

**Proposed Revisions to Water Quality Rules, Chapter 12, Design and Construction Standards for Public Water Systems**

**Analysis of Comments Received at the March 15, 2022 Water and Waste Advisory Board Meeting**



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Prepared by:

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Water Quality Division

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**Commenters:**

Mark Pepper, Wyoming Association of Rural Water Systems (WARWS)

**Chapter 12 Comments and Responses**

**Mark Pepper:** Mr. Pepper noted that 2018 TSS Part “1.1.5 f discusses high water loss being greater than 20%. In an arid state such as Wyoming, where some of systems are facing water shortages, 20% water loss seems too high.” Mr. Pepper recommended revising to “ >15% for starters...” as WARWS advises that “water loss above 10% should be investigated and leaks may be occurring or lost revenue from uncalibrated meters.”

**Department Response:** WDEQ/WQD considered the comment. The recommended change would modify 2018 TSS Part “1.1.5 f” to reduce 20% water loss down to 15% or 10%. The WDEQ/WQD notes that this 2018 TSS passage is discretionary—it provides an example of high percentage of water loss being greater than 20% but does not limit an agency from considering less than 20% as being a high percentage of water loss. At the Administrator’s discretion, the WDEQ/WQD can require a water audit of a system due a high percentage of water loss and can evaluate on a case-by-case basis what constitutes a high percentage of water loss. WDEQ/WQD plans to explore options to provide additional training and outreach to address system awareness of high water loss in our communities and is committed to working with WARWS and other partners on this initiative.

**Mark Pepper:** Mr. Pepper noted that 2018 TSS Part “1.1.7.1 f was included for surface water source protection measures, but 1.1.7.2 h, groundwater source protection measures was omitted. Mr. Pepper notes that “with 88% of the systems utilizing groundwater for their drinking water source, we should place some value on protecting the groundwater. As an example, in our source water protection planning, we often utilize this concept so that principally county installed septics or other potential harmful activities are not approved by county boards upgradient from municipal water wells or at least some mitigation measures are taken to lessen potential contamination.”

**Department Response:** WDEQ/WQD considered the comment. WDEQ/WQD has intentionally omitted 1.1.7.2.h as it includes Part 3.2.3.3, wellhead protection plans. Since WDEQ/WQD intends to continue addressing wellhead protection planning and other source water protection planning on a voluntary basis, 1.1.7.2.h will not be incorporated by reference at this time as doing so would require wellhead protection plans. However, 1.1.7.2.h also includes Part 3.2.3.2, continued sanitary protection, which WDEQ/WQD will add to Section 11(a).

WDEQ/WQD recognizes the importance of groundwater as a source of drinking water in Wyoming and has many programs, both regulatory and voluntary, in place to protect

groundwater quality. WDEQ/WQD will continue to encourage communities that use groundwater for drinking water to develop wellhead protection plans and looks forward to working with WARWS to strengthen our voluntary source water protection program, including continuing our work with WARWS to provide training and outreach that will benefit communities.

**Mark Pepper:** Mr. Pepper noted that 2018 TSS Part “7.0.6 Water storage age was omitted. We know that with many upcoming regulations (Lead and Copper revisions, Disinfection Byproducts review), water age is paramount. TSS 2018 recommends no longer than 5 days on water age. We believe this is in agreement with AWWA recommendations.”

**Department Response:** WDEQ/WQD considered the comment. Water storage age is included in Chapter 12 in Section 15(c) and 15(e). The draft Chapter currently does not address a maximum day exceedance for water age. Based on further review and research, WDEQ/WQD will include 2018 TSS Part 7.0.6 in Section 15(a) so that Chapter 12 includes a 5-day maximum for water age and aligns with AWWA.

**Mark Pepper:** Mr. Pepper noted that 2018 TSS Part “8.7.2 Bedding was omitted. It is important to protect the investments of the state and the systems by ensuring quality bedding material is used. This isn’t the case on some projects.”

**Department Response:** WDEQ/WQD considered the comment and notes that pipe bedding requirements are provided in Chapter 12, Section 16(i), which requires that “Distribution system bedding shall be in accordance with ASTM C12 Classes A, B, or C for rigid pipe. Flexible pipe bedding shall be designed in accordance with ASTM D2321 Class I, II, or III.”

**Mark Pepper:** Mr. Pepper noted that 2018 TSS Part “8.7.9 Separation from other utilities was omitted. Again, while you would assume that design engineers would consider maintenance of distribution pipes and ability to dig around them important, alas, that is often not the case.”

**Department Response:** WDEQ/WQD considered the comment. WDEQ/WQD will revise Section 16(a) to include 2018 TSS 8.7.8 and 8.7.9 for clarity on aggressive soil provisions and ideal utility separation distances.