



ePipeline

OHA-Drinking Water Services Newsletter

January 27, 2022

EPA Announces Decision on the Lead and Copper Rule Revisions

About a year ago, EPA adopted the long awaited Lead and Copper Rule Revisions. However, the incoming Biden Administration chose to suspend the rule until it could be further reviewed. After extensive stakeholder input, EPA decided to let the rule become effective so that requirements for Community and Non-Transient Non-Community (NTNC) Public Water Systems (PWSs) to conduct and submit lead service line inventories by October 16, 2024, would proceed without delay. EPA indicated that other provisions in the rule would be amended in a forthcoming Lead and Copper Rule Improvements Rule, to be promulgated by October 16, 2024. In the near-term, EPA is urging affected PWSs to focus their attention on completing the Lead Service Line inventories since this information is critical to meeting a national goal of timely removal of all lead service lines. EPA is expected to release lead service line inventory guidance soon.

In Oregon, DWS recommends that Community and NTNC PWSs begin planning for the required inventory and start compiling available records. The inventory must include both public and private sides of the service line. Excavation or potholing will not be necessary but the inventory must be evidence-based. Oregon adopted prohibitions on lead in plumbing in July 1985, so service lines installed after that date can be presumed to be non-lead. Some states have allowed statistical sampling/identification of service line materials rather than requiring verification of each service line. DWS is evaluating a statistical approach and will be providing further guidance to PWSs on acceptable inventory methods once we receive guidance from EPA.

New Rules for Oregon Very Small Systems

New streamlined rules ([OAR 333-061-0100](#)) went into effect January 1, 2022, for Oregon Very Small (OVS) water systems serving 4 to 14 service connections and commercial or public premises used by 10 to 24 people at least 60 days per year. These systems have been renamed from “Non-EPA” or “State Regulated.” The new rules retain the most important elements for public health protection and are more achievable for water suppliers with limited resources. OVS systems that transition to a different classification are subject to additional requirements including construction standards.

Monitoring schedules will be viewable in drinking water [data online](#) soon. OVS system regulatory oversight will continue to be provided primarily by local county health departments and the Oregon Department of Agriculture.

Emergency Response and Planning Requirements

As of January 1, 2022, DWS has new emergency response and planning requirements ([OAR 333-061-0064](#)) for all Community and Non-Transient Non-Community (NTNC) water systems in Oregon. DWS still recommends that Transient and Oregon very small systems maintain an emergency response plan, but it is no longer a requirement for these systems.

- All Community and NTNC water systems serving 3,300 people or fewer are required to develop and maintain an emergency response plan for reasonably anticipated emergencies. Existing plans may already meet these criteria.
- Requirements for Community water systems serving more than 3,300 people have been updated to align with [America’s Water Infrastructure Act \(AWIA\)](#), which requires a risk and resilience assessment and emergency response plan based on the findings from the assessment. Some Oregon-specific provisions have been added.
- See DWS’s [Emergency Preparedness and Planning website](#) for further guidance and resources.

Bipartisan Infrastructure Law Enhances Oregon DWSRF

On November 15, 2021, the Infrastructure Investment and Jobs Act (H.R. 3684), commonly referred to as the Bipartisan Infrastructure Law (BIL) was signed into law. BIL is a federally funded infrastructure package covering multiple critical infrastructure sectors throughout the U.S., including drinking water. The law provides the U.S. Environmental Protection Agency (EPA) with grant funds that can be appropriated to states for investments in drinking water infrastructure.

OHA and its partner Business Oregon have formed a workgroup to discuss and strategize plans for program priorities and implementation. BIL appropriations are expected to not only increase Oregon's existing base Drinking Water State Revolving Fund (DWSRF) program, but also will include extra stimulus funding for infrastructure improvements and potential funding in the areas of lead service line replacements and emerging contaminants. More information will be provided in the coming weeks and months as OHA and Business Oregon prepare to announce more details.

Find details about the law [here](#). The drinking water language is at [Division E – Drinking Water and Wastewater Infrastructure](#). Helpful information can also be found on [EPA's BIL – Water Infrastructure Investments webpage](#).

The DWSRF provides low-cost loans to community and nonprofit non-community public water systems for planning, design, and construction of drinking water infrastructure improvements. Repayment terms are favorable and all projects receive part of the loan as principal forgiveness. Many different kinds of projects are eligible, including (among others) treatment, seismic and security improvements and service line replacements. Go [here](#) for more information.

Congratulations to Outstanding Performers

Public water systems achieve Outstanding Performer status when they have no significant deficiencies identified and meet other criteria. All systems are evaluated during their routine water system surveys. Those that meet the Outstanding Performer criteria have their survey frequency reduced from every three years to every five years.

Below is a list of the water systems that have met the established criteria for outstanding performance during the period of September 16, 2021, through January 18, 2022. (Some survey results from that period may still be in the data entry process, so the list may be incomplete.) DWS congratulates the operators of these systems for jobs well done!

Go [here](#) to find out how to qualify as an Outstanding Performer.

Water System Name	County Served
CHRISTMAS VALLEY DOMESTIC WS	Lake
CORBETT WATER DISTRICT	Multnomah
CRESWELL, CITY OF	Lane
EAGLE CREST RESORT	Deschutes
EDEN PARK HOMEOWNERS	Linn
FAIRVIEW WATER DISTRICT	Tillamook
FAIRVIEW, CITY OF	Multnomah
FOREST PARK MOBILE VILLAGE	Clackamas
FOSSIL, CITY OF	Wheeler
GOLD BEACH, CITY OF	Curry
GRASS VALLEY WATER SYSTEM	Sherman
HIGHLAND SUBDIVISION WD	Crook
MERRILL WATER DEPARTMENT	Klamath
OAKDALE TRAILER PARK	Marion
OREGON WATER UTILITIES - CLINE BUTTE INC	Deschutes
PHILOMATH PUBLIC WORKS	Benton
PLEASANT VALLEY WATER CO	Tillamook
PP&L-TOKETEE VILLAGE	Douglas
TIDELAND WATER CO-OP	Tillamook
USFS TOKETEE RANGER STATION	Douglas
VENETA, CITY OF	Lane

Training Opportunities

Find information about free trainings, webinars and CEUs on the Operator Certification Training Opportunities web page at www.healthoregon.org/dwtraining.

Contact Drinking Water Services
info.drinkingwater@dhsoha.state.or.us or 971-673-0405

See the [Drinking Water web page](#) for updated staff phone numbers and email addresses.

You can view or update your subscriptions, password or email address at any time on your [User Profile Page](#). All you will need are your email address and your password (if you have selected one).

This service is provided to you at no charge by the [Oregon Health Authority](#) and the [Oregon Department of Human Services](#).

If you have any questions about this service, [please visit the GovDelivery user support website](#).

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