staff + school staff + students

- Church with a Childcare:

NTNC Population = church staff + day care staff + # of children on childcare license

### Notes:

- See detail on Before & After Care above to determine if this population would be considered NTNC population or Transient population.
- Population determination will be based on childcare license, not the current number of staff and children.

## 4. Transient, Non-Community Water Systems

**Transient Non-Community Water System (T or NC):** A public water system (PWS) that serves at least 25 persons, but not necessarily the same persons, for at least 60 days per year and may include, but is not limited to, a highway rest stop, restaurant, motel, golf course, park, or campground.

For establishments serving a Transient population (other than eating facilities), a state license (Health Inspection Program, Dept of Agriculture, Childcare Licensing, etc.) will be used in determining if the establishment meets the criteria of a Transient PWS, and to determine the population served.

For Transient eating facilities or convenience stores, the PWS Pass/Fail Test is used to determine if the establishment meets PWS criteria. If the establishment meets PWS criteria, the establishment's state license will be used to determine the population served.

Historically, the DWP has used minimum seat # to determine if an establishment that serves food meets the PWS criteria. However, this practice resulted in the regulation of some facilities that did not provide tap water for human consumption and the failure to regulate some facilities which do provide tap water for human consumption.

In order to accurately determine if an eating facility is a public water system, a "pass/fail" test is used. **This pass/fail test assumes that a facility selling or providing food will have at least 25 customers per day.**

If the facility "passes" the test (considered a public water system) the DWP will then determine the population served using two Drinking Water Program (DWP) policies: this policy, Multiplication Factors Policy for Estimating the Population of a Public Water System DWP0084, and Policy for Determining Classification and Overall Population DWP0008.

## See APPENDIX A for the Pass/Fail PWSTest

Justification for exempting eating facilities and convenience stores that use tap water only for hot drinks (hot coffee, hot tea, hot chocolate, hot cappuccino, etc.) from PWS regulation:

1. All of these facilities are either licensed by the Department of Agriculture or DHHS Health Inspection Program and are therefore required to test the water at least annually for bacteria or nitrates/nitrites.
2. The sheer volume of these establishments would overwhelm DWP staff resources and prevent staff from working with systems that could pose a much greater public health risk.

Populations for transient, non-community water systems vary greatly in type and size. However, populations can be estimated, based on service patterns and business types.

### A. Eating Establishments with seating and multiple meal service (full service – 3 meals daily)

Full service eating establishments with seating facilities that provide multiple meal services (typically breakfast, lunch and dinner) are characterized by a consecutive turn over in customer seating. The Health Inspection Program bases license fees on the number of seats. The Subsurface Wastewater Unit also calculates waste disposal requirements (gallons used) based on the number of seats. It was determined that a multiplication factor of five individuals per seat was a conservative estimate of population served.

Services = Actual (minimum is one)  
Seats = # of seats licensed by Health Inspection  
Population = Seats x 5.0

### B. Eating Establishments with seating and limited meal service (fewer than 3 meals daily)

Limited service eating establishments with seating facilities that serve fewer than 3 meals per day but have a consecutive turn over in customer seating.

Services = Actual (minimum is one)  
Seats = # of seats licensed by Health Inspection  
Population = Seats x 3.0

### C. Eating Establishments with seating and single meal service (limited service, one meal, no turn over) – Senior Citizen Meal Sites, Commissaries, VFW Posts

For limited service eating establishments with seating that serve a single meal and have no turnover in customer seating, population served is based on the actual capacity of the facility (must serve 25 people per day for 60 days of the year).

Services = Actual (minimum is one)  
Population = Number of people served per day (25 or greater) at least 60 days per year

**Note on eating facilities with combined seating types:** It is not uncommon to have a facility that has a portion of their facility dedicated to 3 meals a day, and, in addition, has an event room (not regularly used) capable of handling a large population. In this, and other similar situations, population can be calculated differently for different functions of the business, and then added. As examples:

Population for a Function Room = 1 per person/seat

Population for a Bar primarily open at night = 1 per person/seat

For a restaurant providing 3 meals a day with 25 seats that also has a function room (not regularly used) with a capacity of 50 seats, the population for this facility would be:

$$(25 \times 5) + 50 = 175$$

For a restaurant providing 3 meals a day with 25 seats that also has a bar area with 20 seats, used primarily in the evening (not used for meal seating during the day), the population for this facility will be:

$$(25 \times 5) + 20 = 145$$

**Potential exception on calculating population for an “eating establishment” (only) in unorganized territories and very sparsely populated areas:** In such areas, there are times when a population calculated, using the methods of this policy, simply does not reflect the expected population at an eating establishment. When an exception to these calculation methods is warranted, approval must be obtained from the DWP PWS Inspection Team Manager and the reasoning and final determination must be captured thoroughly on a PWS Determination Form. Exceptions to the calculations in this policy are possible, but they should rarely occur. The “potential to serve” must be thoroughly considered when making population determinations. **This exception opportunity cannot be used to determine whether a facility is or is not a PWS (see PWS pass/fail test for that); an exception can only be used to allow an alternate final population of a PWS.** In practice, this exception opportunity may result in using 3 or 2 people per seat instead of 5 people per seat in a restaurant.

#### D. Eating Establishments without seating

Services = Actual (minimum is one)

Population = Minimum population is 25

#### E. Lodging Establishments *without* food service

These facilities provide temporary housing (less than 6 months per year) for individuals ranging from the single traveler to families.

Hotels, Motels

Services = Actual (minimum is one)

Population = Rooms x 2.0

## Cottages/Cabins

Services = Actual (minimum is one)

Population = Bedrooms x 2.0

## Timeshare/Condominium

Services = Actual (minimum is one)

Population = Units x 2.5

### F. *Combination* Eating and Lodging Facilities

1. Lodging establishments with food service intended for individuals staying at the facility rather than the general public. Hotels, Motels, Bed & Breakfasts

Services = Actual (minimum is one)

Population = Bedrooms x 2.0

2. Lodging establishments with food service intended for individuals staying at the facility *and the general public*. Hotels, Motels, and Bed & Breakfasts (these facilities will have an “Eating & Lodging” license from the Health Inspection Program).

Use the PWS Pass/Fail test to evaluate the “eating” facility and the bedroom calculation in F.1 above to evaluate the “lodging.” For overall PWS population, add the eating population and lodging population.

**Note:** If a Bed & Breakfast serves meals only to people staying at the Bed & Breakfast, the establishment will have a “Bed & Breakfast” license from the Health Inspection Program. For an establishment with a “Bed & Breakfast” license, PWS determination is made based on the number of bedrooms in the establishment. If a Bed & Breakfast also serves meals to people who are not staying at the Bed & Breakfast (the general public), the establishment will have an “Eating and Lodging” license from the Health Inspection Program. If a Bed & Breakfast has an “Eating and Lodging” license from the Health Inspection Program, then the PWS Pass/Fail Test is also used to determine whether this establishment meets PWS criteria (PWS determination is no longer based on the number of bedrooms alone). For example, a Bed & Breakfast with an “Eating and Lodging” license with 5 lodging rooms that “passes” the PWS Pass/Fail test for “eating” needs to be regulated as a PWS based on the eating portion of their business.

### G. Camping Facilities *without* Food Service: RV Camps, Campgrounds, Recreational Camps

Services = Actual (minimum is one)

Population = Sites x 2.5 and/or bedrooms x 2.0

## H. Camping Facilities *with* Food Service

### 1. RV Camps, Campgrounds, Recreational Camps

Although these facilities provide food services, those services are intended for individuals staying at the camp rather than the general public. Therefore food service is not considered to be a factor in estimating population.

Services = Actual (minimum is one)

Population = Sites x 2.5 and/or bedrooms x 2.0

### 2. Boys and Girls Camps, Scout Camps, Church Camps, Sporting Camps

Because the population served by these camps varies greatly between individual facilities and because food service is intended for individuals staying at the camp rather than the general public, population is based on the actual capacity of the camp (total staff and campers).

Services = Actual (minimum is one)

Population = Camp capacity plus total staff all shifts

## I. Drive-In Theaters

Services = Actual (minimum is one)

Population = Parking spaces x 2.0

## J. Day Use Parks, State Parks, Beaches, Picnic Areas

Services = Actual (minimum is one)

Population = Parking spaces x 2.0

## K. Miscellaneous Facilities, Day Use-Stores, Ski Areas, Fairgrounds, Airports

Services = Actual (minimum is one)

Population = Minimum population is 25 adjusted upward on a case-by-case basis

## L. Golf Course with a clubhouse, without a restaurant

Services = Actual (minimum is one)

Population = 1 x # of seats in the clubhouse

**Note:** For a Golf Course with a restaurant, determine the population using Eating Establishment calculations to

M. Interstate Rest Areas and Border Crossings (that are not an NTNC)

Services = Actual (minimum is one)

Population = 25 fixed

N. Churches with a function room available for public events, or “Before & After Care” facilities with a population that does not meet NTNC criteria

**Note:** Churches operating *without any additional services/functions provided* (such as a school, a child care, or function room available for public events) are not regulated as public water systems.

Church with a Function Room Available for Public Events: A church that has a function room that is regulated by the Maine Health Inspection Program is also a public water system.

Transient Population = Church membership or average attendance  
at public events, whichever is greater

Church with Before & After Care:

Transient Population = Church Membership + Before & After Care  
staff + # of children on childcare license

**Notes:**

- See detail for Before & After Care under Section 3. Non-Transient, Non-Community Water Systems to determine if this population would be considered NTNC population or Transient population.
- Population determination will be based on childcare license, not the current number of staff and children.

O. Facilities with Bathrooms Only

Some facilities where the only water access is in the bathroom may not be regulated as a Public Water System (PWS). Such facilities have a population that is present for a short period of time (minutes), such as a rest area, gas station, or convenience store. Conversely, establishments that have a population present for longer periods of time must meet PWS regulations. For example, recreational facilities, campgrounds, and beach houses (with no other source of water nearby), must meet PWS regulations.

Facilities that have a population that is present for only a short period of time (minutes) where the only water access is in the bathroom are not considered a public water system unless:

1. There are cups in the bathroom
2. There is a drinking fountain in the bathroom
3. The facility is likely the only source of drinking water in the area. (No other facilities close by to access water or purchase beverages).

Examples of bathroom-only facilities which typically do not qualify as a public water system:

- Take-out facility that does not meet PWS criteria but has bathrooms available to the public
- A gas station with bathrooms
- A common meeting house (common to a group of condominiums) that does not have kitchen facilities but does have bathrooms available for the public or establishment occupants
- A border crossing with bathroom facilities only (no water fountain)
- A golf course only serving water from sinks in bathrooms and not in any other way and does not serve well water on the course.

Examples of bathroom-only facilities which typically do qualify as public water systems:

- Public beach or recreation area in which the bathroom is the only source of water in the area;
- Isolated Rest Areas;
- Community gathering facilities such as grange halls, recreation halls, snowmobile clubs, fish and game clubs, legion halls, etc. with 60 or more events per year. (Note: most of these types of facilities will have kitchen facilities also);
- Recreational facilities with a high likelihood of people drinking the water. For example, a gymnasium or soccer complex with 25 or more of participants (children/teens/athletes) and staff would be regulated, if the facility serves water from sinks in bathrooms only; and
- Campgrounds

#### P. Facilities with a Water Fountain

Facilities with a water fountain are considered a public water system unless there is clear proof that the water fountain cannot be accessed by the public or there is sufficient proof to show that 25 people for 60 days a year do not use the water fountain.

#### Q. Outside Spigots Available to the Public

Town offices or other buildings that have outside spigots are considered public water systems unless there is clear proof that the spigot is not accessed by 25 people for 60 days a year for drinking water.

**Note:** As a result of revision B of this policy, some facilities that were previously deregulated by the DWP will now meet the criteria of a public water system and will need to be re-regulated. For such facilities that have not substantially changed since being deregulated, including those facilities that have been deregulated for more than five years, the facility will be reregulated with pre-existing setbacks (no setback waivers will be required) and will not have to complete new well approval testing, unless new contamination sources have been established within 300 feet of the well since deregulation; the presence of new contamination sources will require the system to adhere to DWP setback policies and potentially additional sampling requirements. The monitoring requirements from the DWP WT-IS policy (DWP0072) will apply to facilities with insufficient setbacks.

#### R. (*"Libraries" was removed in document revision T, 2-22-19*)

## S. Hospitals, Medical, and Dental Facilities with less than 25 Staff

**Note:** For Hospitals, medical, and dental facilities with more than 25 staff persons, see the Non-Transient Non-Community Water System calculations, this policy.

Services = Actual (minimum is one)  
Population = Number of people served per day (25 or greater) at least 60 days per year  
  
**or**  
Population = Examination Rooms x 8 plus total staff all shifts (Assumes 1 person per room per hour)

## 5. Parent and Child Water Systems

Parent and Child water systems are generally separate water systems on the same property with the following characteristics:

- Each system meets the criteria of being a PWS independently, unless an exception is approved by the DWP Director e.g., three independent water systems, interconnected (in a well house), each serving less than 25 people See definition of Separate Water Systems, this policy;
- Each system must operate independently;
- The systems maybe interconnected by hard pipe but must be separated with a closed valve;
- There may be more than one child system; and
- Usually Parent and Child systems have the same owner- initially they would have the same owner, but over time the ownership of each individual water system might change; however they would maintain their parent/child PWSID numbering.

### Notes:

- a. Although rare, separate water systems on abutting properties (right next to each other) with the same owner may be considered Parent and Child PWS. In contrast, water systems on separate, non-abutting properties with the same owner are not considered Parent and Child PWS.
- b. Two independent distribution systems with separate owners, yet sharing the same well, are set up as “consecutive PWS”, not parent and child systems.

In SDWIS, Parent and Child PWSID#s are issued as follows:

- The Parent PWSID# is “ME00XXXXX
- The 1st Child PWSID# is ME01XXXXX
- The 2nd Child PWSID# is ME02XXXXX
- Etc.
- For PWSID#s of the form ME000XXXX, the 1st Child PWSID# would be ME010XXXX
- For PWSID#s of the form ME0000XXX, the 1st Child PWSID# would be ME0100XXX
- Etc.

**Note:** The 1st digit after the ME in the PWSID# must always be a zero.



Because the population of the water system dictates the AFM Fee, the PWS Inspector should use the following guidance when determining the population of the parent and child water systems:

- A. In a facility where most, or all, of the population can, and will likely, access the parent and child water systems, the population of the parent system should equal the entire population of the facility. The child systems will have a base population of 25. As a result, the grand total of the population in SDWIS for the combined parent/child systems would equal the entire population, plus 25 times the number of child systems.

$$\text{Total Population} = \text{Parent Population} + 25 \times (\# \text{ of child systems})$$

**Note:** It would not make sense to split this type of system into two self-sustaining PWS's.

#### Transient PWS Example:

An example of this type of facility would be a boys/girls camp where the dining facility is on one well and the sleeping areas/bathroom facilities are on another well. An additional example would be a campground with a water system(s) serving the camping area and a separate water system serving the common bathroom facility.

#### Community PWS Example:

In the case of a facility that has a water system(s) serving individual units (sites, homes) and a separate water system serving a common area, the population of the water system(s) serving the individual units would equal the calculated population based on the number of units. The population of the common area would be 25. The sum population for all water systems would equal the calculated population for each water system serving individual units plus 25 (for the common area). An example would be a mobile home park or home owners association with more than one water system including a well serving a community center that all residents could access.

- B. A facility which is divided into multiple water systems, each with their own unique population, should have the entire population divided appropriately between the parent/child systems. In this case, the sum of the population of each water system would equal the whole population served. These types of systems might include a campground with campsites that are separated enough so that campers in one area are generally not accessing the facilities in another area. A mobile home community with parent /child systems would also fall under this situation.

$$\text{Total Population} = \text{Parent Population} + 1^{\text{st}} \text{ Child Population } (\dots + 2^{\text{nd}} \text{ Child Population, etc.})$$

**Note:** This type of Parent and Child System could be split into self-sustaining PWSs.

## 6. Calculating Population for Systems with Seasonal Changes

For systems that have a seasonal change in population, the larger population is used to determine the overall PWS population. An example is a restaurant that has 100 seats and offers three meals per day in the summer time, yet scales back to 25 seats and two meals per day during the winter time. In this example the population will be  $5 \times 100 = 500$ . For systems with seasonal changes, averaging populations or using the lower population is not acceptable for population calculation.

## **7. Annual Operating Period (AOP):**

The annual operating period needs to include all dates when events occur at a facility (advertised events, rentals of property, etc.) when use of the facility is available to the public and is not limited to serving less than 25 people per day for an extended period of time. The Annual Operating Period includes time when use “happens to be less than 25 people per day” and does not include time when facility use is “limited to less than 25 people per day”. The Annual Operating Period for a Seasonal System allows one “active/inactive” cycle per year e.g., “active” 8 months of the year and “inactive” 4 months of the year. (See definition of Seasonal System, this document).

If an establishment owner or representative states that it is operation during a certain operating period, but it conflicts with internet or other publication or advertisement, which indicates a different operating period, the decision on operating period will be based on the advertised and published availability of the establishment.

Example of a Seasonal System with an AOP of less than 12 months:

A restaurant operates May through September and its water system also serves 3 one-bedroom cabins that are rented year-round. In this case, when the restaurant shuts down in September, the DWP Multiplication Factors Policy (DWP0084) shows the remaining three cabins have a population of six (6) total and do not meet the criteria of a PWS without the restaurant in operation. Therefore this system is allowed an AOP of May through September.

Example of a system that is not a Seasonal System and must have an AOP of 12 months:

A ski area operates its lift equipment December through February. During the rest of the year the facilities are available for public events such as weddings or sports competitions, and/or rentals of lodging facilities, and lift operation occurs for specific functions, not continuously (e.g. weekends during the summer and leaf peeping in the fall). In this case the ski area never has a period of the year where the population is specifically limited to less than 25 people per day and its AOP will be 12 months.

**Note:** For schools, see the Information Coordinator to determine the AOP.

## **8. Separating (Splitting) Water Systems to Avoid PWS Regulation:**

For additional information on separating water systems to avoid PWS regulation, see the New System or Well Approval Policy and Procedure (DWP0068), and the Deregulation Policy and Procedure (DWP0045).

### **ASSOCIATED DOCUMENTS:**

- PWS Determination Form DWP0076
- Policy for Determining Classification and Overall Population DWP0008
- Maine DWP New System or Well Approval Policy and Procedure DWP0068
- Maine Rules Relating to Drinking Water 10-144 Chapter 231
- Sanitary Survey – Small System Procedure DWP0114
- Sanitary Survey – Large System Procedure DWP0115
- Water Testing for Non-Community PWS with Inadequate Setbacks from Leach Fields DWP0072

- Memorandum of Agreement between DEH Health Inspection Program and the Maine Dept. of Agriculture (See Electronic Field Manual, Section 22: Interagency Cooperation)
- Deregulation Policy and Procedure DWP0045

#### **SUPERCEDED DOCUMENTS:**

- DWP Takeout Policy

#### **RETENTION:**

This document is retained per DWP record retention requirements.

#### **REVISION LOG**

Section	Page	Revision	Date	Description of Change	Approved by
		Original	5/18/2004		Nancy Beardsley
		A	10/9/2007		Nancy Beardsley
		B	8/19/2010	Reformatted, add Pass/Fail PWS Test, PWS w/ combined functions, before & after care, info on FTEs, Policy on churches, cabins and rooms, limited exception process, bathrooms only, incorporating Takeout Policy.	Roger Crouse
4 Appdx A 2E	6 13 3	C	8/30/2010	Clarification on only washing food &/or dishes. Added "Nursing Homes" to "C" definitions, same as Assisted Living Homes	Roger Crouse
4, Appdx A	6-7, 13-14	D	5/2/2011	Clarification: regulated PWS only when water is an ingredient in "uncooked" food.	Roger Crouse
2 3 4 Appdx C	2, 3, 3 5, 10 15	E	2/29/2012	Added policy on "C" to "T" transition, Manufactured Home Communities, NTNC & T regulation and population is based on State license, population set for golf courses, rest areas, and border crossings, Appndx C	Roger Crouse
Appdx B	16, 17	F	6/12/2012	Added PWSID# line to BWE Form. Stated who to send completed BWE Form to. Added when BWE Form is required, not required	Roger Crouse
Definitions Section 5	1, 12- 13	G	10/16/2012	Added section 5 on parent-child definition and population calculation. Minor grammatical corrections throughout document	Roger Crouse
Section "P" and "6" Added.	Pgs. 12 and 14	H	1/30/2013	Specifics on Libraries and calculating population on seasonal systems added.	Roger Crouse
		I	3/18/2013	Revision I is not used	N/A
Section 4 Appendix A and B	Pgs. 6, 15-18, 20	J	4/16/2013	Clarification on BWE, language and flowchart added, modified BWE Form. Added clarity to 4.F. Corrected lettering in section 4.	Roger Crouse

Section	Page	Revision	Date	Description of Change	Approved by
Section 4.O Appendix A and B	Pgs. 10, 11	K	9/19/2013	Changes made to policy on bathrooms only facilities. Coffee and hot drinks removed as criteria for being a PWS. Removed signature of DEH Inspector from BWE form.	Roger Crouse
Several	Several	L	10/7/2014	Added Index; definition of "Separate Water System"; clarification on MHC regulation; PWS <6 Month cannot be an NTNC; clarification on FTEs and seasonal staff increases; clarification on recreational facilities and bathrooms only policy; clarification on parent/child facilities; added section Annual Operating Period; added associated documents; changed "daycare" term to "childcare". Added section on Separating (Splitting) Water Systems to Avoid PWS Regulation, Modified NTNC Pop calculation for hospitals, medical and dental facilities. Added T pop calculation for hospitals, medical and dental facilities.	Roger Crouse
Section 2	7	M	2/20/15	Added Section 2, Note 3 to document a previously implemented but undocumented vacant unit population assignment.	Roger Crouse
Ref Docs Sec 2- Note 2 Appndx C	18 7 29	N	2/25/15	Removed reference to an obsolete policy DWP0004 – Actual Community Population	Nathan Saunders for Roger Crouse
Section 2.B.	5-7	P	6-26-15	New policy on Manufactured Housing Communities	Nathan Saunders for Roger Crouse
Appndx D	32	R	2-26-16	Added Appendix D	Nathan Saunders for Roger Crouse
All	All	S	12-27-16	Update related to DWP reorganization: changed the term "Field Inspector" to "PWS Inspector".	Nathan Saunders
Definitions, Appndx A and B	4, 24, 29	T	2-22-19	Added Bottled Water Exemption definition, modified appendices A and B to include "approved" transient establishments or PWS for a BWE.	Nathan Saunders
Policy & Procedure	5-7	U	1-9-2020	Policy now applies definition of "Common Scheme of Development" from Drinking Water Rules. As a result, specific procedure related to all systems and Manufactured Housing Communities was modified or deleted.	Michael Abbott Nathan Saunders
Appendix E	34	V	11-4-2020	Added Appendix E: Classification of Water Systems in a Common Scheme of Development	Nathan Saunders

Section	Page	Revision	Date	Description of Change	Approved by
Policy & Procedure	5	W	5-17-2021	Added clarification on how the “Common Scheme of Development” will be applied at this time, until further notice.	Nathan Saunders (added language approved by Amy Lachance)
BWE Form	28	X	7-14-2022	Added signature line for the PWS Inspection Manager on the Bottled Water Exemption form.	Nathan Saunders
Policy and Procedure	4, App. A & B	Y	11/4/2024	Expanded Bottled Water Exemption beyond only transient PWS. Now includes NTNC systems if specifically approved.	Amy Lachance

## APPENDIX A

### Maine Drinking Water Program PWS Pass/Fail Test

In order to accurately determine if an eating facility or a convenience store is a public water system, use the following “PASS/FAIL” test. This test assumes that a facility selling or providing food, in order to stay in business, will likely have at least 25 customers per day.

If the facility “passes” the test (considered a public water system) the DWP will then determine the population served using two Drinking Water Program (DWP) policies: this policy, Multiplication Factors Policy for Estimating the Population of a Public Water System DWP0084, and the Policy for Determining Classification and Overall Population DWP0008.

#### Pass/Fail PWSTest

**The pass/fail test applies only to facilities which provide food service (restaurants, take outs, coffee shops, convenience stores, sandwich shops, etc.).** If the facility does not provide food service, use one of the criteria found in this DWP policy to determine the population and whether or not the facility meets the minimum PWS criteria. A facility that provides food service but fails the test may still be a public water system based upon other activities at the facility. (e.g. a campground with a snack bar). The snack bar may not serve tap water but the campground will likely have running water available in bathrooms, showers, or at individual sites. In this case, the campground will still be evaluated to the public water system criteria, found in DWP Policy.)

- Does the facility serve **tap** water in any of the following forms? (If “yes”, the facility is a PWS):
  - Cups of water
  - Drinks made on-site: post mix soda, juices, lemonade, slushies, ice tea, etc.
  - Ice made on site and served to the public
  - Drinking water fountain
  - Cups provided in the restroom or near any other sink where the public can get a drink of water
  - Water used as an ingredient in uncooked foods made onsite (instant gelatin, powdered yogurt or ice cream)
  - Other activities where water is provided for human consumption

#### Notes:

- Washing food and/or dishes alone with an establishment's tap water does not warrant PWS regulation; these activities are regulated by other agencies.
- An eating establishment or convenience store serving only hot drinks including coffee, tea, hot chocolate, cappuccino, etc., that is not serving tap water in any other way listed above, is exempt from being regulated as a public water system. For example, a coffee shop serving only hot drinks and not serving tap water in any other way listed above, is exempt from PWS regulation.
- Iced drinks can be made with a hot or cold process and are often combined with ice made on site. Regardless of the process used to make the cold drink, if the facility serves cold drinks made with tap water, the facility will be regulated as a PWS.

- Transient eating facilities, convenience stores, and some transient establishments\*\* or other specifically-approved NTNC PWSs\*\* are the *only* type of facilities that can sell/serve/offer bottled water as a means of preventing the facility from being a public water system. This enables these types of establishments to make business decisions that will prevent them from being a PWS (see the following section on Bottled Water Exemption).

\*\* Transient establishments or other specifically-approved NTNC PWS are approved for a Bottled Water Exemption on a case by case basis by the Public Water System Inspection Supervisor. Examples of NTNC PWS that could be approved for Bottled Water Exemptions include workplaces or other controlled access facilities where occupants are specifically and periodically trained to not consume the drinking water and permanent signs are present restricting use.

If the eating facility or convenience store is a PWS based on the pass/fail test above (i.e. “passes”), refer PWS to the Drinking Water Program as a qualifying PWS needing New System Approval and population determination.

**If the eating facility or convenience store “fails” the pass/fail test and has no other types of tap water services, then the facility is not a public water system, and no further analysis is needed.**

## **Bottled Water Exemption**

For eating facilities, convenience stores, and select transient or NTNC establishments\*\* that are not serving water from their well (\*\* approved on a case by case basis by the PWS Inspection Supervisor), that choose to use bottled water to avoid serving tap water to the public, the Bottle Water PWS Exemption Form (Appendix B) must be signed by the facility owner or contact and kept on file with the DWP as evidence of the business decisions made that would prevent a system from being regulated as a PWS. Penalties for providing inaccurate information on this form are detailed on the Bottled Water PWS Exemption Form.

**Clarification (see Flowchart below for Issuing a Bottled Water Exemption):**

### **Definitions:**

- **Bottled Water:** Purchased bottled water.
- **Convenience Store:** A Convenience Store is regulated by the Maine Department of Agriculture. A Convenience Store is an establishment where the predominant business (greater than 50%) is the sale of groceries, gasoline, or items other than food prepared on-site. An establishment where more than 50% of their business is food prepared on site is not considered a “Convenience Store”.

### **Notes:**

- An **Eating Facility** is regulated by the DEH Health Inspection Program
- A Convenience Store can still be a PWS: a Convenience Store will meet the criteria for being a PWS if tap water is served in more ways than just hot drinks.
- The definition of a Convenience Store is based on the Memorandum of Agreement between the DEH Health Inspection Program and the Maine Dept. of Agriculture.
- “Exempt from being regulated” means that a Bottled Water Exemption is not applicable (not needed).

1. If an eating facility or convenience store serves tap water in ways other than hot drinks (See Pass/Fail Test) and they eliminate, not by using bottled water, all ways of serving tap water to the public except serving hot drinks, then the facility is exempt from being regulated as a PWS.

An example would be a gas station serving coffee that has a slush machine. If they remove the slush machine, this facility will then be exempt from being regulated as a PWS.

2. If an eating facility, a convenience store, or other approved\* (see \* above) transient establishment or PWS serves tap water in ways other than hot drinks (see Pass/Fail Test) and they eliminate, by using bottled water, all ways of serving tap water to the public except serving hot drinks, then the facility needs to obtain a BWE to avoid being a PWS.

An example would be a gas station that serves coffee and has a slush machine, yet they decide that they will use bottled water for the slush machine, to avoid being a PWS. This facility needs to obtain a Bottled Water Exemption to avoid being a PWS.

3. If an eating facility or a convenience store decides to continue to serve water in ways other than hot drinks (See Pass/Fail Test), then they must be regulated as a PWS for all ways that they serve water to the public, including hot drinks.

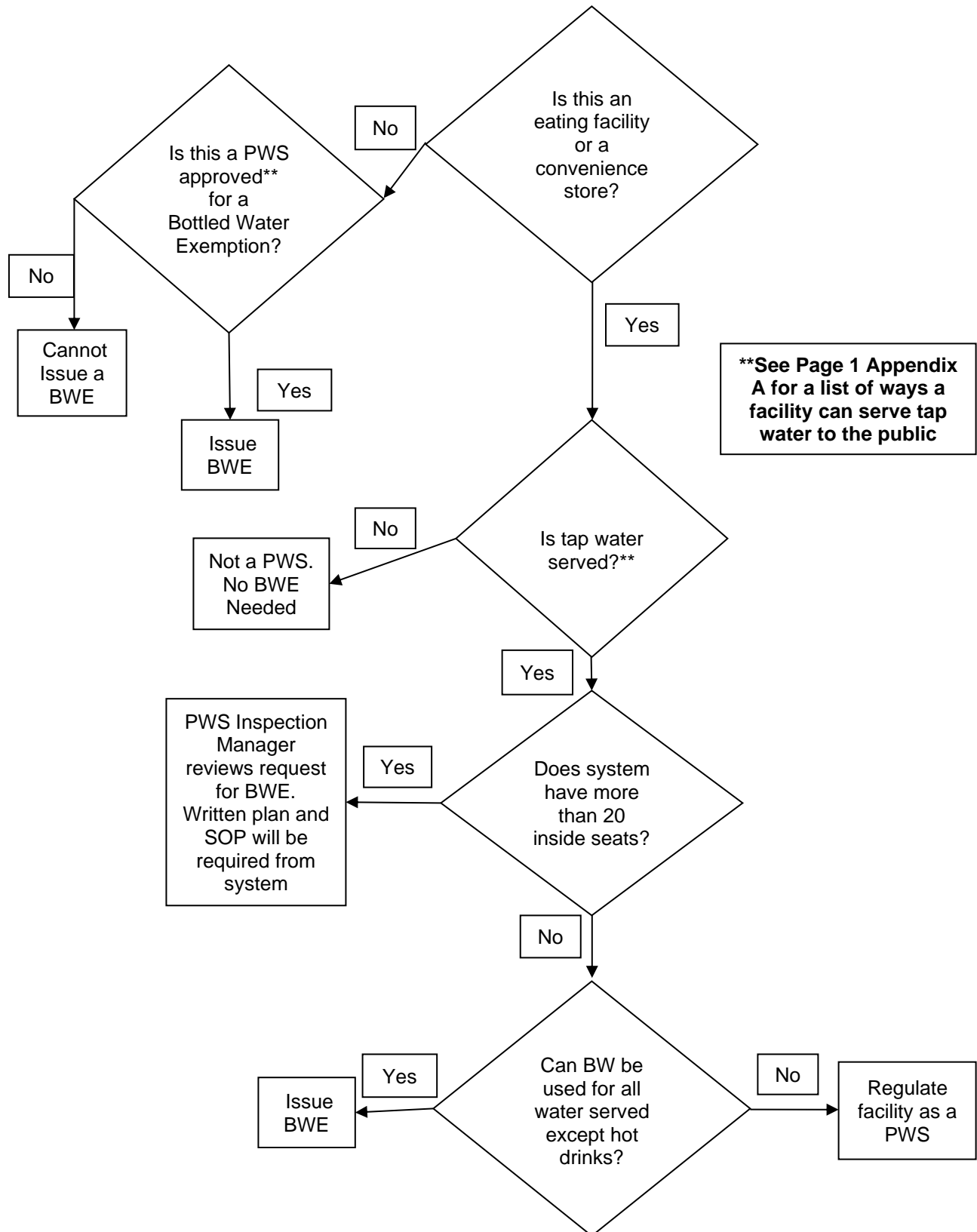
An example would be a small country store that serves coffee, has a slush machine, makes their own ice, and serves post-mix soda. If this facility decides that they want to continue all of these practices using their tap water, then this facility needs to be regulated as a PWS, and water used for all purposes including hot drinks needs to come from their regulated source; hot drinks are no longer exempt from regulation at this facility.

4. A bottled water exemption for an eating facility or convenience store with more than twenty (20) seats must be approved by the DWP PWS Inspection Team Manager. For consideration for approval, the establishment must provide a detailed written description of how bottled water will be obtained (identification of at least two sources will be required) to continually meet the demand of the business, along with a written procedure for employees describing the necessary use of bottled water for all methods of serving water to the public. The written description and employee procedure provided will be evaluated and considered during the process of approving or disapproving a bottled water exemption for an eating facility or convenience store with more than 20 seats.
5. A NTNC PWS with controlled access and where occupants have been specifically and periodically trained to not consume the drinking water may be granted a Bottled Water Exemption if Appendix B is submitted by the facility and approved by the DWP Inspection Supervisor. An example of this is a workplace where signs restricting drinking water use are present. An inspection of the facility, including the posted signs and training records, is needed prior to deregulation.

**To determine if a facility is eligible for, or needs to obtain, a Bottled Water Exemption, see the flow chart on next page.**



## Flow Chart for Issuing a Bottled Water Exemption (BWE)



## APPENDIX B

### Bottled Water PWS Exemption Application Form

This form is used to record the details of where bottled water will be used at a transient eating facility, convenience store, or other approved PWS to prevent regulation as a public water system. See Appendix A for determining who is eligible for a Bottled Water Exemption. This form is filled out by the establishment contact/owner and/or a Drinking Water Program Inspector.

Establishment Name

PWSID# \*

Address

EST ID# \*

Town/City

Dept of Ag ID # \*

PWS Inspector \*

\* If applicable

Final Inspection Date – Signage and Training Verification

Contact Individual/Owner

Name

Telephone #

Describe below how bottled water will be used at this establishment as a method of avoiding serving water to the public from an on-site source of water:

**Maine law (17-A MRS453) makes unsworn falsification a Class D crime, punishable by up to 364 days of incarceration or up to a \$2000 fine (or both). You are guilty of unsworn falsification if you make any written false statement with the intent to deceive a public servant in the performance of his official duties.**

Establishment Owner/Contact Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PWS Inspection Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Submit completed form to DWP Data for processing. This form shall be kept on file with the Maine Drinking Water Program.

## When is a Bottled Water Exemption (BWE) Form Required, or Not Required?

**A BWE Form is *Not Required*** when an eating facility, convenience store, or other transient establishment does not serve tap water at all, or only serves tap water in hot drinks such as coffee, tea, hot chocolate, cappuccino, etc.

1. An eating facility or a convenience store is found that does not serve tap water to the public in any way, or is selling hot drinks such as coffee, tea, hot chocolate, cappuccino, etc. made with their own tap water and does not serve water to the public in any other way (see PWS Pass/Fail test). This type of system is simply exempt from PWS regulation.
2. An eating facility or a convenience store is found that does serve tap water to the public in ways other than hot drinks such as coffee, tea, hot chocolate, cappuccino, etc. and removes (not by using bottled water) all ways tap water is served to the public other than hot drinks (see PWS Pass/Fail test). This type of system is simply exempt from PWS regulation.
3. While investigating an eating facility or convenience store to determine if it meets PWS criteria (using the PWS Pass/Fail Test) it is found that the facility is not serving water and currently sells bottled water. This is an example of an establishment that simply does not meet the criteria of a PWS. In this case the BWE Form is not required because the system is not a PWS and the establishment has not just made a business decision to use bottle water to avoid being a PWS. This scenario describes numerous takeout facilities and convenience stores throughout the State that do not serve water from their well yet do sell bottled water; we do not use a BWE Form for this type of establishment.

**A BWE Form *Is Required*** when an eating facility, convenience store, or other approved\*\* establishment is found to be serving tap water or plans to serve tap water, and a business decision is made to serve/use bottled water instead of tap water:

1. An establishment not currently regulated as a PWS is found to be serving water (after the fact system) or plans to serve water (proposed system) and ***a business decision is made by the establishment to use bottled water*** instead of using tap water, in order to avoid meeting the criteria of a PWS. In this case, ***it is necessary to capture how bottled water will be used as a substitute for tap water*** on the BWE Form. The form is signed by the establishment as a record of their plan to use bottled water.
2. An establishment that is an active PWS ***makes a business decision to use bottled water*** instead of using tap water, in order to be deregulated. In this case, ***it is necessary to capture how bottled water will be used as a substitute for tap water*** on the BWE Form. The form is signed by the establishment as a record of their plan to use bottled water.

**Note to the DHE Inspector:** Issue a BWE only if you believe that the establishment can and will meet the plan for use of bottled water as written on the form. If you don't believe that an establishment can or will meet the plan as written, do not issue the BWE and escalate the issue to your direct manager.

**Note:** Upon receiving a completed BWE exemption form, the DWP PWS Inspection Team Manager will:

1. Evaluate and provide feedback to the appropriate DWP Inspector as needed.
2. Assign the DWP Inspector a site visit to verify signage and training protocol.
3. Verify that the DWP Inspector has scanned and sent a copy of the signed BWE form for processing.
4. Have the form imaged by PWSID#, or by county as a Non-PWS.

## **APPENDIX C**

### **For Determining PWS Classification of Community vs. Transient for a Water System Serving Condominiums, Homes, or Similar Housing Available More Than Six Months per Year**

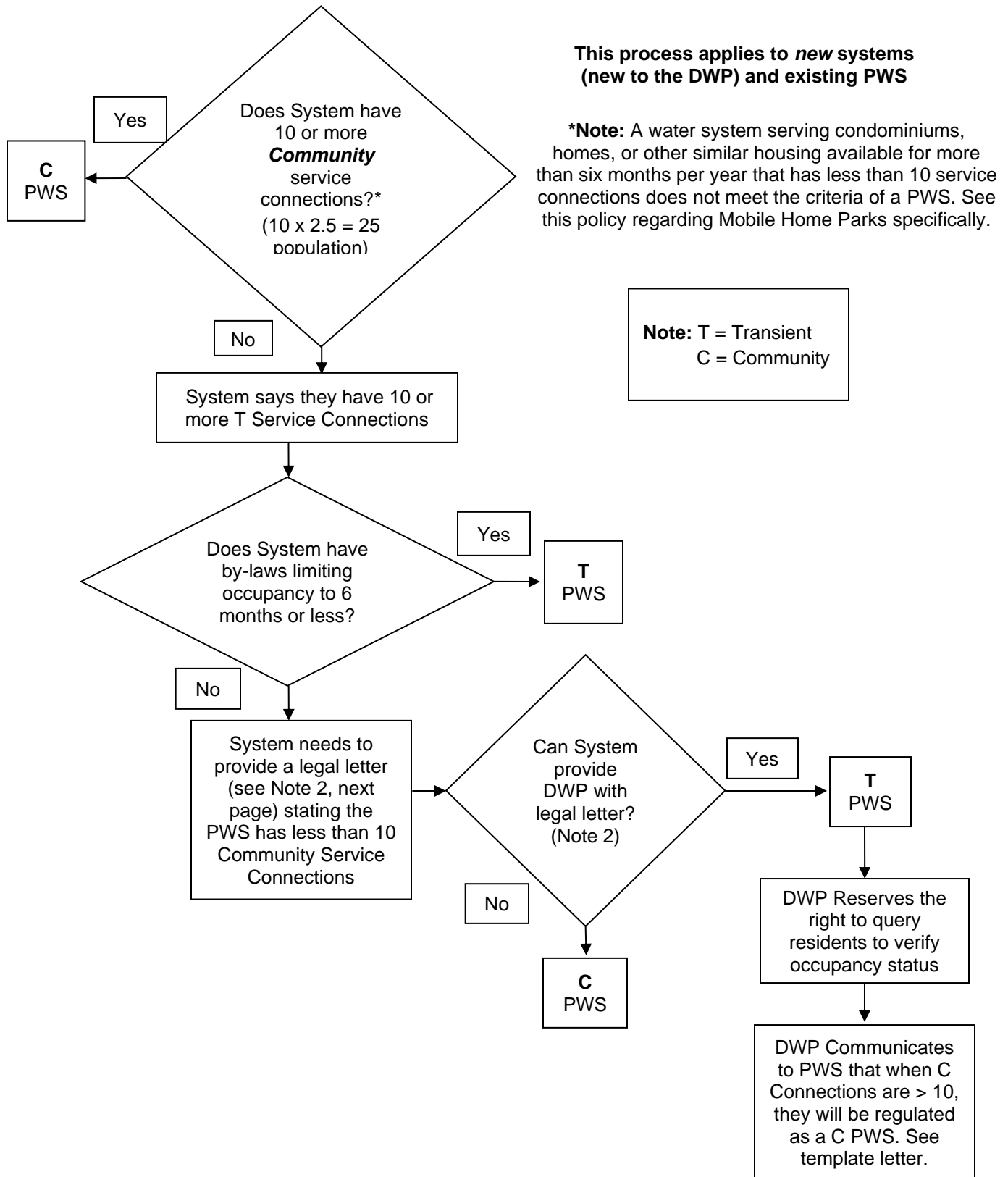
A community system is defined as a public water system which serves at least 15 service connections used by year-round residences or regularly serves at least 25 year-rounds residents. (Year round is defined as permanent residence greater than six months)

A water system serving 10 homes or condominiums is considered a Community PWS with a population of  $10 \times 2.5$  people/connection = 25 people served. Each individual home or condo is considered a single service connection.

It is possible for a water system serving 10 or more homes or condos to be classified as a Transient PWS. This Appendix is provided to assist in classifying a water system serving homes (etc.) as Community or Transient:

See Flow Chart on next page.

**For Determining PWS Classification of Community vs. Transient for a Water System Serving Condominiums, Homes, or Similar Housing Available More Than Six Months per Year**



**Note 1:** Reclassification from C to T is based on the number of “C” service connections being less than 10, and not based on the C population < 25 [“C” population is determined by service connections x 2.5 people/connection, not by actual C population count, except in the case of 10-14 “C” service connection when considering deregulation. See policy DWP0004.]

**Note 2:** The acceptable “legal letter” will be a written (hard copy) letter on association letterhead signed by ALL members of the system’s overseeing board. See template letter reference below.

**Note 3:** Upon each sanitary survey completed (every five years) at a Transient water system serving condos, homes, or similar housing available for more than 6 months per year, the PWS Inspector will require the owner to generate an updated certification letter that reaffirms that there are less than 10 “C” service connections served by this water system. See template letter reference below. The letter must be signed by all board members (overseers) of the water system. If the system cannot provide this signed certification letter, then the system will be regulated as a community PWS.

See the Electronic Field Manual (Section 10) for Template letters used by the PWS and the DWP to administer the transition of a PWS from Community to Transient classification, and to recertify Transient classification every five years at the sanitary survey:

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## **APPENDIX D**

### **Clarification on Regulating Transient Hospitals, Medical, and Dental Facilities**

Hospitals, medical, and dental facilities that do not have 25 employees (are not NTNC PWS) are challenging to evaluate against PWS criteria because they vary widely – e.g., physician's offices, chiropractors, physical therapists, ophthalmologists, podiatrists, dentists, etc. When evaluating a hospital, medical, or dental facility as a transient PWS, use the following three step process:

1. Determine if the establishment is serving well\* water to the public (see detail below).
2. Evaluate the population and days open to determine if the system is serving 25 people per day, 60 days per year (see detail below).
3. Make a determination on whether the facility meets Transient PWS criteria

#### **Step 1: Is well water served to the public at this facility?**

##### **Yes – Well water is served to the public:**

- If the facility has cups in the bathroom(s) and chooses to keep them.
- If the facility allows well water to be used for taking medicine.
- If there is routine use of ice (made from well water) or well water for therapy or washing the body, especially for first aid purposes (See EPA definition of "consumption")
- If there is a water fountain serving well water.
- If the facility makes ice from well water that is consumed by the public.
- If well water will be consumed by the public for some other reason. See all specifications in this appendix.
- If a dentist or other medical office uses well water that will enter the patient's mouth.
- If a facility has kitchen facilities available to the public.
- If a hospital or medical facility provides overnight accommodation or treatment. Overnight accommodation is similar to hotel or motel lodging.

##### **No – Well water is not served to the public:**

- If the facility has water bubblers using purchased bottled water and well water is not served to the public. This statement is true only for "Transient" medical facilities; an NTNC medical facility cannot avoid regulation by serving bottled water (water in bottles or from a water bubbler).
- If well water is only used for incidental washing of the body, such as hand washing.
- If a medical facility has sinks in each exam room yet does not serve well water to the public.
- If a facility has kitchen facilities available only to staff.
- If a dentist office uses purchased bottled water in the dental equipment which delivers water to the mouth.

**Step 2: Determine the population and operating period of the hospital, medical, or dental facility** by using the calculations specified in section 4. S. of this document. If these calculations do not apply, then determine as best as possible whether the establishment serves 25 people per day for 60 or more days per year.

**Step 3 – Determination:** If the facility is serving well water to the public and also serves 25 people per day for 60 days per year, then the facility meets the criteria of a Transient PWS.

**\*Note:** This appendix also applies to surface water sources; if the source is surface water, simply remove the term “well” from what is written.



## APPENDIX E

### Classification of Water Systems in a Common Scheme of Development

**Parent/Child Systems:** All Parent and Child water systems that independently meet the criteria of a PWS are described in detail in Section 5 of this policy (DWP0084). As such, a Parent/Child System would not be regulated under the common scheme of development policy.

**Common Scheme of Development:** A plan or process of development which takes place on contiguous or non-contiguous parcels or lots in the same immediate vicinity and exhibits characteristics of a unified approach, method or effect, such as unified ownership, management, or supervision, sharing of common equipment or labor, or common financing.

**Common Scheme of Development PWS (CSD PWS):** A public water system made up of a combination of independent water systems in a common scheme of development. The individual water systems may or may not meet the criteria of a PWS by themselves. However, the combination of these water systems in a common scheme of development make up A Common Scheme of Development PWS (CSD PWS).

**Common Scheme of Development Sub-System (CSD Sub-System):** A water system identified as a CSD Sub-System does not by itself meet PWS Criteria.

- When multiple independent water systems, none of which by themselves meet PWS criteria, are determined to be a PWS by their Common Scheme of Development, one PWSID# is issued to the **CSD PWS** and multiple well/distribution systems are entered in SDWIS with associated names, e.g., *Well-1*, *Distribution-1*; *Frost-Well*, *Frost-Distribution*; etc.
  - Example: 12 homes with three wells, each well serving four homes
- If a Common Scheme of Development includes one water system that meets PWS criteria on its own and all remaining Sub-Systems do not meet PWS criteria, then one PWSID# shall be issued to the CSD PWS, using multiple wells and distribution systems with associated names.
  - Example: Multi-unit apartment with three single units, multiple wells
- If a Common Scheme of Development includes more than one water system that meets PWS criteria, then one water system meeting PWS criteria will be issued a PWSID# considered as the Parent and all “Sub-Systems” (see definition) will be recorded under the Parent PWSID# with well/distribution systems entered in SDWIS with associated names. The other water systems that meet PWS criteria will be given “Child” PWSID#s to the Parent. **In this unusual situation, a Common Scheme of Development may include Parent/Child PWSID#s.**
  - Example: Three apartment buildings, two with 8 units each and one with 10 units, each building served by its own well. The two 8-unit buildings combine to be the parent PWS and the 10-unit PWS will be the child system.