

333-061-0080

Role of Counties

- (1) Counties may develop water service plans to encourage small water systems to consolidate where possible.
- (2) Prior to issuing building permits, the issuing agency must certify that the Authority has approved construction and installation plans for water system developments proposed after August 21, 1981. They must additionally certify that the water system development plan does not violate the water service plans for the city or county where the building permit will be issued.
- (3) Counties or boundary commissions are authorized to approve the formation, dissolution, consolidation and expansion of water systems not owned by cities. In doing so, counties or boundary commissions should consider whether water service is extended in a logical fashion and whether water systems have a financial base sufficient for operation and maintenance.
- (4) The Authority may delegate upon request any of its duties as set forth in these rules to counties. In doing so, the Authority shall require assurances that the county shall:
 - (a) Employ sufficient qualified personnel to perform the duties involved;
 - (b) Perform the duties involved continuously for the duration of the delegation;
 - (c) Report periodically on the nature and status of the activities being performed.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.165, ORS 448.170

333-061-0085

Supplemental Fluoridation

- (1) When fluoride compounds are added at public water systems for the prevention of dental caries, it shall be done in accordance with the following:
 - (a) The chemical feed apparatus shall be of a type specifically designed for metering fluoride compounds in proportion to the flow of water being treated. The apparatus shall possess an accuracy tolerance of no more than plus or minus five percent and shall be designed and installed in a manner such that the injection of fluoride compounds is terminated when the water being treated ceases to flow;
 - (b) The specifications for the fluoride compounds shall conform with the most current AWWA standards as follows:

(A) Sodium fluoride	AWWA B701
(B) Sodium fluorosilicate	AWWA B702
(C) Fluorosilicic acid	AWWA B703
 - (c) Respirators, replacement units and other safety equipment shall be stored in approved, dust-proof containers or cabinets when not in use.
- (2) Prior to the application of fluoride compounds at public water systems, the water supplier shall submit to the Authority and receive approval for:
 - (a) Plans and specifications for the equipment with information on the testing instruments and protective devices for the operating personnel;
 - (b) Specifications of the fluoride compound to be used;

- (c) Qualifications and training record of the person in responsible charge of the fluoridation operation;
- (d) Current chemical analysis of the unfluoridated water.
- (3) During operation of the fluoridation equipment, the operator shall:
 - (a) Not exceed 2.0 mg/l of fluoride in the finished water;
 - (b) Maintain all equipment in good working order;
 - (c) Make determinations of the fluoride content by approved methods on:
 - (A) The unfluoridated water as required by the Authority;
 - (B) The fluoridated water daily.
 - (d) Record daily the amount of fluoride added to the water, the quantity of water treated and the fluoride levels of the treated water. These records shall be submitted to the Authority monthly;
 - (e) Submit a split sample of the fluoridated water to the Authority for analysis as the Authority may require;
 - (f) Maintain and use safety equipment as required in this section.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 431.110, 431.150, 448.131, 448.150 & 448.273

333-061-0087

Product Acceptability Criteria

- (1) Any pipe, solder, or flux used in the installation or repair of a public water system or any plumbing in a residential or nonresidential facility providing water for human consumption must be lead free as defined in OAR 333-061-0020 except for leaded joints necessary for the repair of cast iron pipes.
- (2) No solder containing more than 0.20 percent lead shall be sold in Oregon unless the solder contains a warning label, prominently displayed, which states, "Contains Lead. Oregon Law prohibits the use of this solder in making up joints and fittings in any private or public potable water supply system or any individual water user's line". Solder to be used in making up joints and fittings in any private or public potable water supply system or any individual water user's line shall meet ASTM Specification B32-76.
- (3) Plumbing piping shall not be used for electrical grounding in any new construction.
- (4) No lead pipe, lead goosenecks or similar appurtenances shall be used in the construction of any public water system and every water supplier must certify to the Authority that lead pipe, goosenecks or similar appurtenances do not exist within its water system. A water supplier that identifies the existence of lead components within its water system must submit a compliance schedule, acceptable to the Authority, for the removal of all lead components as described in this section.
- (5) Materials and products which come into contact with drinking water supplied by public water systems or which come into contact with drinking water treatment chemicals used by public water systems shall meet the requirements of NSF Standard 61: Drinking Water System Components - Health Effects, NSF/ANSI Standard 372 or equivalent. These materials and products include but are not limited to process media,

protective materials, joining and sealing materials, pipes and related products, and mechanical devices used in treatment, transmission, and distribution systems.

- (6) Products added to public water systems for treatment, purposes including but not limited to disinfection, oxidation, filtration, scale control, corrosion control, pH adjustment, softening, precipitation, sequestering, fluoridation, coagulation, flocculation, and water well treatment shall meet the requirements of NSF Standard 60: Drinking Water Treatment Chemicals - Health Effects or equivalent.
- (7) Point-of-use reverse osmosis drinking water treatment systems, materials or components used in these systems designed to be used for the reduction of specific contaminants from public water supplies shall meet the requirements of NSF Standard 58: Reverse Osmosis Drinking Water Treatment Systems or equivalent.
- (8) Point-of-use and point-of-entry drinking water treatment units, other than reverse osmosis units, designed to be used for the reduction of specific contaminants from public water supplies shall meet the requirements of NSF Standard 53: Drinking Water Treatment Units - Health Effects or equivalent.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.131

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Penalties

- (1) Violation of these rules shall be punishable as set forth in ORS 448.990 which stipulates that violation of any section of these rules is a Class A misdemeanor.
- (2) Pursuant to ORS 448.280, 448.285 and 448.290, any person who violates these rules shall be subject to a civil penalty. Each and every violation is a separate and distinct offense, and each day's violation is a separate and distinct violation.
- (3) The civil penalty for the following violations shall not exceed \$1,000 per day for each violation:
 - (a) Failure to obtain approval of plans prior to the construction of water system facilities;
 - (b) Failure to construct water system facilities in compliance with approved plans;
 - (c) Failure to take immediate action to correct maximum contaminant level violations;
 - (d) Failure to comply with sampling and analytical requirements;
 - (e) Failure to comply with reporting and public notification requirements;
 - (f) Failure to meet the conditions of a compliance schedule developed under a variance or permit;
 - (g) Failure to comply with cross connection control requirements;
 - (h) Failure to comply with the operation and maintenance requirements;
 - (i) Failure to comply with an order issued by the Authority; and
 - (j) Failure to utilize an operator in direct responsible charge of a water system.
- (4) Civil penalties shall be based on the population served by public water systems and shall be in accordance with Table 45 below:

Table 45

<u>Population Served</u>	<u>Civil Penalty</u>
10 to 100	\$ 50/day
101 to 300	\$ 100/day
301 to 1,500	\$ 250/day
1,501 to 10,000	\$ 500/day
Over 10,000	\$ 1,000/day

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.131, 448.280, 448.285, 448.290, & 448.990

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Severability

These rules are severable, if any rule or part thereof or the application of such rule to any person or circumstance is declared invalid, that invalidity shall not affect the validity of any remaining portion of these rules.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.131