

64678.5 Monitoring Waivers for Small Systems

(a)

A small water system may apply to the Department for a waiver to reduce the tap sampling frequency for lead and copper to once every nine years, and shall continue tap sampling as required by this chapter until it receives written notification from the Department that the waiver has been approved.

(b)

A system that meets the following materials and monitoring criteria for both lead and copper will be granted a full waiver, while a system that meets both sets of criteria for only one of the chemicals will be granted a partial waiver that covers only that chemical. (1) To meet the materials criteria, a system shall provide certification and documentation that its distribution system and service lines and all drinking water supply plumbing, including plumbing conveying drinking water within all residences and buildings connected to the system, satisfy the following:

(A) For lead, the system shall be free of the following lead-containing materials:

1. Plastic pipes that contain lead plasticizers, or plastic service lines that contain lead plasticizers; and
 2. Lead service lines, lead pipes, lead soldered pipe joints, and leaded brass or bronze alloy fittings and fixtures, unless the utility can demonstrate to the Department that such fittings and fixtures will not leach lead into the drinking water.
- (B) For copper, the system shall be free of copper pipes and copper service lines. (2) To meet the monitoring criteria, the system shall

have completed at least one period of standard tap sampling and demonstrate that the 90th percentile levels for all periods of tap sampling conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, do not exceed the following: (A) For lead, 0.005 mg/L. (B) For copper, 0.65 mg/L.

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fixtures, unless the utility can demonstrate to the Department that such fittings and fixtures will not leach lead into the drinking water.

(B)

For copper, the system shall be free of copper pipes and copper service lines.

(2)

To meet the monitoring criteria, the system shall have completed at least one period of standard tap sampling and demonstrate that the 90th percentile levels for all periods of tap sampling conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, do not exceed the following: (A) For lead, 0.005 mg/L. (B) For copper, 0.65 mg/L.

(A)

For lead, 0.005 mg/L.

(B)

For copper, 0.65 mg/L.

(c)

If granted a waiver, the system shall (1) Comply with any requirements that the Department includes as conditions of the waiver, such as limited monitoring, periodic outreach to customers to remind them to avoid installation of materials that might void the waiver; (2) Conduct tap sampling at the reduced number of sites for one period every nine years for the chemical(s) for which the waiver has been granted; (3) Provide the materials certification specified in paragraph (b)(1) for the chemical(s) for which the waiver has been granted, along with the monitoring results; and (4) If the waiver was granted for only one chemical, continue to monitor pursuant to this chapter for the other chemical.

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waiver, such as limited monitoring, periodic outreach to customers to remind them to avoid installation of materials that might void the waiver;

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(3)

Provide the materials certification specified in paragraph (b)(1) for the chemical(s) for which the waiver has been granted, along with the monitoring results; and

(4)

If the waiver was granted for only one chemical, continue to monitor pursuant to this chapter for the other chemical.

(d)

If the system continues to satisfy the requirements of subsections (b) and (c), the waiver will be renewed automatically, unless the Department notifies the system in writing that the waiver has been revoked and why. A system whose waiver has been revoked may re-apply for a waiver at such time as it again meets the appropriate materials and monitoring criteria in subsection (b) and (c).

(e)

If a system with a waiver adds a new source of water or changes any water treatment, the Department may require the system to add or modify waiver conditions (e.g., require recertification that the system is free of lead-containing and/or copper-containing materials, require additional tap sampling periods), if it deems such modifications are necessary to address treatment or source water changes at the system.

(f)

If a system with a waiver becomes aware that it is no longer free of

lead-containing or copper-containing materials, it shall notify the Department in writing no later than 60 days after becoming aware of such a change.

(g)

If a system with a waiver that has been collecting samples during the months of June, July, August and September receives Department approval for an alternate set of months pursuant to section 64675(b)(2) (General Requirements for Tap Sampling for Lead and Copper), it shall conduct its next tap sampling before the waiver expires.