

PERFORMANCE PARTNERSHIP AGREEMENT (PPA) FY 09
Between
THE UTAH DIVISION OF DRINKING WATER (STATE)
And
REGION 8 U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

FY 2009 GOALS - END OF YEAR REPORT

Preamble

This is a performance partnership agreement between the Utah Division of Drinking Water hereinafter referred to as “State” and the Drinking Water Program within the Environmental Protection Agency’s Region 8 office, hereinafter known as “EPA”. The purpose of this agreement is to ensure, to EPA’s satisfaction, that the delegated drinking water programs are satisfactorily administered.

Maintain Core Programs

The State will maintain and implement the core programs, as required by federal and state statutes and rules, and as reflected in program authorizations and other formal agreements.

Maintain National Databases

The State commits to properly transfer data into regional and national data systems, where federally required data fields are kept current, and that the data is entered accurately and pursuant to definitions and policy. The State will use the SDWIS-State software to accomplish this task. Prior to each submittal, State will perform the error checks resident with FEDREP and make appropriate adjustments with the data to ensure an accurate submittal. EPA agrees to accept the error checked files submitted by State and release them to SDWIS-ODS. The State commits to maintain its database and assist, when requested to do so and as resources are available, those responsible for the national database. This includes data entry, quality assurance and data validation for assuring timely and complete updating of information for the purpose of data retrieval by EPA staff and managers.

The State commits to transmit water system inventory information and violation and enforcement data to SDWIS within 45 days after the end of each calendar quarter. For systems identified on the SNC lists, the State will look at all the violations and submit SDWIS “return to compliance” information where applicable.

The State will employ internal management practices to verify complete data reporting. EPA will review the results of the 2007 EPA Data Verification and create a plan with the Sate to resolve deficiencies identified in the DV and the 2007 enforcement audit conducted January 28-30, 2008. EPA’s Regional or Headquarters data management staff agrees to expeditiously correct any data transfer issues within their respective data systems and EPA Regional program staff agree to extend programmatic timelines as appropriate.

STATUS: *Federal reporting of required information has been provided on a timely basis.*

Staff believes all return to compliance records have finally been entered and transmitted on historic SNCs.

Implementing New EPA Rules

State will ensure new regulatory violations are tracked and reported to SDWIS the quarter after occurrence. When final guidance is issued, The State will start working on implementing reporting requirements. EPA Region 8 commits to provide the State the SDWIS reporting mechanism as soon as it's available from EPA HQ, prior to any new regulatory implementation date, if possible.

EPA Region 8 will provide information/instructions and/or documentation specific to the new codes used to report compliance assistance visits and the State will report these visits as well as Sanitary Surveys on a quarterly basis to SDWIS. The State will also use the new SDWIS code to report follow-up visits for formal enforcement as they occur. If the State does not have an approved primacy package for any new rule the State commits, for rules that are enforceable by EPA, to provide EPA a list of violators within 60 days of identifying noncompliance.

EPA recognizes that State must go through an extensive process to adopt new regulations. Further EPA recognizes that it is desirable for State to go through the process only once. Therefore EPA commits to make its best effort to timely review and provide feedback on all interim primacy packages submitted so as to eliminate, where feasible, any potential changes to the final package submission. EPA and Utah recognize that the State has interim primacy consistent with SDWA 1413(c) from the date of submission of its final rule package.

STATUS: *Utah has upgraded the SDWIS database to Web version 2.22 and plans to upgrade as soon as possible to the newly released version 2.23 to accommodate implementation of the Groundwater Rule.*

TCR/SWTR

By November 15, 2008, the State will provide to EPA an updated list of all systems that are required to filter under SWTR, but are not yet filtering. This list shall differentiate non-filtering surface water systems, together with non-filtering subpart H ground water systems under surface water influence, into distinct categories. These will be (i) those non-filtering systems to be reported to EPA as violators in the format used for quarterly CAP meetings and whose violations will be uploaded to the EPA DW national data base, (ii) those non-filtering systems not under any compliance schedule and to be reported to EPA along with documentation of the State's rationale, proposed action, and timeframe for securing an enforceable compliance schedule, (iii) those non-filtering systems legitimately still on compliance schedules and to be reported to EPA as such along with the schedules from their respective enforcement documents, and (iv) non-filtering systems to be reported to EPA as needing additional State action or State time in the initiation-to-completion timeline for intended groundwater-under-the-influence-of-surface-water assessments.

STATUS: *Utah has provided the updated list each quarterly CAP meeting and additional*

information as requested.

Safe Drinking Water Act Enforcement

The State commits to annotating the quarterly SNC lists, and will return the annotations to EPA within 30 days of receipt of the list and periodically thereafter as appropriate. EPA recognizes that it is its responsibility to deliver the list to the State in a timely manner to enable the State to meet its deadlines.

The State commits to either a) conduct formal enforcement, as appropriate, or b) refer the system to EPA for enforcement on all unresolved SNCs within 6 months of becoming identified as an SNC, with the goal of taking action before systems reach SNC status. EPA will continue to participate in quarterly CAP calls with the State to discuss SNCs, and will obtain the State's plans for addressing all systems that are SNCs but not yet Exceptions, or that are already Exceptions. If the State does not plan to address SNCs prior to them becoming Exceptions or existing Exceptions, or if the State does not meet its previous commitments to take enforcement actions, then EPA will take federal enforcement action. EPA may also issue NOV's for cases in which PWSs become Exceptions immediately due to late data entry or which would have been SNCs/Exceptions if all violations had been uploaded to SDWIS-Fed.

It is possible that OECA will develop and implement a new SNC/Enforcement Response Policy and the PPA negotiations may have to take this into consideration. The State commits to addressing SNCs before they become Exceptions and the goal is to take action to prevent Exceptions. OECA is working with the Regions to develop a new Enforcement Response Policy (ERP) that will define significant non-compliers by system-based approach versus the current rule-based approach. It is expected that the new approach will run concurrently with the old approach during FY09, however, it is possible that the full implementation of the new ERP may occur later in the second half of FY09, and negotiations may have to take this into consideration.

The State commits to providing EPA a copy of all settlement agreements for systems identified as SNC's, both administrative and judicial, including penalty calculations (documenting gravity and economic benefit calculations) and any penalty justifications. These will be provided no later than November 15, 2008.

The State will escalate enforcement actions, for those systems that continue to violate, including pursuing penalties and AG referrals. EPA will evaluate State performance, and take direct enforcement actions as needed, in order to prevent SNCs from becoming Exceptions, or to address existing Exceptions.

The State will ensure that violation letters are sent to PWSs for each violation incurred utilizing management tools that could include evaluating the success of rule managers in completing this task during their performance appraisal and spot-checking during the year to assist in determining this success.

STATUS: *Enforcement actions are taken as appropriate based on a system's current state of compliance. The State provides copies of all enforcement actions as they are*

issued.

Safe Drinking Water Enforcement Oversight

The State agrees that EPA will use the new version of the Uniform Enforcement Oversight System (UEOS) for evaluating the State's enforcement performance in FY 2009. The State will be given the opportunity to reconcile the national database information and review a draft report of the assessment before the enforcement evaluation is finalized. EPA will evaluate UEOS Question 6 to determine whether the State addressed each SNC prior to Exception status. EPA will conduct an on-site audit in FY 09 and focus on complete and accurate uploading of violations to SDWIS-Fed.

Except as noted below, the State shall commit to conducting sanitary surveys every 3 years for community surface water systems (or 33.3%) and every 5 years for non-community surface water and ground water systems (or 20%). State reserves the right to survey those Subpart H systems deemed by State to be well maintained and operated, every five years rather than the three year frequency noted above. Sanitary survey reports are to be completed within 90 days of completion of field work. If EPA conducts a UEOS evaluation of targeted State sanitary surveys in FY09, EPA will request copies of up to 25 sanitary survey reports. The State commits to entering all sanitary surveys and technical assistance visits into SDWIS by November 15, 2008 or provide EPA a list of sanitary surveys by PWS and source) completed in FY 08.

The State will upload all SNC related enforcement actions and applicable return to compliance (RTC) codes into SDWIS-Fed quarterly, and particularly by June 30, 2009, for all such actions completed by that date. This will enable EPA to complete its required reporting to EPA HQ by October 1, 2009. EPA encourages the State to develop management tools to ensure that enforcement actions are uploaded to SDWIS-Fed. This could include evaluating the success of the employee's responsible for this data entry during their performance appraisal.

EPA will also exert its influence with EPA HQ to encourage an automated RTC functionality into SDWIS-State and/or SDWIS-FED. Both the State and EPA recognizes that not uploading enforcement actions not only creates false Exceptions but also provides a misrepresentation of the State's enforcement efforts to anyone using the national database.

EPA recognizes that entering enforcement actions involves: a) the recognition of an RTC condition, a less than intuitive task given the myriad number of samples received by State and the expansive number of applicable EPA rules, b) identifying all violations that qualify to be RTC'd, c) determining the violation ID numbers for each of those violations, and d) entering the appropriate enforcement action codes and attaching them to the previously identified violation ID's. EPA acknowledges that when State undertakes this overhead type of activity, State is serving the database so that the database can serve EPA. EPA recognizes that SDWIS-State, as it now exists without the RTC module, is not a tool to help State fulfill its requirement to report a major portion of its enforcement actions. Consequently, EPA commits to exert its influence in promoting an RTC module for SDWIS-State and SDWIS-FED. Further, EPA commits to report its efforts in promoting the RTC functionality in SDWIS-State and SDWIS-FED to State at the end of the FY.

The State will develop management and employee tools for tracking systems that are under

enforcement which could include employees submitting a quarterly case status report to management for systems under enforcement.

The State is aware that EPA will issue a press release twice each year listing the federal enforcement actions that EPA has taken in Utah for the previous 6-month period. As with all EPA press releases, the content will be non-negotiable unless it's a clerical error and this agreement is only applicable to the 2008 PPA. EPA is aware the State may issue a response press release containing clarifying and correcting comments regarding EPA's press release if State see a need for it.

EPA will confer with the State regarding the compliance status of EPA orders issued to Utah PWSs, will list the violations contained in the orders and their current compliance status (according to the SNC definition of compliance) in the enforcement press release, and will provide a courtesy copy of the press release 24 hours prior to the release.

STATUS: *Standard review protocols and processes have been implemented to better track the development and issuance of enforcement orders. In addition, employee expectations have been included in individual employee performance plans to ensure timely entry of data, compliance determinations and issuance of enforcement orders.*

Sanitary Surveys

The State shall submit to the Region 8 Drinking Water Program an evaluation of its program for conducting Subpart H System Sanitary Surveys in accordance with 40 CFR 142.16(b)(3) during calendar year 2008 as required by 40 CFR 142.15(a)(5) by February 15, 2009.

EPA will continue to encourage the State to ensure that violation letters are sent to PWSs for each violation incurred. This could include evaluating the success of rule managers in completing this task during their performance appraisal and spot-checking during the year to assist in determining this success.

STATUS: *Every public water system in Utah is currently on a 3 year sanitary survey rotation. If a system has not been surveyed within this cycle it is due to extenuating circumstances, i.e., has cycled between public and non-public, etc.*

Drinking Water Source Protection

The State is committed to reporting the status of source protection implementation in Utah to EPA annually. The State is participating and assisting in discussions regarding the feasibility of using SDWIS-State in the future to accomplish this reporting, and will continue to support that effort.

STATUS: *The state completes it's reporting each year, and since August, 2009 has migrated appropriate data into SDWIS so that future reporting can be done automatically from SDWIS-State.*

**DEPARTMENT OF ENVIROMENTAL QUALITY
DIVISION OF DRINKING WATER**

FY 2009 GOALS - END OF YEAR REPORT

I. ENVIRONMENT

Drinking Water

1. The Rules Section will work to improve the reporting of analytical data to UDDW by enabling the electronic transfer of laboratory analytical data to the Division.

Measures:

- a. By July 1, 2008, IT and UDDW representatives will participate in a planning meeting to outline the steps necessary to install, and implement Lab to State. The goal of the meeting will be to identify and plan for critical steps in the process, produce a working timeline, coordinate efforts with certified laboratories, and to identify the stakeholders and plan for their involvement in the process.
- b. Bi-weekly meetings will be held to coordinate on-going implementation efforts.
- c. By August 1, 2008, rule managers will identify data elements necessary for electronic submittal to SDWIS/State. IT and UDDW staff will make the appropriate changes within Lab to State to enable transmittal of the required data elements.
- d. By September 1, 2008 rule managers will create test files to be uploaded to Lab to State, and subsequently loaded into a development Web Release 2.0 database. Rule managers will verify that the upload process is working correctly, and that the data being uploaded to the development database is accurate and correct.
- e. By October 1, 2008, documentation will be provided to the certified laboratories in the state detailing the structure of the XML or csv files and the Lab to State process.
- f. When Lab to State is successfully deployed, training on its use will be provided to the laboratories and the rule managers by December 1, 2008.

STATUS: *The Division has upgraded to SDWIS web release 2.22 soon to be 2.23. Division staff have been working with approved laboratories (Health Dept lab, Chemtech and others) to provide all analytical data electronically. Currently 5 labs are providing bacteriologic and chemical data electronically. In the database conversion process some of the local health department labs have reverted to sending paper copies; the Division is working on provided a web-based tool in the coming year to restore the capability to these labs.*

2. The Field Services Section will plan and implement the rotation of expertise amongst surveyors that are assigned to established geographically grouped water systems.

Measures:

- a. By November 1, 2008 sufficient contacts will be made with UDDW staff, DE's and LHD staff to determine: a) logical expertise group categories, b) the number of people in each expertise group and c) the names of personnel in each group who will be performing sanitary surveys. Possible expertise groups include: bacteriologist, chemists, engineers, geologists, former water operators, health professionals, etc.
- b. By November 1, 2008 Field Services staff will meet with each expertise group or a representative sub-set of each group, to explain the objects and benefits of rotation and try to obtain buy-in. Note a possible approach for some LHD's may involve the joint participation of an LHD employee with a companion surveyor with a different expertise.
- c. By December 31, 2008, for use during calendar year 2009, a plan will be prepared to implement the rotation piece of sanitary surveys.
- d. By January 16, 2009, all surveyors will be notified of sanitary survey assignments for the coming year.

STATUS: *This task has been implemented and will be an on-going. Because of the workload of other sections, Field Services staff has picked up their surveys. This does affect the rotation of sanitary survey assignments..*

STATE BASED REGULATION OF ENVIRONMENTAL PROGRAMS

II. CUSTOMER SERVICE

Drinking Water

3. The Administrative Services Section will take the lead in working cooperatively with other staff on making our external documents clear and comprehensible (layman terms).

Measures:

- a. By September 30, 2008, inventory existing external documents. Request these from all sections, and migrate them into appropriate sections of e-Docs. This will become the official versions for the Division. Identify the documents most used or requested by the public, and prioritize these for review and revision.
- b. By January 30, 2009, review prioritized external documents for clarity and readability and recommend changes to appropriate staff and management.

- c. By March 31, 2009, implement changes as necessary to prioritized documents.

STATUS: *Documents were reviewed, prioritized, and appropriate improvements were made.*

4. The Construction Assistance Section will improve the State Revolving Loan Fund (SRF) Program to include: Allowance for funding of automated meters, require all applicants to complete a vulnerability assessment and emergency response plan, make adjustments to the interest rate point system, and consider other changes to the state and federal programs.

Measures:

- a. Prepare draft recommended changes to rules R309-700 and R309-705, State and Federal SRF programs, and the draft rule R309-800 (currently R309-352), Capacity Development Program, to the Drinking Water Board on July 11, 2008.
- b. Finalize rule changes for R309-700, R309-705, and R309-800 and present to the Drinking Water Board at its January 2009 Board Meeting for implementation.

STATUS: *Goal has been accomplished except for the vulnerability assessments for public water systems less than 3300 population. Federal requirements is not in force for systems less than 3300 population.*

5. The Rules Section and the Field Services Section will implement a water system recognition program.

Measures:

- a. By August 1, 2008 the Division Director will meet with the Water Quality Alliance (WQA) to discuss the acceptability of implementing an Awards Program statewide that will consist of identifying every community type system that has gone an entire calendar year without any water quality or monitoring violations. For such systems, a certificate would be awarded to the water utility and an additional certificate would be awarded to each Certified Operator associated with the system. Further a press release would be sent to news media contacts regarding the award. The remaining tasks will be performed if the WQA accepts the proposal.
- b. Software queries will be written by December 31, 2008, to determine the water utilities that qualify.
- c. By February 27, 2009 the query will be run and a preliminary list will be prepared. This list will be made available at the RWAU annual conference and at the Drinking Water Board meeting held the following week.
- d. By March 13, 2009, a news release will be prepared and water utility certificates and operator certificates will be prepared and mailed to qualified systems and

individuals.

STATUS: *Although specific measures were not accomplished due to lack of interest by larger public water systems, the Operator Certification Commission has implemented a program to recognize the water operators that have 15 years or more experience. Over 700 recognition pins were mailed out to operators that met the criteria.*

III. STATE-BASED REGULATION OF ENVIRONMENTAL PROGRAMS

Drinking Water

6. The Administrative Services Section and the Rules Section will cooperatively work with staff on developing and maintaining a “Policy and Procedures” loose leaf for use by staff. The document will be logically organized and expandable and will address common routinely dealt with issues. The document will contain helpful charts, checklists and standard letter formats and paragraphs.

Measures:

- a. By September 30, 2008, identify critical sections, documents and policies for inclusion. Documents maintained and updated by other Divisions (such as DHRM) will not be included directly, but will be identified by reference.
- b. By December 31, 2008, prepare example P&P for Division review and comment.
- c. By March 31, 2009, any needed changes will be incorporated, and the binder will be distributed to staff.

STATUS: *The State is using our electronic document management system (eDocs) to house the Policy and Procedures guidance. The guidance is organized logically, by program or office function, is updated regularly, and staff are regularly informed of it's content and location.*

7. The Rules Section will work with the Administrative Services Section and the Engineering Section on source groups (considering: sampling point, single Aquifer-SPP, water system piping, chemical monitoring results) to establish uniform monitoring requirements and policies to deal with future source groups

Measures:

- a. By August 31, 2008, identify current policies made regarding source grouping; basis of decision process of granting.

- b. By August 31, 2008, identify policies that may conflict with other Division programs (i.e., if we group sources based on distribution points, does that create a conflict with waivers established using other criteria) and review any rule constraints.
- c. By October 31, 2008, establish new policies based on logical and defensible considerations. The considerations should include geologic, hydraulic and piping configuration and point of entry location for source waters.
- d. By December 31, 2008, establish an implementation process for new and existing source groups. Communicate new policies and implementation timeframe to water systems.
- e. On-going beginning January 1, 2009, review existing groupings for validity formally acknowledge or revoke any groupings based on adopted policy.

STATUS: *A work group has drafted recommendations for the criteria for establishing common aquifer source groups. A policy has been drafted and is currently under review by Division staff.*

- 8. The Rules Section will promulgate rules requiring new source chemistries and a re-evaluation of source protection zones if a well is deepened? The Engineering Section, the Administrative Services Section and the Rules Section will develop a tracking scheme to ensure inter-sectional cooperation.

Measures:

- a. The Rules Section will research creating a new rule that requires new source chemistries by August 1, 2008.
- b. By October 1, 2008 the Rules Section, Engineering Section and Administrative Services Section will decide on what tracking scheme to develop. The final tracking scheme will be in place by December 1, 2008. DRU can be used as the database to track inter-sectional cooperation, by modifying the new source tracking sheet or using something separate.

STATUS: *Goal accomplished. During the current plan review process, the protocol requires the Engineering Section coordinate with appropriate source protection and source sampling/monitoring staff.*

- 9. The Rules Section will evaluate EPA's Groundwater Rule and formulate an implementation plan.

Measures:

- a. By July 31, 2008, the Rules Section staff will develop a plan and time schedule for the following activities: i) rule writing, review and adoption, ii) Sanitary Survey

enhancements, iii) SDWIS tracking schema, iv) UDDW and LHD surveyor training and v) public water system training.

- b. Rules section will implement the plan and time schedule developed under item A. above.
- c. Water systems will begin compliance with the rule in December of 2009.

STATUS: *The final Primacy Rule Package was sent to Region 8 EPA for review and comment in November 2009. Division staff representatives from the Engineering Field Services, Administrative Services and Rules Sections met in October 2008 to develop the 2009 ESS question set. Relevant GWR questions were added to the 2009 question set. DDW will continue to provide input to EPA regarding GWR enhancements to SDWIS 2.2 and future releases. 2009 sanitary survey training was developed and implemented by the Field Services Section. DDW staff has provided GWR training sessions for AWWA and RWAU functions as well as a conference for City Engineers. The GWR has been discussed with other DDW rules in various trainings.*

DDW staff held a series of GWR training sessions around the state. Rules staff has been meeting and will continue to meet one on one with drinking water systems to prepare TRC sample site plans to identify TRC sites and corresponding sources. Rules staff will track positive TCR samples and enforce triggered monitoring provisions of the GWR beginning December 1, 2009. Rules staff will track compliance monitoring for those systems that have received exemptions for 4 log virus removal monthly. Rules staff will run monthly compliance reports and take appropriate enforcement actions as appropriate in compliance with the GWR. Engineering staff will evaluate Exemption requests to meet the 4 log removal.

The need to notify a system of the results of a sanitary survey within 30 days has been stressed for several years during sanitary survey training. Division Managers must provide staff oversight to make sure Division Staff are providing the notification within 30 days. Coordinating oversight of District Engineers and LHD staff compliance to the 30 day notification requirement will be the responsibility of the Field Services Section.

- 10. The Engineering Section will develop and adopt revisions to the Disinfection Rule

Measures:

- a. By August 31, 2008, complete the Disinfection Rule revisions draft for internal review.
- b. By September 30, 2008, send the revised draft to solicit comments from water systems.

- c. By November 30, 2008, complete the final draft.
- d. Present the proposed rule revisions to Drinking Water Board as an informational item by January 31, 2009.
- e. If the Drinking Water Board finds the rule revisions conceptually acceptable, initiate the rule making process in the Drinking Water Board by March 31, 2009.
- f. Provide training to water systems at various water operator trainings, RWAU conferences, and AWWA conferences.

STATUS: *Progress made in literature research. Staff shortage and the workload for the stimulus package placed this goal at a lower priority. Goal will be carried forward.*

- 11. The Rules Section will direct the development of a team to work with institutional water system owners (UDOT, LDS, BSA, etc.) to enhance technical assistance and compliance.

Measures:

- a. By July 31, 2008, establish the goals and objectives of the team contact concept.
- b. By August 31, 2008, identify any remaining institutional owners (BLM, USFS, Boy Scouts, LDS Church etc) assemble a team of UDDW staff to coordinate compliance activities.
- c. By August 31, 2008, schedule a meeting with each institutional owner or group of owners for training sessions tailored to the specific needs of each group of systems and involve appropriate representation by UDDW staff.
- d. By December 31, 2008, for institutional owners with a system or systems on the Worst 25 list, negotiate and issue bilateral compliance agreements with deadlines and stipulated penalties.

STATUS: *Significant progress has been made in identification of all institutional systems, building relationships and providing training to staff from the “district” offices and water system operators. This goal needs to be carried forward for continued improvement in communications with these systems.*

- 12. The Rules Section will improve technical assistance on rules

Measures:

- a. By July 15, 2008, the Rules Section staff will develop a plan and time schedule for delivery of technical assistance on rules. The plan will outline the training objectives

for the coming year and will coordinate the subject matter with the implementation of new rule adoption and will coordinate with our training partners.

- b. By July 15, 2008 staff will identify training elements which include but are not limited to: IDSE Reports for Stage 2 DBP; LT2 data submittals, Groundwater Rule components, Lead & Copper Rule changes, new operator workshops (all existing rules); proper sampling; institutional system training, source groupings; etc.
- c. By July 31, 2008, the Rules Section manager will develop in conjunction with Rural Water Association of Utah a coordinated plan with the Rural Water Circuit Rider to ensure timely and appropriate technical assistance to water systems.
- d. Continue ongoing cross training between Division sections during staff meetings to help each other keep abreast of current knowledge.

STATUS: *The Division staff have provided numerous trainings in conjunction with our training and technical assistance partners. The Rule Section is continually coordinating with Division partners on which topics are both timely, but also regionally significant.*

- 13. The Engineering Section will develop a tracking scheme for rule exceptions to be used by personnel performing sanitary surveys.

Measures:

- a. By August 31, 2008, investigate the feasible means of tracking current exceptions versus historical exceptions. Determine which database will be used to track exceptions.
- b. By September 30, 2008, establish a tracking system to track current exceptions based on out-going correspondences.
- c. By October 31, 2008, identify the means and resources needed to track the historical exceptions.
- e. If the resources are available, start to populate the tracking system with historical exception records on January 1, 2009.

STATUS: *Significant progress made in tracking historical exceptions. Draft process developed and currently under review. The Construction Assistance section is now included with the Engineering section to carry forward this goal.*

IV. PARTNERSHIP WITH FEDERAL, STATE, LOCAL AND TRIBAL GOVERNMENTS

Drinking Water

14. The Rules and Field Services Sections will work to improve communications with Local Health Departments.

Measures:

- a. By July 31, 2008, establish UDDW/LHD working group to address issue.
- b. By September 31, 2008, identify critical and/or common areas of communication between the Division and LHDs.
- c. By December 31, 2008, establish or re-establish an acceptable point of contact and method of contact for each area of communication (i.e.: e-mail list, or call down list).
- d. By March 31, 2009, implement the working group recommendations.

STATUS: *The Field Services Section conducted Sanitary Survey training for the LHD's. Part of the training was to address concerns of communication with them. Field staff meets with and addresses concerns of the LHD's on a regular basis. Contacts established for sanitary survey notifications but other areas still need to be addressed. Survey of LHDs was discussed with DEQ management as a Department effort to be discussed with Quality Council. Division intends to develop questionnaire and proceed in the coming year. Goal to be carried forward.*

15. The Construction Assistance Section and the Administrative Services Section will work with LHDs, district engineers, county planners, building permit officials and others to develop guidance relating to Capacity and Source Protection issues.

Measures:

- a. By December 31, 2008, the Administrative Services Section will present information on source protection data and GIS web site access to the counties and/or LHDs, initially targeting counties that do not have enacted source protection ordinances, and that are required to develop source protection ordinances as a result of 2008 legislation. Work specifically with Weber, Utah and Salt Lake Counties on this assignment.
- b. The Administrative Services Section will present information on source protection data and GIS web site access to at least three additional counties by March 30, 2008, targeting counties experiencing significant transitions from rural to more suburban growth.
- c. The Construction Assistance Section will take the lead in directing participation with the Division task force on its multi-county presentations at conferences sponsored by

the RWAU, Utah Association of Counties, Utah League of Cities and Towns (ULCT), etc. and meetings with officials of individual communities.

- d. By October 31, 2008, the Construction Assistance Section will commence with encouraging local governments with implementing the goals and objectives of the Sub-Public task force.
- e. The Construction Assistance Section and the Administrative Services Section will make at least three presentations on source protection issues, capacity development issues, and available financial assistance to local planning groups. Both Sections will continue this effort with Utah League of Cities and Towns.

STATUS: *The intent is to make this a core activity. Significant progress has been made in guidance, training and technical assistance. The two sections have made innumerable presentations on capacity development, provided one-on-one counseling to local governments, provided training on GIS, and facilitated delivery of GIS data to local governments.*

- 16. The Administrative Services Section will advise and solicit help from other DEQ Divisions and UDDW sections on protecting sensitive Source Protection Zones. Administrative Services will also inform appropriate external customers about the availability of the Source Protection zones, and make the zones accessible to these customers.

Measures:

- a. By August 31, 2008, complete work with AGRC to develop the security protocol in the DEQ Interactive Map Service (IMS) for water source and Source Protection zone layers.
- b. Work with DERR, AGRC, and other DEQ divisions to complete the DEQ Interactive Map Service and make it available on the Web by September 30, 2008. The Interactive Map Service will provide one Web location for DEQ spatial data, and make the data available to both DEQ and external customers.
- c. By January 31, 2009, train staff in other UDDW sections on the Source Protection rules and programs.
- d. Identify permit writing staff in other DEQ Divisions by August 31, 2008. Meet with the permit writers to determine how Source Protection fits into their rules and programs, train them regarding Source Protection, and request that they consider the sensitive zones before granting permits.
- e. Contact planning and municipality organizations by December 12, 2008 to determine

STATUS: *The DDW portion of the State's interactive Map is still in progress. Considerable outreach has been done with planning and municipal organizations, source protection zone data has been distributed, and permit writers in other divisions were identified, briefed, and trained as necessary.*

V. EMPLOYEES

Drinking Water

17. The Division Director will ensure that staff will become more proficient in program issues and cross-train one another.

Measures:

- a. Prior to July 1, 2008 the Division Director will announce in Division staff meeting the purpose of training occurring in Division meetings, including: a) back-up capability and b) succession planning.
- b. The Division Director will assign a Section or a staff member to provide training on a particular subject for each staff meeting. Staff meetings will typically be held on the third Tuesday of each month starting at 9:00 am in the main conference room.

STATUS: *Division meetings are held once a month, and training is given on a variety of subjects at each meeting. Responsibility for this is rotated between sections.*

18. The Division's management team will ensure that staff enters data consistently into SDWIS, SARA, and DRU. Establish standards for entering data and managing legal entities, water systems, and facilities. Develop documentation and appropriate training.

Measures:

- a. By January 31, 2009 appropriate staff as indicated in parenthesis will evaluate each database, including: a) SDWIS (Rules Section, Engineering Section, Construction Assistance Section and Administrative Services Section), b) SARA (Rules Section) and c) DRU (Engineering Section, Construction Assistance Section and Administrative Services Section), and prepare instructions on data entry consistent with goal number 6.
- b. Beginning with the Division Staff meeting held on February 17, 2009 and consistent with goal number 17 training on data entry will be given.

STATUS: *A committee was established to address this, standards were set, and training was provided. The plan review process has specific protocols of entering facility information to SDWIS and CASPER (new version of DRU) prior to issuing approvals or operating permits.*

19. The Division Director will work with staff on ensuring that back up capability exists with mission critical functions (travel, SDWIS/SARA, DRU, Web, administrative approvals, ongoing rule implementation etc.)

Measures:

- a. Before July 1, 2008 the Division Director will place in the indicated manager's performance plan an assignment to do the following:
- b. The Administrative Services Manager will take the lead, in cooperation with other managers, the responsibility to assign to appropriate staff the back-up responsibilities of a) travel, and b) e-doc.
- c. The Construction Assistance Manager will take the lead, in cooperation with other managers, the responsibility to assign to appropriate staff the back-up responsibilities of: a) DRU, b) State and Federal (including, STAG) grant functions and c) the UDDW web page.
- d. The Rules Manager will assign to appropriate staff the back-up responsibilities of each EPA rule.

STATUS: *Each section manager received and implemented this assignment.*

VI. ENHANCE POLICYMAKERS' UNDERSTANDING OF ENVIRONMENTAL ISSUES

20. The Division Director will work on securing a sustainable budget for the Division.

Measures:

- a. By May 30, 2008 the Division Director will submit a plan to DEQ on funding: a) compression, b) out of state travel, c) incentive awards and d) needed staff increases.
- b. With the concurrence of DEQ management the Division Director will meet with key stakeholder by June 30, 2008, to present the plan and get buy in for it.
- c. With the concurrence of DEQ management the Division Director will seek the drafting of legislation, by July 31, 2008, to accomplish the execution of the plan.
- d. With the concurrence of DEQ management the Division Director, with the help of the Division's partners, will contact legislators in support of the proposed legislation.

- e. During the January – March 2009 legislative session the Division and water utilities will secure passage of the proposed legislation.

STATUS: *The Division Director proposed a fee program consisting of a \$0.50 per month charge on community water system bills. This proposed plan was rejected by DEQ management. Hence the goal was not pursued.*

VII. INFORMATION TECHNOLOGY

- 21. The Construction Assistance Section will investigate placing the Montana Water Center's Operator Basics CD (copies are available on Don Lore's bookshelf) on the Division's website

Measures:

- a. By October 1, 2008, staff will become acquainted with the CD and investigate the benefits of placing that information on the Division's website.
- b. By February 1, 2009, staff will make recommendations to Management (if Necessary) on how to best present, on the Division's website, the information contained on the CD.

STATUS: *Task is not complete, and has been carried forward.*

- 22. The Construction Assistance Section will work with Division staff to insure that all in-use forms are available on-line (Cross connection, GRAMA etc.)

Measures:

- a. By October 1, 2008, staff will obtain a list of all forms used by the Division.
- b. By November 1, 2008, staff will gather information about each form and the benefits in having them available on line.
- c. By April 1, 2009, staff will make all appropriate forms interactive and in a consistent format using Adobe Acrobat Designer.
- d. By May 1, 2009, staff will place the forms on the Division's website.

STATUS: *This goal will become a core activity. All current forms are currently available on the Division website.*

- 23. The Engineering Section and the Administrative Services Section will work on developing rules and instructions covering the form for submitting electronic data (engineering drawings, SPP plans and maps)

Measures:

- a. By August 30 2008, a representative from both sections will evaluate which routine submittals to the Engineering and the Administrative Services Section should primarily be received in an electronic format, and whether such submittals must be required or can primarily be encouraged.
- b. By September 30, 2008, develop criteria for electronic submittal of engineering plans, specifications, and source protection reports.
- c. For submittals not requiring rule changes, implement the submittal process and notify affected water systems and consultants by December 31, 2008.
- d. For submittals that would require rule changes, initiate the rule making process to accept electronic submittal of engineering plans, specifications, and source protection reports by February 28, 2009

STATUS: *It was decided to separate Engineering and Source Protection plans into two categories which will be treated differently. New projects we decided to continue to receive at least paper copies. For as-built drawings we will continue to investigate how to receive electronic copies in the future.*

24. The Rules Section will investigate and promote the enablement of web access of key data for our partners (LHD's, DE's, RWAU and water systems to enable all to see: monitoring schedules, IPS reports, Inventory reports and Operator CEU's).

Measures:

- a.. By July 1, 2008, UDDW staff will meet with IT staff to determine the best means of making drinking water data available to LHD's, DE's, RWAU and water systems.
- b. By August 1, 2008, UDDW staff will select the best method for making data accessible and implement a plan for doing so.

STATUS: *The Division has migrated to the Web version of SDWIS, currently on SDWIS 2.22. The Division is anxiously waiting for a public facing interface to SDWIS to offer this service.*

25. The Construction Assistance Section will investigate the feasibility of placing a UDDW "report" function on the Division's web site which would enable the public to request a standard report from a pre-determined list of standard reports to be e-mailed to the requestor by the next business day. The scheme needs to ensure a next business day response in spite of telecommuting, vacations, travel or illness of employees.

Measures:

- a. By October 1, 2008, staff will obtain a list of all standard reports that would be helpful and useful to the public.
- b. By November 1, 2008, staff will create a list of first responders to each standard report and two backup people.
- c. By February 1, 2009, staff will investigate the best approach to allow these requests to be made and responded to.
- d. By May 1, 2009, if an appropriate solution is found, staff will create the link on the Division's website to enable the public to make the request.

STATUS: *We haven't prepared the web accessible request form, but continue to respond to individual customer requests throughout the year*

- 26. The Administrative Services Section will Plan for and implement the Department's electronic document management system.

Measures:

- a. By July 1, 2008, the Division's eDoc (i.e. Documentum) committee will continue meeting every 2 weeks (or as needed) to discuss the implementation of the eDoc system.
- b. By September 1, 2008, the eDoc committee will determine and appropriate goal for completing the backlog of scanning the Division's legacy files and importing into the eDoc system
- c. By February 1, 2009, the eDoc committee will investigate the best approach to scanning in-coming mail and how to distribute it to appropriate staff.
- d. By June 30, 2009, the eDoc committee will continue to create and implement "workflows" (or templates) within eDocs for the purposes of reviewing outgoing correspondence and the distribution of incoming mail.

STATUS: *The Division has been very successful in implementing eDocs; all water system records are scanned and housed in eDocs, and several sections are using or developing work flows for electronic correspondence.*

CORE ACTIVITIES:

Division of Drinking Water - FY 09 Core Activities

Category	Activity	Responsibility
Philosophy, Culture	<p>Customer service oriented</p> <p>Implementation of DEQ Operating principles</p> <p>Actively seek feedback from our customers</p> <p>Maintain good communication and partnerships with all of UDDW's customers</p> <p>Effective inter-section communication</p> <p>Effective inter-divisional communication</p> <p>The Division Director will invite local legislators to DW Board activities.</p> <p>The Division Director will collaborate with Board members in support of joint goals</p> <p>Actively protect public health through assurance of water system compliance, see division mission statement</p> <p>Employee job ownership/employee empowerment</p>	<p>All</p> <p>OperatingAll</p> <p>All</p> <p>All</p> <p>All</p> <p>All</p> <p>Division Director</p> <p>Division Director</p> <p>All</p> <p>All</p>
Staff	<p>Ensure staff are technically trained to accomplish mission</p> <p>Reward and recognize employees for excellent work</p> <p>managers have an open door policy (and keep staff issues and conversations private)</p> <p>Serve on national and state committees</p> <p>Secretaries forward calls to the proper staff member or agency and staff will inform secretaries of schedule and whereabouts</p>	<p>All</p> <p>All</p> <p>All</p> <p>All</p> <p>All</p>
IT, Gov e-business	<p>Internet website kept current, maintained and improved</p> <p>SDWIS data reporting</p>	<p>Const Assist / All</p> <p>Rules</p>

Automate water treatment plant report Rules transmission
 Implement geographic information Admin Serv / All system (GIS) applications
 Maintain and enhance the divisions Rules / All databases:
 SDWIS/SARA/DRU
 Plan for and implement the Admin Serv / All Department electron document management system

Assistance and Training Staff assistance to Drinking Water Division Director / Board All
 Technical assistance to water All operators
 General partnering (targeted training, All cooperation, follow-up, & planning)
 Educate locally elected officials and All their staff
 Water quality problems, technical All assistance
 Perform Capacity development Const Assist / All functions
 Provide support for the Permanent Const Assist Community Impact Board
 Technical assistance to water Division Director / treatment plants All
 Support local water quality alliances Division Director / All
 Support water planning activities in All cooperation with other agencies and organizations.
 Provide training on physical facility Const Assist / capacity and it's issues for consultants, Engineering district engineers, others
 Ensure Drinking Water Board Division Director / members have sufficient training to All make policy decisions

Field Work Sanitary survey scheduling Field Services
 Perform Sanitary Surveys and Field Services / troubleshoot PDA problems. Respond Rules to water systems
 Water treatment plant inspections Engineering / Const Assist

Surface Water Treatment Rule Rules /
tracking and reporting (also Engineering /
GWUDISW) Field Services
Source protection program Admin Serv
Capacity development review for new Const Assist
systems
Assure that sampling and reporting is Rules
being done in a professional, timely
and truthful manner.
When EPA proposes a rule, we will All
study the impact, prepare appropriate
comments, and encourage the
affected PWSs to comment. Finalize
each rule by developing an appropriate
State Rule, and implement.

Certification Backflow Technician Certification Field Services
Operator Certification Field Services

Financial Assistance Financial assistance programs Const Assist
Capacity assessments for financial Const Assist
assistance
Annual rate and needs surveys Const Assist

Misc Laboratory Coordination Field Services
Support services (Purchasing, Admin Serv
contracting, grants, travel, budget
preparation budget/expenditure
tracking, and financial reporting, cash
receipts, fee schedule)
Support Board investigations on: Const Assist /
Conservation; secondary systems; Engineering /
system security; master planning Field Services
requirements; State SRF to mutual
systems; 1/16 % sales tax issue.
Respond to GRAMA requests All
Actively seek financial assistance to All
enable the division to pursue its
mission