ITEM 1. Amend subrule 567—40.7(1) as follows:

40.7(1) ~~*Applicability and purpose*~~*Requirements for CCRs.* ~~This rule applies to all CWSs and establishes the requirements for the content of annual CCRs that CWSs must deliver to their customers. These CCRs must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants in the drinking water in an accurate and understandable manner.~~ The department may assign PN requirements and assess administrative penalties to any CWS that fails to fulfill the requirements of this rule. The provisions of 40 CFR §141.151 through §141.156 and Appendix A to subpart O of part 141 as amended January 1, 2027, are hereby adopted by reference with the following exceptions:

a. The text in 40 CFR §141.151(d) shall be replaced with the following: "For the purpose of this subpart, detected means: at or above the levels prescribed by §141.23(a)(4) for inorganic contaminants, at or above the levels prescribed by §141.24(f)(7) for the contaminants listed in §141.61(a), at or above the levels prescribed by §141.24(h)(18) for the contaminants listed in §141.61(c) (except PFAS), at or above the levels prescribed by §141.131(b)(2)(iv) for the contaminants or contaminant groups listed in §141.64, at or above the levels prescribed by §141.25(c) for radioactive contaminants, at or above the levels prescribed in §141.902(a)(5) for PFAS listed in §141.61(c), and other contaminants with HAs, as assigned by the department.

b. The text in 40 CFR §141.153(d)(1)(i) shall be replaced with the following: "Contaminants subject to an MCL, AL, MRDL, TT for regulated contaminants, and contaminants for which monitoring is required by either 567—subrule 41.9(1) (sodium) or 567—subrule 41.11(455B) (other contaminants); and"

c. In addition to the report content requirements in §141.153(f), a CCR must note any violation of an operation permit compliance schedule that occurred during the year covered by the report.

d. In addition to the required additional health information in §141.154, a system which detects nitrite at levels above 0.5 mg/L (half the MCL), but below the MCL must include in its CCR a short informational statement about the impacts of nitrite on children, using language such as:

"Nitrite in drinking water at levels above 1 ppm is a health risk for infants of less than six months of age.

Commented [CH[1]: We are adopting EPA's Consumer Confidence Report Rule revisions by reference to the CFR.

High nitrite levels in drinking water can cause blue baby syndrome. If you are caring for an infant you should ask for advice from your health care provider."

e. The text in CFR §141.155(g) shall be replaced with the following: "The Governor of a State or their designee, or the Tribal Leader where the Tribe has met the eligibility requirements contained in §142.72 for the purposes of waiving the mailing requirement, can waive the requirement of paragraph (a) of this section for CWSs serving fewer than 10,000 persons, except for those systems which have: one or more exceedances of a MCL, TT, AL, or HA; an administrative order; a court order; significant noncompliance with monitoring or reporting requirements; or an extended compliance schedule in an operation permit. A mailing waiver is not allowed for the CCR covering the year during which one of the previously listed exceptions occurred. In consultation with the tribal government, the Regional Administrator may waive the requirement of §141.155(a) in areas in Indian country where no tribe has been deemed eligible."

f. The text in CFR §141.155(g)(2) shall be replaced with the following: "Systems serving 500 or fewer persons, except for those systems that have one or more exceedances of an MCL, TT, AL, or HA; an administrative order; a court order; significant noncompliance with monitoring or reporting requirements; or an extended compliance schedule in an operation permit may forego the requirements of paragraphs (g)(1)(i) and (ii) of this section if they provide notice that the report is available upon request at least once per year to their customers by mail, door-to-door delivery, or posting in one or more locations where persons served by the system can reasonably be expected to see it. A mailing waiver is not allowed for the CCR covering the year during which one of the previously listed exceptions occurred."

ITEM 2. Strike subrules 40.7(2) through 40.7(10).

ITEM 3. Amend paragraph **40.8(3)"d"** as follows:

d. Reporting and recordkeeping requirements for ~~DPBs~~DBPs, disinfectants, and DBP precursors.

Commented [CH[2]: Correction of the incorrect abbreviation of disinfection byproducts to DPBs during EO10.

ITEM 4. Amend Tables F and G in **567—Chapter 40, Appendix A** as follows:

F. Coagulation/Filtration ~~and Disinfection~~ Requirements for SW~~s~~ or IGW~~s~~ Systems.

Parameter	~~Pumpage or Flow:~~ Sample Site	~~All~~ Frequency
~~CT Ratio*~~	~~finished:~~	~~1/day~~
~~Calculated V Value~~	~~distribution system:~~	~~1/month~~
~~Calculated MRDL (monthly average)~~	~~distribution system:~~	~~1/month~~
~~Calculated MRDL (RAA)~~	~~distribution system:~~	~~1/calendar quarter~~
~~Disinfectant Residual**~~	~~finished:~~	~~continuous~~
	~~distribution system**:~~	~~1/day~~
~~Disinfectant, quantity used~~	~~day tank/scale:~~	~~1/day~~
~~pH~~	~~finished:~~	~~1/day~~
~~Temperature~~	~~raw:~~	~~1/day~~
	~~finished:~~	~~1/day~~
Alkalinity*	raw:	1/day
	finished:	1/day
Turbidity**	IFE:	Continuously; recorded ~~At~~at least every 15 minutes per approved turbidity protocol
	~~raw and~~ CFE:	~~567—subrules 43.5(3) and 43.5(4), 567—43.9(455B), and 567—43.10(455B) contain specific requirements; continuous turbidity monitoring may be substituted for grab sample monitoring if the continuous process is validated using a department-approved turbidity protocol.~~ Continuously; recorded at least every 15 minutes per approved turbidity protocol
Turbidity, daily maximum**	CFE:	1/day
Turbidity, 95th percentile calculation**	CFE:	Monthly~~, per 567—paragraph 43.5(3) *"b"*~~
Continuous turbidity monitoring instrument***	Each compliance turbidimeter:	~~Each turbidimeter must be verified with a grab sample measurement at least once per week.~~Verified at least once per week and calibrated at least every 90 days using methods in approved turbidity protocol
Coagulant, quantity used	Day tank, scale:	1/day

*~~Determine the total inactivation ratio ($CT_{calc}/CT_{required}$) before the first customer during peak hourly flow each day the treatment plant is in operation; 567—paragraph 43.5(2) *"a"* contains more information.~~Not required for direct filtration or IGW systems.

**~~Conduct this monitoring to demonstrate compliance with 40.8(3) *"b,"* 567—subrules 43.5(2) and 43.5(4), and 567—43.6(455B).~~Conduct monitoring to demonstrate compliance with 567—subrules 43.5(3) and 43.5(4), and 567—43.9 and 43.10(455B).

***~~The calibration of each turbidimeter used for compliance must be verified to demonstrate IFE compliance with 567—paragraphs 43.9(4) *"a"* and 43.10(5) *"a"* and CFE compliance with 567—subparagraph 43.5(4) *"b"* (1) and 43.9(3) and 43.10(4).~~

G. Disinfection Requirements for ~~Clarification or Lime Softening of~~ SW or IGW Systems.

Parameter	~~Pumpage or Flow:~~ Sample Site	~~All~~ Frequency
~~Alkalinity~~	~~raw:~~	~~1/day~~
	~~raw:~~	~~SW/IGW systems; 1/month at same time raw TOC sample is collected~~

Commented [CH[3]: We are proposing revisions to clarify and streamline some of the tables in Appendix A. Monitoring parameters may be different for clarification and lime softening and systems may use one or both types of treatment, necessitating separation into two tables. Disinfection requirements have been grouped together separately into one table.

	~~finished:~~	~~1/day~~
~~Carbon dioxide (CO_2), quantity used~~	~~tank/scale/feeder:~~	~~1/week~~
~~Caustic Soda, quantity used~~	~~day tank/scale:~~	~~1/week~~
CT Ratio*	finished:	1/day
Calculated V Value	distribution system:	1/month
Calculated MRDL (Average)	distribution system:	1/month
Calculated MRDL (RAA)	distribution system:	1/calendar quarter
Disinfectant Residual**	finished:	continuous
	distribution system**:	1/day
Disinfectant, quantity used	day tank/scale:	1/day
Continuous disinfectant monitoring instrument	location of instrument:	The calibration of instruments used for continuous disinfectant monitoring must be verified with a grab sample measurement at least every 7 days.
~~Hardness as $CaCO_3$~~	~~raw:~~	~~1/day~~
	~~finished:~~	~~1/day~~
~~Lime, quantity used~~	~~day tank/scale/feeder:~~	~~1/week~~
pH	raw:	1/day
	finished:	1/day
Temperature	raw:	1/day
	finished:	1/day
~~TOC~~	~~raw:~~	~~1/month at same time the CFE sample is taken~~
	~~CFE:~~	~~1/month at same time the raw sample is taken~~
	~~Source water alkalinity:~~	~~1/month at same time the raw sample is taken~~
~~Turbidity~~	~~raw and CFE:~~	~~567—subrules 43.5(3) and 43.5(4), 567—43.9(455B), and 567—43.10(455B) contain specific requirements.~~
	~~IFE:~~	~~At least every 15 minutes~~

Determine the total inactivation ratio ($CT_{calc}/CT_{required}$) before the first customer during peak hourly flow each day the treatment plant is in operation; 567—paragraph 43.5(2)"a"* contains more information.

**Conduct this monitoring to demonstrate compliance with 40.8(3)*"b,"* and 567—subrules 43.5(2) and 43.5(4)~~, and 567—43.6(455B)~~. Systems serving 3,300 or fewer persons may take grab samples in lieu of providing continuous monitoring at the frequencies in 567—subparagraph 43.5(4)*"b"*(2).

ITEM 5. Insert new Table H in **567—Chapter 40, Appendix A** as follows and re-letter subsequent tables:

H. Lime Softening Requirements for SW or IGW Systems.

Parameter	**Sample Site**	**Frequency**
Alkalinity	raw:	1/day
	finished:	1/day
Carbon dioxide (CO_2), quantity used	tank/scale/feeder:	1/week
Caustic Soda, quantity used	Day tank/scale:	1/week
Hardness as $CaCO_3$	raw:	1/day
	finished:	1/day
Lime, quantity used	day tank/scale/feeder:	1/week

ITEM 6. Amend subparagraph **41.3(1)"b"(1)** as follows:

b. IOC MCLs.

(1) The following table specifies the IOC MCLs:

IOC Contaminant	EPA Contaminant Code	MCL (mg/L)
Antimony	1074	0.006
Arsenic	1005	0.010
Asbestos	1094	7 million fibers/liter (longer than 10 micrometers in length)
Barium	1010	2
Beryllium	1075	0.004
Cadmium	1015	0.005
Chromium	1020	0.1
Cyanide (as free Cyanide)*	1024	0.2
Fluoride**	1025	4.0
Mercury	1035	0.002
Nitrate	1040	10 (as nitrogen)
Nitrite	1041	1.0 (as nitrogen)
Total Nitrate and Nitrite	1038	10 (as nitrogen)
Selenium	1045	0.05
Thallium	1085	0.002

* Cyanide is regulated as free cyanide. If the total cyanide is <0.2 mg CN-/L, you can report free cyanide as <0.2 mg/L; if the total cyanide is >0.2 mg CN-/L, determine free cyanide by an approved free cyanide method.

**The recommended fluoride level is 0.7 mg per liter as published by the U.S. Department of Health and Human Services, Public Health Service (July-August 2015). At this optimum level in drinking water, fluoride has been shown to have beneficial effects in reducing the occurrence of tooth decay.

Commented [CH[4]: An asterisk is added next to cyanide with a corresponding footnote explaining that cyanide is regulated as free cyanide.

ITEM 7. Amend subparagraph **41.3(1)"c"(5)** as follows:

(5) Nitrate monitoring frequency. All PWSs (CWSs, NTNCs, and TNCs) shall monitor to determine compliance with the nitrate MCL.

1. Initial nitrate sampling. All PWSs served by GW systems shall monitor annually. All PWSs served by SW systems shall monitor quarterly.

Commented [CH[5]: Replacing this quarterly monitoring requirement that got inadvertently struck during EO10, aligning with federal rules.

2. GW repeat nitrate sampling frequency. For GW PWS, the repeat monitoring frequency is:

- Quarterly for at least one year following any one sample in which the concentration is greater than or equal to 5.0 mg/L as N. The department may allow a GW system to reduce its sampling frequency to annually after four consecutive quarterly samples are reliably and consistently less than 5.0 mg/L as N.

- Monthly for at least one year following any one sample in which the concentration is greater than or equal to 10.0 mg/L as N.

3. SW repeat nitrate sampling frequency. The department may allow a PWS SW system to reduce the sampling frequency to:

- Annually if all analytical results from four consecutive quarters are less than 5.0 mg/L as N.
- Quarterly for at least one year following any one sample in which the concentration is greater than or equal to 5.0 mg/L as N. The department may allow a SW system to reduce the sampling frequency to annually after four consecutive quarterly samples are reliably and consistently less than 5.0 mg/L as N.
- Monthly for at least one year following any ~~nitrate MCL exceedance~~one sample in which the concentration is greater than or equal to 10.0 mg/L as N.

Commented [CH[6]: Standardizing monthly repeat nitrate sampling frequency language between SW & GW.

ITEM 8. Amend subparagraph **41.9(1)"e"(2)** as follows:

(2) In lieu of the reporting requirement in this paragraph, the CWS shall include the sodium level in its annual consumer confidence report, pursuant to 567—subparagraph 40.7(41)*"~~a~~b"*~~(11)~~.

Commented [CH[7]: This cross reference is corrected to reflect the revised CCR rule.

ITEM 9. Amend subrule 43.3(2) as follows:

43.3(2) *Construction standards.*

a. The construction standards for a drinking water project are the 2022 Ten States Standards, the AWWA Standards as adopted through 2023, and 43.3(7) through 43.3(9). In any conflict between the Ten States Standards, and the AWWA Standards, and 43.3(7) through 43.3(9), the Ten States Standards, 43.3(2), and 43.3(7) through 43.3(9) shall prevail. Additional standards include the following:

Commented [CH[8]: The year reference for Ten States Standards was eliminated during EO10 and moved to definitions in Chapter 40. We are proposing add it back in for clarity and consistency.

(1) Polyvinyl chloride (PVC) pipe manufactured in accordance with ASTM D2241, AWWA C900, ~~AWWA C905,~~ ASTM F1483, or AWWA C909 may be used for water main construction. The maximum allowable pressure for PVC or polyethylene pipe shall be determined based on a safety factor of 2.0 and a surge allowance of no less than two feet per second.

Commented [CH[9]: AWWA C905 has been absorbed into AWWA C900 and does not exist anymore.

ITEM 10. Amend subparagraph **43.5(2)"b"(2)** as follows:

(2) Automatic shutoff of delivery of water to the distribution system when the residual disinfectant concentration (RDC) in the water is less than 0.3 mg/L free ~~residual~~RDC or 1.5 mg/L total ~~residual chlorine~~RDC. If the department determines that automatic shutoff would cause unreasonable risk to health or interfere with fire protection, the system must comply with 43.5(2)*"b"*(1).

Commented [CH[10]: These changes clarify free vs. total and correct for a chloraminating system.

ITEM 11. Amend paragraphs **43.5(3)"c," 43.5(3)"d," and 43.5(3)"e"** as follows:

c. Slow sand filtration.

(1) For systems using slow sand filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month.

(2) The turbidity level of representative samples of a system's filtered water must not exceed 1 NTU in two consecutive ~~15-minute recordings~~measurements taken 15 minutes apart.

Commented [CH[11]: Turbidity measurement language is being standardized in multiple locations throughout this chapter.

d. Diatomaceous earth filtration.

(1) For systems using diatomaceous earth filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month.

(2) The turbidity level of representative samples of a system's filtered water must not exceed 1 NTU in two consecutive ~~15-minute recordings~~measurements taken 15 minutes apart.

e. Other filtration technologies. A PWS may use either a filtration technology not listed in 43.5(3)*"b"* through *"d"* or a filtration technology listed in 43.5(3)*"b"* or *"c"* at a higher turbidity level if it demonstrates to the department, through a preliminary report submitted by a licensed professional engineer using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of 43.5(2), consistently achieves 99.9 percent removal or inactivation of *Giardia lamblia* and 99.99 percent virus removal or inactivation. For a system that uses alternative filtration technology and makes this demonstration, the turbidity TT requirements are

as follows:

(1) The turbidity level of representative samples of a system's filtered water must be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month.

(2) The turbidity level of representative samples of a system's filtered water must not exceed 1 NTU in two consecutive measurements taken 15 minutes apart. Beginning January 1, 2002, systems serving at least 10,000 people must meet the requirements for other filtration technologies in 43.9(3)*"b."* Beginning January 1, 2005, systems serving fewer than 10,000 people must meet the requirements for other filtration technologies in 43.10(4).

ITEM 12. Amend subparagraph **43.5(4)"b"(1)** as follows:

b. Monitoring. A PWS that uses a SW or IGW source must monitor in accordance with this paragraph.

(1) Turbidity.

1. Routine monitoring. Turbidity measurements required by 43.5(3) must be performed on representative samples of the system's filtered water utilizing continuous turbidity monitoring equipment. Turbidity monitoring results must be ~~recorded~~measured at least every 15 minutes. Turbidity must be monitored according to a written turbidity protocol approved by the department and audited for compliance during sanitary surveys.

Commented [CH[12]: Language standardization.

2. Monitoring protocol. The turbidity monitoring protocol shall include but is not limited to: sample measurement location; calibration method, frequency, and standards; verification method, frequency, and documentation; and data collection, recording frequency, and reporting.

3. Failure of continuous monitoring equipment. If there is a failure in the continuous turbidity monitoring equipment, the system must conduct grab sampling every four hours in lieu of continuous monitoring until the turbidimeter is repaired and back online. A system has a maximum of five working days after failure to repair the equipment or else the system is in violation. The system must notify the department within 24 hours of both when the turbidimeter was taken offline and when it was returned online. It is a TT violation if the turbidity exceeds 1 NTU at any time during grab sampling. The system

must ~~inform~~notify the department as soon as possible, but no later than 24 hours after the exceedance is known, in accordance with the PN requirements in 567—subparagraph 40.5(3)*"b"*(3). For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694.

Commented [CH[13]: Standardization of language.

Commented [CH[14]: For all instances where notification within 24 hours is required in this chapter, the emergency reporting hotline number has been added maintaining consistency with Chapters 40 & 41.

ITEM 13. Amend subrule 43.5(5) as follows:

43.5(5) *Reporting.* PWSs shall report the results of routine monitoring required to demonstrate compliance with rule 567—43.5(455B) and TT violations as ~~follows:~~noted in this subrule. For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694.

Commented [CH[15]: Proposed changes to this subrule include standardization of language and clarification of turbidity exceedance to align with new turbidity requirements adopted during EO10.

a. Waterborne disease outbreak. Each system, upon discovering that a waterborne disease outbreak potentially attributable to that system has occurred, must ~~report that occurrence~~notify to the department as soon as possible, but no later than by the end of the next business day.

b. Turbidity ~~exceeds 5 NTU~~exceedance. If at any time the turbidity exceeds ~~5~~1 NTU in two consecutive measurements taken 15 minutes apart, the system must ~~inform~~notify the department as soon as possible, but no later than 24 hours after the exceedance is known, in accordance with the PN requirements in 567—subparagraph 40.5(3)*"b"*(3).

Commented [CH[16]: Corrects an obsolete reference.

c. Residual disinfectant entering distribution system below 0.3 mg/L free residual chlorine or 1.5 mg/L total residual chlorine (TRC). If at any time the residual falls below 0.3 mg/L free residual chlorine or 1.5 mg/L TRC in the water entering the distribution system, the system must notify the department as soon as possible, but no later than by the end of the next business day. The system must also ~~must~~ notify the department by the end of the next business day whether or not the residual was restored to at least 0.3 mg/L free residual chlorine or 1.5 mg/L TRC within four hours.

ITEM 14. Strike subparagraph **43.6(1)"a"(3)** and renumber subsequent subparagraphs.

Commented [CH[17]: Strikes an outdated reference; information stated is already outlined in 43.6(1)"a"(1) & (2) above. Maintains consistency with 43.6(2). Subsequent subparagraphs are renumbered.

ITEM 15. Strike subparagraph **43.6(2)"a"(3)** and renumber the subsequent subparagraph.

Commented [CH[18]]: Strikes out an outdated reference & maintains consistency with 43.6(1)"a". Subsequent section is renumbered.

ITEM 16. Amend paragraph **43.6(2)"b"** as follows:

~~(4) The department may assign DBP precursor monitoring prior to the compliance dates in 43.6(2)*"a"*(3) as part of an operation permit.~~

Commented [CH[19]]: Strikes out an outdated initial rule compliance date.

ITEM 17. Amend subparagraph **43.6(3)"a"(2)** as follows:

Commented [CH[20]]: Corrects for the strikeout in item 15.

3. The source water TOC level is less than 4.0 mg/L, calculated quarterly as an RAA; the source water alkalinity is greater than 60 mg/L as $CaCO_3$, calculated quarterly as an RAA; and either the TTHM and HAA5 RAAs are no greater than 0.040 mg/L and 0.030 mg/L, respectively; or prior to the effective date for compliance in 567— ~~subparagraphs~~subparagraph 41.6(1)*"a"*(2)~~ and 43.6(2)*"a"*(3)~~, the system has made a clear and irrevocable financial commitment to use of technologies that will limit the levels of TTHMs and HAA5 to no more than 0.040 mg/L and 0.030 mg/L, respectively. Systems must submit evidence of a clear and irrevocable financial commitment, in addition to a schedule containing milestones and periodic progress reports for installation and operation of appropriate technologies, to the department for approval not later than the effective date for compliance in 567— ~~subparagraphs~~subparagraph 41.6(1)*"a"*(2)~~ and 43.6(2)*"a"*(3)~~. These technologies must be installed and operating not later than June 30, 2005. Failure to install and operate these technologies by the date in the approved schedule will constitute a TT violation.

ITEM 18. Amend subparagraphs **43.9(3)"a"(2) and 43.9(3)"b"** as follows:

(2) Maximum turbidity level. The turbidity level of representative samples of a system's filtered water (CFE) must at no time exceed 1 NTU in two consecutive measurements taken 15 ~~minute recordings~~minutes apart. If at any time the CFE turbidity exceeds 1 NTU in two consecutive measurements taken 15 ~~minute recordings~~minutes apart, the system must ~~inform~~notify the department as soon as possible, but no later than 24 hours after the exceedance is known, in accordance with the PN requirements

Commented [CH[21]]: Standardization of turbidity measurement language throughout the chapter.

Commented [CH[22]]: Standardization of notification language throughout the chapter.

in 567—subparagraph 40.5(3)*"b"*(3). For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694.

b. Filtration technologies other than conventional, direct, slow sand, or diatomaceous earth. The department may allow a PWS to use a filtration technology not listed in 43.9(3)*"a"* or 43.5(3)*"c"* or *"d"* if it demonstrates to the department, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of 43.5(2), consistently achieves 99.9 percent removal or inactivation of *Giardia lamblia* cysts, 99.99 percent removal or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts, and the department approves the use of the filtration technology. For each approval, the department will set turbidity performance requirements that the system must meet at least 95 percent of the time and will require that the system not exceed at any time a level that consistently achieves 99.9 percent removal or inactivation of *Giardia lamblia* cysts, 99.99 percent removal or inactivation of viruses, and 99 percent removal of *Cryptosporidium* oocysts. The value may not exceed 1 NTU in two consecutive measurements taken 15 minutes apart.

ITEM 19. Amend subparagraph **43.9(5)"b"(3)** and paragraph **43.9(5)"d"** as follows:

(3) The date and value of any CFE turbidity measurements taken during the month that exceed 1 NTU in two consecutive ~~recordings~~measurements taken 15 minutes apart for systems using conventional filtration treatment or direct filtration or that exceed the maximum level set in 43.9(3)*"b."*

d. Additional reporting requirement for turbidity combined filter effluent (CFE). In the following situations, the system must consult with the department as soon as ~~practical~~possible, but no later than 24 hours after the exceedance is known, in accordance with the PN requirements ~~under~~in 567—subparagraph 40.5(3)*"b"*(3). For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694.

(1) In a system using conventional filtration treatment or direct filtration, if the turbidity exceeds 1 NTU in the CFE in two consecutive ~~recordings~~measurements taken 15 minutes apart.

Commented [CH[23]: Standardization of listing the emergency reporting hotline anywhere notification within 24 hours is required, maintaining consistency with chapters 40 & 41.

Commented [CH[24]: Standardization of turbidity measurement language; maintains consistency with 43.10.

Commented [CH[25]: Standardization of turbidity measurement language.

Commented [CH[26]: Standardization of notification language.

Commented [CH[27]: Standardization of listing the emergency reporting hotline anywhere notification within 24 hours is required, maintaining consistency with chapters 40 & 41.

Commented [CH[28]: Standardization of turbidity measurement language.

ITEM 20. Amend subparagraph **43.10(4)"c"(2)** as follows:

(2) The turbidity in the CFE must never exceed 1 NTU in two consecutive ~~recordings~~measurements taken 15 minutes apart during the month. If the CFE turbidity exceeds 1 NTU in two consecutive measurements taken 15 ~~minute recordings~~minutes apart, the system must ~~inform~~notify the department as soon as possible, but no later than 24 hours after the exceedance is known, in accordance with the PN requirements ~~under~~in 567—subparagraphs 40.5(3)*"b"*(3) and 40.5(2)*"a"*(8). For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694.

Commented [CH[29]: Standardization of turbidity & notification language; addition of emergency reporting number.

ITEM 21. Amend subparagraph **43.10(4)"c"(2)** as follows:

(2) The CFE turbidity must never exceed a value set by the department, based on the pilot study. The value may not exceed 1 NTU in two consecutive ~~recordings~~measurements taken 15 minutes apart.

Commented [CH[30]: Standardization of turbidity language.

ITEM 22. Amend paragraph **43.10(5)"b"** as follows:

b. Equipment failure. If there is a failure in the continuous turbidity monitoring equipment, a system must conduct grab sampling every four hours in lieu of continuous monitoring until the turbidimeter is back on-line. A system has a maximum of 14 days after failure to repair the equipment, or else the system is in violation. The system must notify the department within 24 hours, both when a turbidimeter is taken off-line and when it is returned on-line. For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694.

Commented [CH[31]: Addition of emergency reporting number.

ITEM 23. Amend paragraph **43.10(5)"e"** as follows:

e. Requirements triggered by individual filter turbidity monitoring data. Systems must conduct additional activities based upon their individual filter turbidity monitoring data, as listed in this paragraph.

(1) If the turbidity of an individual filter (or the CFE turbidity for a system with one or two filters, pursuant to 43.10(5)*"c"*) exceeds 1.0 NTU in two consecutive ~~recordings~~measurements taken 15 minutes apart, a system must report the following information in the MOR to the department by the tenth day of

Commented [CH[32]: Standardization of turbidity language.

the following month:

1. The filter number(s);
2. Corresponding date(s);
3. Turbidity value(s) which exceeded 1.0 NTU; and
4. The cause of the exceedance(s), if known.

(2) If the turbidity of an individual filter (or the CFE turbidity for a system with one or two filters, pursuant to 43.10(5)*"c"*) exceeds 1.0 NTU in two consecutive ~~recordings~~measurements taken 15 minutes apart in three consecutive months, a system must conduct a self-assessment of the filter(s) within 14 days of the day the filter exceeded 1.0 NTU in two consecutive measurements for the third straight month, unless a comprehensive performance evaluation (CPE) as specified in the following subparagraph is required. Two-filter systems that monitor the CFE turbidity instead of the individual filters must conduct a self-assessment of both filters. The self-assessment must consist of the following:

1. Assessment of filter performance;
2. Development of a filter profile;
3. Identification and prioritization of factors limiting filter performance;
4. Assessment of the applicability of corrections;
5. Preparation of a filter self-assessment report;
6. Date the self-assessment requirement was triggered; and
7. Date the self-assessment was completed.

(3) If the turbidity of an individual filter (or the CFE turbidity for a system with one or two filters, pursuant to 43.10(5)*"c"*) exceeds 2.0 NTU in two consecutive ~~recordings~~measurements taken 15 minutes apart in two consecutive months, a system must arrange to have a CPE conducted by the department or a department-approved third party no later than 60 days following the day the filter exceeded 2.0 NTU in two consecutive measurements for the second straight month.

ITEM 24. Amend subparagraph **43.10(6)"b"(2)** as follows:

(2) For an exceedance of the CFE maximum turbidity limit, as described below, the system must consult with the department as soon as ~~practical~~possible, but no later than 24 hours after the exceedance is known, in accordance with the PN requirements ~~under~~in 567—subparagraph 40.5(3)*"b"*(3). For consultation after normal business hours, use the department's Environmental Emergency Reporting Hotline, 515.725.8694. Consultation is required if at any time the turbidity in representative samples of filtered water exceeds:

1. 1 NTU in the CFE in two consecutive ~~recordings~~measurements taken 15 minutes apart for systems using conventional filtration treatment or direct filtration;

ITEM 25. Amend subparagraph **43.11(12)"b"(4)** as follows:

(4) Indirect integrity monitoring. Systems must conduct continuous indirect integrity monitoring on each membrane unit according to the following criteria. Indirect integrity monitoring is defined as monitoring some aspect of filtrate water quality that is indicative of the removal of particulate matter. A system that implements continuous DITs of membrane units in accordance with 43.11(12)*"b"*(3) is not subject to the continuous indirect integrity monitoring requirements. Systems must submit a monthly report to the department summarizing all continuous indirect integrity monitoring results triggering direct integrity testing and the corrective action that was taken in each case.

1. Continuous indirect integrity monitoring must:

- Include continuous filtrate turbidity monitoring, unless the department approves an alternative parameter;
- Be conducted at a frequency of no less than once every 15 minutes; and
- Be separately conducted on each membrane unit.

2. If indirect integrity monitoring includes turbidity and if the filtrate turbidity ~~readings~~measurements are above 0.15 NTU for a period greater than 15 minutes (i.e., two consecutive measurements taken 15-~~minute readings~~minutes apart, both above 0.15 NTU), DIT must immediately be performed on the

Commented [CH[33]: Standardization of notification and turbidity language; addition of emergency reporting number.

Commented [CH[34]: Standardization of turbidity language.

associated membrane unit as specified in 43.11(12)*"b"*(3)"1" through "5."

ITEM 26. Amend paragraph **43.11(14)"d"** as follows:

d. In accordance with Table 7 for any microbial toolbox options used to comply with treatment requirements under 43.11(6).

Table 7: Microbial Toolbox Reporting Requirements

Toolbox Option	Systems must submit this information	Submit information in accordance with the applicable treatment compliance dates in subrule 43.11(7), as noted
1. Watershed control program (WCP)	Notice of intention to develop a new or continue an existing WCP	No later than two years before applicable date
	Watershed control plan	No later than one year before applicable date
	Annual WCP status report	Every 12 months, beginning one year after applicable date
	Watershed sanitary survey report	- For CWS, every 3 years, beginning 3 years after applicable date - For NTNC or TNC, every 5 years, beginning 5 years after applicable date
2. Alternative source/intake management	Verification that system has relocated the intake or adopted the intake withdrawal procedure reflected in monitoring results	No later than the applicable date
3. Presedimentation	Monthly verification: - Continuous basin operation; - Treatment of 100 percent of the flow; - Continuous coagulant addition; and - At least 0.5-log mean reduction of influent turbidity or compliance with alternative department-approved performance criteria	Monthly reporting within 10 days following the month monitoring was conducted, beginning on applicable date
4. Two-stage lime softening	Monthly verification: - Chemical addition and hardness precipitation occurred in two separate and sequential softening stages prior to filtration; and - Both stages treated 100 percent of plant flow	Monthly reporting within 10 days following the month monitoring was conducted, beginning on applicable date
5. Bank filtration	Initial demonstration of: - Unconsolidated, predominantly sandy aquifer; and - Setback distance of at least 25 feet for 0.5-log credit or 50 feet for 1.0-log credit	No later than applicable date
	If monthly average of daily maximum turbidity is greater than 1 NTU, report result and submit an assessment of the cause.	Report within 30 days following the month monitoring was conducted, beginning on applicable date
6. Combined filter performance	Monthly verification of CFE turbidity levels less than or equal to 0.15 NTU in at least 95 percent of the 4-hour CFE measurements taken each month	Monthly reporting within 10 days following the month monitoring was conducted, beginning on applicable date
7. Individual filter performance	Monthly verification of: - IFE turbidity levels less than or equal to 0.15 NTU in at least 95 percent of ~~samples~~measurements each month in each filter; and - No IFE turbidity levels greater than 0.3 NTU in two consecutive ~~readings~~measurements taken 15 minutes apart	Monthly reporting within 10 days following the month monitoring was conducted, beginning on applicable date

Commented [CH[35]: Standardization of turbidity language.

8. Demonstration of performance	Results from testing following a department-approved protocol	No later than applicable date
	As required by the department, monthly verification of operation within conditions of department approval for demonstration of performance credit	Within 10 days following the month monitoring was conducted, beginning on applicable date
9. Bag filters and cartridge filters	Demonstration that the: - Process meets the definition of bag or cartridge filtration, and - Removal efficiency established through challenge testing is meeting criteria	No later than applicable date
	Monthly verification that 100 percent of plant flow was filtered	Within 10 days following the month monitoring was conducted, beginning on applicable date
10. Membrane filtration	Results of verification testing demonstrating: - Removal efficiency established through challenge testing meets criteria; and - Integrity test method and parameters, including resolution, sensitivity, test frequency, control limits, and associated baseline	No later than applicable date
	Monthly report summarizing: - All DITs above the control limit, and - If applicable, any turbidity or alternative department-approved indirect integrity monitoring results triggering DITs and corrective action that was taken	Within 10 days following the month monitoring was conducted, beginning on applicable date
11. Second-stage filtration	Monthly verification that 100 percent of flow was filtered through both stages and that first stage was preceded by coagulation step	Within 10 days following the month monitoring was conducted, beginning on applicable date
12. Slow sand filtration as a secondary filter	Monthly verification that both a slow sand filter and a preceding separate stage of filtration treated 100 percent of the flow from surface or IGW sources	Within 10 days following the month monitoring was conducted, beginning on applicable date
13. Chlorine dioxide	Summary of CT values for each day as described in 43.11(13)	Within 10 days following the month monitoring was conducted, beginning on applicable date
14. Ozone	Summary of CT values for each day as described in 43.11(13)	Within 10 days following the month monitoring was conducted, beginning on applicable date
15. UV	Validation test results demonstrating operating conditions that achieve required UV dose	No later than the applicable date
	Monthly report summarizing the percentage of water entering the distribution system that was not treated by UV reactors operating within validated conditions for the required dose as specified in 43.11(13)*"d"*	Within 10 days following the month monitoring was conducted, beginning on applicable date

ITEM 27. Amend rule 567—44.9(455B) as follows:

567—44.9(455B) Intended use plan (IUP).

44.9(1) *Development.* The director shall prepare an IUP at least annually and on a quarterly basis as needed. The IUP will be subject to a public hearing and approved by the commission and EPA. All materials relating to the IUP will be posted at www.iowasrf.com.

Commented [CH[36]: Directs stakeholders to online location of SRF IUP materials. All other changes to the rule align DWSRF rules with CWSRF and IFA administrative rules, as amended in the EO10 process.

44.9(2) *Contents.* The IUP will identify the anticipated uses of loan funds and will include:

a. The state project priority list (defined in rule 567—44.8(455B)) that includes all projects that are eligible for DWSRF loans. The list will comply with 40 CFR §35.3555;

b. Discussion of the long-term and short-term DWSRF goals;

c. Information on the types of activities to be supported by the DWSRF, including requests for planning and design loans and any proposed activities eligible for assistance under set-aside authority of the SDWA;

d. Loan interest rates and terms, loan origination fees, and servicing fees;

~~*d.*~~*e.* The method by which the IUP may be amended; and

~~*e.*~~*f.* Assurances on how the state intends to meet ~~environmental review requirements of the SDWA~~the requirements of the operating agreement between the state of Iowa and the EPA.

44.9(3) *Eligibility.* The department will consider the following in developing the list of eligible recipients for inclusion in the IUP:

a. Whether a project will be ready to proceed on a schedule consistent with time requirements for outlay of funds; and

b. Whether the project addresses the need upon which the system's priority is based~~.~~;

c. The funds available, department priorities, and the department's administrative capacity; and

d. The applicant's conformance to process guidelines provided by the department.

ITEM 28. Strike paragraph **44.11(1)"a"** and reletter subsequent paragraphs.

Commented [CH[37]: Aligns IAC with federal DWSRF eligibility guidelines; simplifies the rule and benefits DWSRF borrowers.

ITEM 29. Amend paragraph **50.5(2)"a"** as follows:

a. Water use permit application fees. A new water use permit application, an existing water use permit modification request, or a registration of a minor nonrecurring use of water must be accompanied by the fee listed in the table below. These fees are nonrefundable and nontransferable. For any single application, if more than one fee applies, only the higher fee is required.

Water Use Permit Application Description	Form	Fee, in dollars
(1) To apply for a new permit to withdraw or divert water	16 (542-3106)	$350
(2) To renew an existing permit	542-1470	$0
(3) To modify an existing permit to either add a new source or increase the amount or rate of water withdrawn or diverted from a source or sources	16 (542-3106)	$350
(4) To modify the conditions of an existing permit that are not described in Item 3 of this table	16 (542-3106)	$0

(5) To apply for an ASR permit or a protected source designation	N/A	$700
(6) To register a minor nonrecurring use of water	20 (542-3112)	$75
(7) To apply for a permit to store water	542-1015	$75

ITEM 30. Amend subrule 50.7(2) as follows:

50.7(2) *Public notice (PN) and opportunity for public hearing.*

a. New water use permits and major permit modifications. Prior to issuing a permit to withdraw, divert, or inject water, or before renewing a permit with major modifications, the department shall publish a PN of recommendation to issue a water use permit. A renewed permit contains a major modification when, relative to the previously issued permit, the renewed permit increases the water allocation, increases the number of wells or intakes for the withdrawal, or changes the source or location of the withdrawal.

(1) A PN shall summarize the application and the recommendations in the summary report and allow the public 20 days to request a copy of the summary report and submit comments on the report. The department may extend the comment period upon request for good cause. ~~PNs may be published in a newspaper circulated in the locality of the proposed water source, or the department may use other publication methods to ensure adequate notice to the affected public.~~

(2) PN shall be given by posting the PN, including the draft permit and summary report, for the duration of the 20-day public comment period on a public website identified by the department and designed to give general notice. PN may also be provided to persons on a list developed by the department, including those who request in writing to be on the list. The department may use other means if necessary to ensure adequate notice to the affected public.

~~(2)~~(3) A PN shall be sent to any person who has requested a copy of the notice concerning the particular water use under consideration.

b. Water use permit renewals. ~~The PN provisions of 50.7(2)"a" shall not apply to water use permit renewals.~~When renewing water use permits without major modifications, the department shall notify the public through a public website identified by the department and designed to give general notice. PN may also be provided to persons on a list developed by the department, including those who request in writing

Commented [CH[38]: During EO10, this application & fee was struck from the table, since storage permits moved to the Floodplain & Dam Safety program in 2020. Post EO10, it was recognized that the Floodplain & Dam Safety program does not currently have administrative authority to collect fees. The storage permit fee is being replaced in this table temporarily until the program can adopt the necessary administrative authority to collect the fee. This is NOT a new fee, and is NOT a fee that will be paid by water use permit holders.

Commented [CH[39]: PN rules are being updated to reflect modern procedures. Changes allow renewals to be subject to public hearing requests, per 455B.278.

to be on the list. The PN shall consist of the permit number, and the county where the permit was issued. Upon request, the department may open a public comment period, and provide an opportunity for public hearing, for a 60-day period following a permit renewal without major modification.

c. Opportunity for public hearing.

(1) *Public hearing requests.* The department shall hold a public hearing upon the written request of 25 individuals residing in the county where it intends to issue, suspend, revoke, modify, or deny a water use permit. Requests for a public hearing must list the name, address, and contact information of the person(s) requesting the hearing, and a short statement on why a hearing is requested.

(2) *Time and place.* The department shall determine the time and place for public hearings, and may conduct public hearings via digital meeting software. Persons requesting a public hearing shall be provided the information on how to attend at least one week ahead of the scheduled hearing time.

(3) *Public hearing procedure.* The department shall receive and record public comments at public hearings. Commenters shall provide their name, address, and contact information to the department. Time limitations may be imposed on commenters depending on factors such as meeting length and the number of anticipated comments.

ITEM 31. Amend subrule 73.11(2) as follows:

73.11(2) Application for a dam construction permit shall constitute application for a water storage permit if the appropriate fee (as stated in 567—subrule ~~50.4(2)~~50.5(2) is received with the application.

Commented [CH[40]: Corrects a cross reference to the Water Use Permits application fee table with the re-added storage permit application fee.