

333-061-0064

Emergency Response Plan Requirements

Original Rule

- (1) The emergency response plan shall be reviewed and updated at least every five years. If a public water system applying for funds from the Safe Drinking Water Revolving Loan Fund Program is required to develop an emergency response plan as a part of a capacity assessment, then the emergency response plan is required to be completed before final payout of the loan.
- (2) All public water systems shall complete a security vulnerability assessment and develop a prioritized plan for risk reduction.
- (3) As evidence of completion, all public water systems shall submit a statement to the Authority certifying that the Emergency Response Plan and vulnerability assessment have been completed according to the requirements of this rule and that staff have been instructed in the use of the emergency response plan. The emergency response plan/vulnerability assessment shall be made available for review by the Authority or the County Health Department. All Community water systems > 3,300 population are required to submit a copy of their Vulnerability Assessment and certification of completion for their Emergency Response Plan and Vulnerability Assessment to EPA as required in the federal Bioterrorism Preparedness and Response Act of 2002.
- (4) Community water systems shall coordinate with the lead County Emergency Coordinator when preparing or revising an emergency response plan.
- (5) The emergency response plan shall include but is not limited to the following elements:
 - (a) Communications and authority.
 - (A) Develop an emergency contacts list, and review and update this list at least annually.
 - (B) Decision-making authorities and responsibilities of water system personnel shall be determined and detailed in the emergency response plan.
 - (C) Procedure for notification of agencies, the water users, and the local media.
 - (b) Water system security. Public water systems shall develop a security program. The security program shall include, but is not limited to, the following components: security management, physical activity, physical security, chemical storage and use, personnel, computer system, and program evaluation as defined in the State Model Emergency Response Plan.
 - (c) Water system hazard review.
 - (A) Public water systems shall conduct an inspection of the water system annually to identify the hazards that could affect the water system.
 - (B) Public water systems shall correct construction deficiencies to eliminate hazards or potential hazards, correct major sanitary survey deficiencies as determined by the Authority, and perform regular maintenance.
 - (d) Emergency equipment and water supplies.

- (A) Public water systems shall make provisions for an auxiliary power supply if not a gravity system, and redundant equipment for critical components. Community water systems shall identify equipment that can be utilized in the event of an intentional attack which can render harmless or significantly lessen the impact of the attack on the public health and safety and supply of public drinking water.
- (B) Public water systems shall develop a plan for emergency water to include the rationing of drinking water, identifying and utilizing alternative drinking water sources and supplies, and alternative distribution of drinking water.
- (e) Emergency response procedures.
 - (A) Public water systems shall develop procedures for responding to emergencies most likely to strike the water system. Community water systems shall develop plans and procedures that can be implemented in the event of a terrorist or other intentional attack on the water system.
 - (B) The emergency response plan shall describe procedures to isolate all parts of the water system. Community water systems shall develop actions and procedures which can render harmless or significantly lessen the impact of terrorist attacks or other intentional actions on public health and safety and supply of public drinking water.
 - (C) The emergency response plan shall describe the emergency disinfection procedure, process for issuing a boil water advisory, and process for handling a waterborne disease outbreak.
- (6) Water system staff shall be instructed and trained in the use of the emergency response plan.

Statutory/Other Authority: ORS 448.131

Statutes/Other Implemented: ORS 448.131 & 448.160

Proposed Rule

Water suppliers must maintain an emergency response plan for every community and NTNC water system. Water system staff must be instructed and trained in the use of the plan and the plan must be accessible at all times to all water system staff for use during emergencies.

- (1) At community water systems serving 3,300 or fewer people and NTNC water systems, the emergency response plan must include procedures for reasonably anticipated emergencies.
 - (a) These procedures must include, but are not limited to: a plan for physical security measures, procedures to isolate all parts of the water system and procedures for emergency disinfection. There must also be a procedure for issuing a boil water or do not drink advisory to water system customers in the event of:
 - (A) Loss of electrical power;
 - (B) Loss of pressure in the water distribution system;
 - (C) Disruption or failure of disinfection or other treatment systems; or
 - (D) Detection of *E. coli* bacteria or another contaminant exceeding the MCL.

- (b) If computer networks or automated control systems operate or monitor processes at the water system, water suppliers must implement cybersecurity measures to prevent attacks on process controls including but not limited to: establishing strong password policies, automating software updates, monitoring for suspicious activity, and installing and updating antivirus or anti-malware software.
 - (c) Water suppliers must have a procedure to coordinate with local emergency management agencies in the event of an emergency event that overwhelms the water system staff's ability to respond.
- (2) At community water systems serving more than 3,300 people, water suppliers must complete a risk and resilience assessment in addition to maintaining an emergency response plan. Both emergency response plans and risk and resilience assessments must be updated at least every five years.
- (a) The risk and resilience assessment must include:
 - (A) The risks to the water system from malevolent acts and natural hazards.
 - (B) The resilience of the water system infrastructure, including but not limited to: pipes, constructed conveyances, physical barriers, water sources, water collection or intake facilities, pretreatment or treatment facilities, storage and distribution facilities, and electronic, computer or other automated systems (including the security of such systems) which are utilized at the system.
 - (C) The water quality monitoring practices at the system.
 - (D) The financial infrastructure for the system, such as business continuity or rate setting.
 - (E) The use, storage, or handling of any chemicals by the system.
 - (F) The operation and maintenance of the water system.
 - (b) The emergency response plan must incorporate the findings of the risk and resilience assessment and also:
 - (A) Include strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system.
 - (B) Include plans and procedures that can be implemented, and identify equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the water system to deliver safe drinking water. These plans and procedures must include but are not limited to:
 - (i) Descriptions for how to isolate all parts of the water system, including actions and procedures which can render harmless or significantly lessen the impact of malevolent acts or natural hazards upon public health and safety and the supply of safe drinking water.
 - (ii) Emergency disinfection procedures, the process for issuing a boil water advisory, and the process for responding to a waterborne disease outbreak.

- (iii) Response procedures for events involving high-risk contaminant sources or activities as identified in the water system's source water assessment within the following areas:
 - (I) A one-year time-of-travel for wells or zone 1 for springs for groundwater sources with a delineated drinking water source area.
 - (II) Within a 500 ft. radius of a groundwater well, spring, or infiltration gallery without a delineated drinking water source area.
 - (III) An eight-hour time-of-travel or an area within the eight-hour time-of-travel that captures high risk sources based on sensitive area information in the source water assessment for surface water sources.
- (C) Identify actions, procedures and equipment which can prevent or significantly lessen the impact of a malevolent act or natural hazard upon public health and safety and the supply of safe drinking water to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and
 - (i) Make provisions for an auxiliary power supply and provide for redundant equipment for critical components.
 - (ii) Identify and develop plans for utilizing alternative drinking water sources and supplies.
 - (iii) Develop plans for water rationing.
 - (iv) Develop a plan for emergency provision of water.
- (D) Identify strategies that will aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the water system.
- (E) Describe communications and authority used by water system staff, including but not limited to the following.
 - (i) Water system staff must coordinate with local emergency planning committees when preparing or revising the emergency response plan.
 - (ii) Water system staff must develop and maintain an emergency contacts list to be used in the emergency response plan's notification procedures.
 - (iii) The emergency response plan must identify decision-making authorities and responsibilities for water system personnel.
 - (iv) There must be a procedure for notification of agencies, water users, and the local media.
 - (v) Water system staff must develop and maintain a list of institutional customers that serve vulnerable populations, including but not limited to: hospitals, dialysis centers, elderly care facilities, and childcare facilities.

Statutory/Other Authority: ORS 448.131

Statutes/Other Implemented: ORS 448.131 & 448.160