

PERFORMANCE PARTNERSHIP AGREEMENT (PPA) FY 2012
between
THE UTAH DIVISION OF DRINKING WATER (STATE OR UDEQ)
and
THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 8

IMPLEMENTATION

EPA Goal And Objective	EPA Measurement	UDEQ Goal	UDEQ Measure
<u>Strategic Target SDW-211:</u> Percent of the population served by community water systems (CWS) that receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.	FY12 National/Regional Target = 91% UDEQ commits to the measures at the regional FY12 targets of the national measures. UDEQ will maintain its data in the national database, SDWIS-FED. This includes timely data entry, quality assurance, and data validation.	To meet or exceed the target measure of 91% and to upload accurate and timely data to SDWIS-Fed.	91% achieved Annual enforcement review reveals improvement in violation timeliness and accuracy. Inventory, violation, and enforcement data is uploaded to SDWIS-Fed within 45 days after the end of each quarter.
<u>Strategic Target SDW-SP1.N11:</u> Percent of CWS that meets all applicable health-based standards, through approaches that include effective treatment and source water protection.	FY12 National/Regional Target = 90% UDEQ commits to the measures at the regional FY12 targets of the national measures.	To meet or exceed the target measure of 90%.	90% achieved
<u>Strategic Target SDW-SP2:</u> Percent of	FY12 National/Regional	To meet or exceed the target measure of 95%.	95% achieved

<p>“person months” (i.e., all persons served by CWS times 12 months) during which CWS provide drinking water that meets all applicable health-based drinking water standards.</p>	<p>Target = 95% UDEQ commits to the measures at the regional FY12 targets of the national measures.</p>		
<p><u>SDW-1a:</u> Percent of CWS that have undergone a sanitary survey within the past three years (five years for outstanding performers) as required under the Interim enhanced and Long-Term 1 Surface Water Treatment Rules.</p>	<p>FY12 Target for Delegated States = 90% UDEQ commits to the measures at the regional FY12 targets of the national measures.</p>	<p>To meet or exceed the target measure of 90%.</p>	<p>90% achieved</p>
<p>Arsenic, Lead and Copper</p>	<p>UDEQ will provide special interest arsenic and lead and copper information as periodically requested by the region on behalf of Headquarters. UDEQ will work to ensure that it is fully implementing the Lead and Copper Rule and the Arsenic Rule by providing Region 8 with semi-annual reports on the status of systems in Utah related to these two</p>	<p>UDEQ will provide EPA with arsenic and lead/ copper implementation and/or enforcement information as necessary.</p>	<p>UDEQ has increased management oversight of the rule manager. Requested information provided</p>

	rules.		
Sanitary Surveys	<p>UDEQ commits to providing the Subpart H System Sanitary Survey Annual Evaluations to Region 8 Drinking Water Program by February 15, 2012 for the prior year. UDEQ will provide EPA with an annual evaluation of its program conducting these Sanitary Surveys. (40 CFR 142.15(c)(5)</p>	<p>UDEQ will submit to EPA an evaluation of sanitary surveys conducted at Subpart H systems by 02/15/12.</p>	<p>Evaluation submitted by 2/15/2012.</p>
Data management system capable of supporting its day-to-day activities and fulfilling federal reporting requirements.	<p>UDEQ must make plans to convert to the Exchange Network data flow by the end of CY2012. The data flow is available at: http://www.exchangenetwork.net/exchanges/SDWIS_flow%20implementation.pdf</p> <p>Milestones commitments may be appropriate i.e.:</p> <ul style="list-style-type: none"> • Commit to begin submitting information to SDWIS in XML format using either an Exchange Network Node or a Node Client by the end of CY2012; • Eliminate the legacy data 	<p>UDEQ transfers data in XML format directly to CDX, bypassing the State node. UDEQ has had technical issues with the State node and their IT department. Access to the exchange network has proven to be difficult to obtain for EPA staff.</p>	<p>Data reported.</p>

	<p>reporting mechanism through the CDX Web application;</p> <ul style="list-style-type: none"> • Identify a date for terminating use of the legacy method for reporting data to SDWIS; and <p>Establish that reporting SDWIS data using the Exchange Network (i.e., operations/ maintenance) is an eligible activity for funding under categorical program grants.</p>		
<p>States are scheduled for data verification audits about every three years.</p>	<p>States slated to have a data verification (DV) audit in FY12 have not been identified. Selected States agree to cooperate with the DV process. Any outstanding issues from the last data verification will be addressed.</p>	<p>UDEQ will cooperate with the DV process if selected.</p>	<p>Cooperation with DV process.</p>

ENFORCEMENT

EPA Goal And Objective	EPA Measurement	UDEQ Goal	UDEQ Measure
<p>Goal 5.I Enforcing Environmental Law (Filter/GUI)</p>	<p>UDEQ provides to EPA by 11/15/11: a) a list of all systems that are required to filter under the SWTR, but are not yet filtering. Additionally, report those violations to SDWIS-Fed. For those still on compliance schedules, provide the schedule from the enforcement document. If any systems are not under compliance schedules, for each system provide a rationale and the proposed state action and time frame for securing an enforceable compliance schedule. b) a description of any additional actions and the time frames for completing assessments of groundwater under the influence of surface water (GUI), and the systems for which such assessments need to be completed.</p>	<p>Maintain an accurate list of unfiltered SW/GUI PWSs and a schedule for compliance or and of actions, with timeframes, required for completion or initial GUI assessments. Provide a report to EPA by 11/15/11. Upload all failure to filter violations to SDWIS.</p>	<p>Accuracy of list of SW/GUI unfiltered systems. Completion of GUI assessments. Report provided to EPA by 11/15/11. All current failure to filter violations uploaded to SDWIS by the end of FY2012 and future violations uploaded when they occur.</p>

	an enforcement action, or for cases in which PWSs would have been a priority ETT's system if all violations had been uploaded to SDWIS-Fed.		
Goal 5.1 Enforcing Environmental Law (Data Improvement)	UDEQ will provide updates to its Data Improvement Plan for actions to be taken in FY2012 to address data deficiencies identified by EPA, including specific tasks and timeframes for achievement. UDEQ reports the status and progress to EPA semi-annually and EPA will track UDEQ's progress in implementing the plan.	Continue to improve data quality	Report planned and completed activities to UDEQ Division Director and EPA on January 15, 2012 and July 15, 2012. (see State section item 8)
Goal 5.1 Enforcing Environmental Law (Oversight)	UDEQ tracks the compliance of systems that are under UDEQ enforcement and escalates enforcement when a PWS violates an existing formal enforcement action.	Track compliance of system under UDEQ formal enforcement and take action if a PWS violates its terms.	New staff position filled to track compliance with enforcement actions.
	UDEQ continues to provide access to State PWS files & data for EPA's on-site enforcement review.	Allow EPA access to UDEQ PWS files and data.	Continue to provide data access to EPA for review.

	<p>UDEQ agrees that EPA will use the Uniform Enforcement Oversight System (UEOS) for evaluating the State's enforcement performance.</p>	<p>UEOS evaluation by EPA accepted.</p>	<p>Continue to provide EPA with data necessary to complete the UEOS.</p>
<p>Goal 5.1 Enforcing Environmental Law (New rules)</p>	<p>Region 8 does not foresee any new rules for which states do not have primacy in FY2012, which may necessitate federal enforcement actions. However, if the situation exists in which a state does not have primary enforcement authority for any rule, UDEQ will cooperate with EPA in identifying water systems and violations for which EPA may need to issue enforcement actions.</p>	<p>If there are violations of any rule that UDEQ does not have primacy for UDEQ will share information regarding these violations with EPA.</p>	<p>n/a this FY</p>

DEPARTMENT OF ENVIROMENTAL QUALITY

Division of Drinking Water FY 2012 Goals

STATE

EPA Goal and Objective	EPA Measurement	UDEQ Goal	UDEQ Measure
<p>Goal 2: Protecting America's Waters – Protect Human Health. Reduce human exposure to contaminants in drinking water, fish and shellfish, and recreational waters, including protecting source waters.</p>	<p>Water Safe to Drink</p>	<p>I. ENVIRONMENT</p> <p>1. The Construction Assistance Section shall complete and turn in the Needs Survey to EPA.</p>	<p>a. By July 14, 2011, staff will have 1/3 (16 minimum) of the surveys reviewed, edited and submitted to CADMUS.</p> <p>b. By September 15, 2011, 2/3 (33 minimum) of the surveys will be reviewed, edited and submitted to CADMUS.</p> <p>c. By November 15, 2011, all surveys will be complete and submitted to CADMUS.</p> <p>d. By December 23, 2011, DDW will respond to Cadmus' questions regarding the submitted surveys and provide the additional information requested based on their review.</p>
		<p>2. The Division will explore and formalize the interpretation of the public water system definition.</p>	<p>a. The Engineering and Rules Sections shall form a Task Force for this issue by July 31, 2011.</p> <p>b. The Task Force will address the nuances of the public water system definition, specifically the following: when is a master meter connection just a connection versus a wholesale source to a separate water system; is a PWS determined by visitation or system capacity?</p> <p>c. The Task Force shall provide a preliminary report to the Drinking Water Board by January 15, 2012.</p>
		<p>II. CUSTOMER SERVICE</p> <p>3. The Rules Section shall facilitate the upgrade to SDWIS 3.01.</p>	<p>a. By August 1, 2011, Division staff will have completed testing SARA 3 and provided input of issues to the Rules Section.</p> <p>b. By September 1, 2011, Rachael Cassidy will provide a list of things not working in the SARA 3 to the Division of Technology Services.</p> <p>c. By November 1, 2011, DTS will have fixed any identifies issues.</p> <p>d. SDWIS upgrade will be dependent upon the timing of EPA's upgrade of the ESS system, within 30 days of the release of the upgraded ESS, Rules Section staff will test and plan for the upgrade.</p> <p>e. Within 45 days of the release of the ESS software module, the upgrade will be completed.</p>
		<p>4. The Field Services Section will improve emergency response communication capabilities.</p>	<p>a. By July 31, 2011 investigate the cost of replacing the 150 MHZ hand held radios.</p> <p>b. By August 31, 2011, complete the training of staff on the use of the two way radios.</p>

			c. By January 31, 2012 have the new replacement radios purchased and in use.
		5. The Field Services Section will implement postcard renewal notices for Operator Certification.	a. By August 1, 2011, develop information needed to go on postcard.
			b. By August 31, 2012, formulate the process and purchase the postcards for the 2011 renewals.
			c. By September 15, 2011, have post cards ready to use for the 2012 renewals.
		III. PARTNERSHIP WITH FEDERAL, STATE, LOCAL & TRIBAL GOVERNMENTS	
		6. The Rules Section will take the lead in updating and revising the Improvement Priority System Rule R309-400.	a. The IPS Rule manager will review the 2011 Electronic Sanitary Survey question set to insure that all physical deficiencies listed in the 2011 ESS question set are addressed in the IPS Rule. This will be accomplished by July 15, 2011.
			b. Groundwater Rule deficiencies will be incorporated into the draft rule update by July 15, 2011
			c. The draft IPS rule update document will be distributed to the Division Section and Rule Managers for input by July 15, 2011.
			d. The IPS Rule manager will facilitate a meeting with Division Section and Rule Managers to discuss any additional changes, such as, changes to the existing point structure, a probation period once a system is rated not approved drops below the established point thresholds, and what is the appropriate compliance history to determine the rating of a newly re-activated system by August 31, 2011.
			e. Final draft IPS rule revisions will be submitted to the rule adoption coordinator for rule adoption by October 31, 2011
		7. The Rules Section will facilitate the creation of a public facing website to enable access to our partners (LHDs, RWAU, laboratories, and water systems) to standard water system reports, electronic transfer of data and to facilitate more timely and efficient interaction of all partners with DDW.	a. Establish web access to a predetermined list of standard reports (listed below) from the SARA database by October 31, 2011
			i. Monitoring Schedule
			ii. Inventory
			iii. Improvement Priority Report (IPS)
			iv. Annual Bacteriologic sample summary
			v. Drinking Water Operator CEU reports
			b. Explore deployment of Drinking Water Watch for SDWIS version 3.01 and evaluate whether to use this tool for CCR data reports or to establish another standard report from the SARA database by November 30, 2011.
			c. Deploy the SDWIS Lab-to-State software on the public facing website and provide training to our laboratory partners by October 31, 2011
			d. Explore and develop query tool for laboratory use in obtaining monitoring requirements on the public facing website.

			<p>e. Facilitate the completion of a web-based Total Coliform tracking software (initial programming completed by the Dept of Health staff), beta testing and placement on the public-facing website by February 28, 2012.</p> <p>f. Provide training on the public facing website at the RWAU conference in 2012.</p>
		<p>8. The Rules Section will work cooperatively with EPA Region VIII on the development of an "Implementation and Data Quality Improvement Plan" which prioritizes issues affecting public health. Patti</p>	<p>a. SDWIS on-site training will be held in July 2011 for SDWIS 3.01.</p> <p>b. By September 15, 2011 each Rule Manager will provide an evaluation of databases changes needed to fully implement their respective rule in SDWIS 3.01.</p> <p>c. By December 1, 2011, SDWIS database will be upgraded to version 3.01.</p> <p>d. Between the date of the SDWIS upgrade through June 30, 2011, staff will implement the changes in SDWIS 3.01.</p> <p>e. Progress reports will be provided to the Division director and EPA on January 15, 2012 and July 15, 2012.</p>
		<p>9. The Director and the Engineering Section will investigate the possibility of partnering with the Division of Water Rights regarding the water rights issues associated with drinking water systems or sources.</p>	<p>a. Initiate the dialogue with Division of Water Rights management by October 31, 2011, to discuss the water right issues associated with drinking water systems and identify possible tasks that can be accomplished by inter-agency cooperation.</p> <p>b. Explore the possibility of entering into a memorandum of agreement covering inter-agency cooperation between the two divisions by December 31, 2011.</p> <p>c. Explore the possibility of obtaining assistance from Division of Water Rights in clarifying or revising "valid water rights" language in R309-515 by December 31, 2011.</p> <p>d. Investigate whether any other agencies need to be involved in order to cooperatively resolve the water rights issues associated with drinking water systems or sources by December 31, 2011.</p>
		<p>IV. INFORMATION TECHNOLOGY</p> <p>10. The Division Data Management Committee will investigate using data in CASPER to populate source protection status and exception reports into SARA and the IPS Report, after SARA 3 is adopted for full time use by the Division.</p>	<p>a. CASPER and SARA are incompatible with each other, therefore the first step will be to address how data from CASPER can be made readable by SARA. This step will be implemented within three months of the completion of measure</p> <p>b. Once data regarding source protection and exceptions is formatted so SARA can accept it, exception and source protection status will be added to the IPS report. This step will be completed within three months of the completion of measure.</p>
		<p>11. The Field Services Section will implement on-line Operator Certification Exams.</p>	<p>a. By June 1, 2011 hold an Operator Certification Commission meeting to decide options to implement.</p> <p>b. By September 30, 2011 implement recommendations from the June 1 Commission meeting.</p> <p>c. By January 31, 2012 pilot test the online exam process.</p>

			d. By May 31, 2012 have online exams available around the State.
		12. The Field Services Section will implement color coding on the Division's web page.	a. By September 15, 2011 meet with the Division's web developer and discuss how color coding would fit into the standards set by the department.
			b. By October 15, 2011 make changes to website as needed.
		13. The Administrative Services Section will maintain and enhance the Division's GIS capabilities related to source protection	a. Staff will work with the AGRC and/or the UGS to develop a GIS based tool for evaluating trends in contaminate-constituent levels. The primary focus is nitrate, but the tools should be able to represent any constituent of interest. It is expected that this will be a multi-year project.
			b. Staff will establish and maintain contact with other state agencies and facilitate exchange of GIS data. This will include, at a minimum, providing information on use of the STATE Interactive Map, and should also include working with the AGRC to make DDW data available through the AGRC web site, but only to other state agencies. It is expected that this will be an on-going effort.
			c. Staff will make a presentation to the UDEQ Quality Council to educate other divisions on source protection concerns, to establish appropriate contacts in other divisions, and to make our data available to the other divisions according to their permitting actions and their GIS capabilities. The presentation will be a one time event, while contact with other divisions will be on-going.

Division of Drinking Water

Core Activities 2011

<i>Category</i>	<i>Activity</i>	<i>Responsibility</i>
<i>Philosophy, Culture</i>	Customer Service orientation	All
	Implement UDEQ & DDW Operating Principles	All
	Actively seek customer feedback	All
	Maintain good communication with partners and customers	All
	Effective Intersection communication	All
	Effective Interdivision communication	All
	Invite local legislators to DW Board Activities	Division Director
	Div Dir will collaborate with DW Board in support of joint goals	Division Director
	Div will actively protect public health through water system compliance	All
	Employee job ownership/job empowerment	All
<i>Staff</i>	Ensure staff are technically trained to accomplish mission	All
	Reward and recognize employees for excellent work	All
	Managers have an open door policy (and keep staff issues and conversations private)	
	Serve on national and state committees	All
	All staff will refer customer questions to the right person (the Division's experts).	All
	All staff will keep In/Out Board current	All
	Ensure cross-training and back-up capability where appropriate	All
<i>IT, Gov eBusiness</i>	Maintain Division Website	Const Assist / All
	SDWIS data reporting	Rules
	Automate water treatment plant report transmission	Rules
	Implement geographic information system (GIS) applications, including support for outside partners and other UDEQ Divisions	Admin Serv
	Maintain and enhance the divisions databases: SDWIS/SARA/CASPER	Rules / All
	Continue to implement the Department electronic document management system	Admin Serv / All
	Add and maintain current and accurate data in all of the Divisions databases and all of the contact information including e-mail addresses	All
	Maintain "Potential construction projects" list on Division webpage	Const Assist
<i>Assistance and Training</i>	Staff assistance to Drinking Water Board	Division Director / All
	Technical assistance to water operators	All
	General partnering (targeted training, cooperation, follow-up, & planning)	All

Educate locally elected officials and their staff	All
Provide technical assistance on Drinking Water quality problems	All
Perform Capacity development functions	Const Assist / All
Provide support for the Permanent Community Impact Board	Eng./Const Assist
Provide technical assistance to water treatment plants	All
Provide support to local water quality alliances	Eva / All
Support water planning activities in cooperation with other agencies and local government and technical assistance partners, regarding source protection and system viability issues	All
Ensure Drinking Water Board members have sufficient training to make policy decisions	All
<i>Field Work</i>	
Provide training on physical facility capacity and it's issues for consultants, district engineers, others	Const Assist / Engineering
Perform Sanitary Surveys. Respond to water systems	All
Sanitary survey scheduling with consideration for expertise rotation and geographic grouping.	Field Services
Water treatment plant inspections	Engineering / Const Assist
Construction inspections	Engineering / Const Assist
Develop and obtain additional useful spatial data	All
Special studies on water treatment technologies	Engineering
Geologic evaluation of sources	Admin Serv
<i>Regulatory</i>	
Emergency Response / System Security/Project Funding	Field Services/ Engineering / Const Assist
Assist water systems with developing and maintaining Cross Connection control programs	Field Services
Write, implement and revise rules as needed	All
Plan review and operating permits	Engineering / Const Assist
Enforcement & compliance by each section on its rules	All
Enforcement (AOs, BCAs, AG Referrals, Administrative Hearings, Administrative Penalties, etc.)	All
Properly follow-up on assignments made at the Division's quarterly CAP meetings	All
Unified Enforcement Oversight System	Rules
EPA quarterly reporting	Rules
Improvement Priority System	All
Implement appropriate prevention strategies for systems appearing on EPA's ETT List. Document the Division's enforcement actions in SDWIS.	Rules
Public Notice	Rules
Consumer Confidence Reports	Rules
Report, every three years, on capacity development assistance given to significant non-complying water systems	Const Assist
Quarterly ETT list annotated and back to EPA within 30 days	Rules
Copy EPA with enforcement action	Rules
Monitoring and MCL Compliance tracking and reporting	Rules
Grout Witnesses	Engineering / Constr Assist
Surface Water Treatment Rule tracking and reporting (also UDI)	Rules / Engineering / Field Services
Source protection program	Admin Serv

	Capacity development review for new systems	Const Assist
	Assure that sampling and reporting is being done in a professional, timely and truthful manner.	Rules
	When EPA proposes a rule, we will study the impact, prepare appropriate comments, and encourage the affected PWSs to comment. Finalize each rule by developing an appropriate State Rule, and implement.	All
<i>Certification</i>		
	Backflow Technician Certification	Field Services
	Operator Certification	Field Services
<i>Financial Assistance</i>		
	Financial assistance programs	Const Assist
	Capacity assessments for financial assistance	Const Assist
	Annual rate and every 4 year needs surveys	Const Assist
	Capture systems with significant physical deficiencies and water quality issues in the IPS/PPL	Const Assist/Rules
<i>Misc</i>		
	State Health Laboratory Coordination	Field Services
	All other Labs coordination	Rules / Field Services
	Support services (Purchasing, contracting, grants, travel, budget preparation budget/expenditure tracking, and financial reporting, cash receipts, fee schedule)	Admin Serv
	Support Board investigations on: Conservation; secondary systems; system security; master planning requirements; State SRF to mutual systems; 1/16 % sales tax issue.	Const Assist / Engineering / Field Services
	Respond to GRAMA requests	All
	Actively seek financial assistance to enable the division to pursue its mission	Division Director
<i>Succession/ Planning</i>		
	Keep policies and procedures up to date in Edocs	All
	Promote staff back up for all Division functions	All
	Consider mentoring options for retiring managers / staff	Managers