

## American Council of Engineering Companies of Wyoming

Two members of the ACEC of Wyoming board of directors have submitted comments on the WQ Chapter 12 standards. Those comments are attached.

Dave Engels, National Director

1. We generally agree that it is a good idea for DEQ to use the Ten State Standards rather than attempting to define all design aspects of this chapter within the State's own standards. However, it will now be necessary to comply with two standards documents vs. one in order to make sure that plans and specifications meet requirements.
2. In cases where there is a conflict between the 2018 Ten States Standards and the language of these revised Chapter 12 standards, which governs?
3. Would there be any way that the Ten States Standards could continue to be referenced as they are updated over time? As I read the proposed regs, Wyoming will continue to have to use the 2018 TSS until WQD updates its own regulations again, even though there may be later, updated versions of the TSS.
4. In light of the fact that the new Chapter 12 regs use the 2018 Ten States Standards are used as the "principal reference", could DEQ/WQD post the 2018 Ten States Standards on their website?
5. Line 966. This is the first reference to the 2018 Ten States Standards, and it uses "2018 TSS" as the reference. "2018 TSS" is actually not defined until Line 6730, on the last page. In light of the importance of these standards to the revised chapter standards, we recommend that the "2018 TSS" be defined before or on Line 966.
6. Line 4884: "oading" should be "loading".
7. Line 5072: the sentence appears to be missing some words.
8. Line 6048. It appears that C909 water pipe (molecular-oriented PVC) is not being allowed. It is very similar to C900 PVC pipe, and offers some advantageous properties. Why is C909 being disallowed?
9. Line 6048: why can't cathodically-protected steel be used as a distribution system pipe material?
10. Line 6471: Administrator approval of the final O&M manual will now be required prior to plant startup. While in theory this makes some sense, practically this prove very difficult to achieve. Getting all of the O&M manuals together into one document, then submitting and receiving approval from the Administrator, prior to startup will be difficult.
11. Lines 745 – 758. As we understand this section, it relates to the fact that oftentimes the engineering consultant relies upon the tank manufacturer to provide the actual tank design, with the engineering consultant providing locations, elevations, and design of tank appurtenances. The tank is bid with these "generic" plans, and then the tank manufacturer submits his/her specific tank design after the construction contract award is made. Oftentimes the tank manufacturer is a subcontractor to a general contractor. There would then be a two-step approval process by DEQ: one approval for the "generic" plans, then a second approval of the design provided by the tank manufacturer.  
While in theory this makes sense, in reality there could be a considerable amount of time necessary between when the construction contract is awarded to the general contractor and the time that construction could start, given the need for a second DEQ permit to construct being issued. Assuming that DEQ is allowed up to 60 days to review each application, this could substantially slow down the schedule for actual construction.
12. As somewhat of a general comment, most State-funded contracts require that engineering costs not exceed 20% of the construction costs. While we are more than happy to comply with any new, additional standards requirements, and that we are capable of complying with these

requirements, the State should recognize that it becomes just that much more difficult to stay within the 20% requirement.

1. Incorporation of the Recommended Standards for Water Works 2018 Edition will be problematic. These standards do not appear to be readily available online (I could find the 2012 edition) and it covers many of the same topics as in Chapter 12. There will be duplication and conflict and overall lack of consistency. Chapter 12 should incorporate from the standards what makes sense and stand on its own.
2. Section 7 – Permits, Permit Application, and Recordkeeping Requirements: It would be good to see an item in here pertaining to WDEQ's responsibility in record keeping requirements. I have had several projects where WDEQ is requesting that permittees submit information from decades ago that was submitted as part of the original application. This happens when the permit to construct mixes with other programs at WDEQ. It is suggested that a record keeping requirement that WDEQ maintain records required for permit approval in their system for future reference. This is often in the statement of basis for each individual permit, but incorporating it into the chapter would be beneficial.
3. Section 8 – Plans and specifications (c) (ii) – A definition of size when a profile is required would be appreciated. Profiles for ALL waterlines can be interpreted to a ridiculous level. Some district engineers interpret this as only mains and not the service lines. However, I have had a district engineer require a profile of a  $\frac{3}{4}$ " service line, which is excessive. Please provide a more concise definition of what lines needs to be profiled as opposed to "all water lines".
4. A lot of the changes to the regulations appear to make the language more clear and concise, this is appreciated.
5. Line 3804 – the paragraph ends with the word "and" and this appears to be a typo.