

APA-1
11/96

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 335 Department or Agency Environmental Management
Rule No. 335-7-11-.04
Rule Title: Initial Monitoring to Establish Action Levels

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

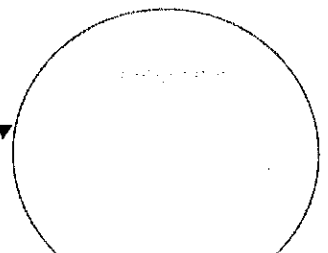
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Mindy Elliott*

Date July 21, 2014

Date Filed



APA-2
11/96

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Environmental Management

RULE NO. & TITLE: 335-7-11-.04 Initial Monitoring to Establish Action Levels (Amend)
335-7-11-.05 Repeat Monitoring Requirements (Amend)
335-7-11-.06 Number of Lead-Copper Monitoring Sites (Amend)
335-7-11-.14 Corrosion Control Parameter Monitoring Requirements (Amend)
335-7-11-.17 Public Education Requirement (Amend)
335-7-11-.18 Reporting Requirements (Amend)

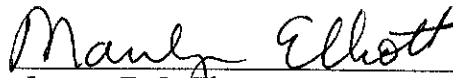
INTENDED ACTION: Revise Division 7 of the ADEM Administrative Code.

SUBSTANCE OF PROPOSED ACTION: Revisions to rules 335-7-11-.04; 335-7-11-.05; 335-7-.06; 335-7-11-.14; 335-7-11-.17; and 335-7-11-.18 are being proposed to reflect applicable requirements of federal regulations and clarify rule language.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing or orally at a public hearing to be held 2:00 p.m., September 10, 2014, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, September 10, 2014 at 5:00 p.m.

CONTACT PERSON AT AGENCY: Christy V. Monk, Chief
Office of Water Services at (334) 394-4364



Lance R. LePlieur
Director

335-7-11-.04 Initial Monitoring to Establish Action Levels.

(1) All new community and NTNC water systems shall monitor for lead and copper at the number of established monitoring sites for two consecutive six-month monitoring periods starting the first six-month period the system is in operation.

(2) Any community and NTNC water system that exceeds a lead or copper action level shall monitor for lead and copper at the number of established monitoring sites during at least two consecutive six-month compliance periods.

(3) Any water system which has demonstrated satisfactory action levels and maintains the range of values for the water quality control parameters reflecting optimal corrosion control treatment specified by the Department during two consecutive ~~both initial~~ six-month monitoring periods may reduce monitoring sites and frequency of monitoring to once per year if it receives written approval from the Department. The number of initial and reduced monitoring sites is shown in Table 11-1. The reduced monitoring shall begin during the calendar year immediately following the end of the second consecutive six-month monitoring period.

(4) A community or NTNC water system that significantly changes the source of its drinking water, its treatment to control the corrosivity of the water or if the source water quality significantly changes, may be required by the Department to conduct initial monitoring under this rule.

Author: Joe Alan Power, Dennis D. Harrison.

Statutory Authority: Code of Alabama 1975, §§ 22-23-33, 22-22A-5, 22-22A-6.

History: Adopted: September 23, 1992; Amended: September 19, 1995 (ER); November 28, 1995. Effective: January 2, 1996.

Amended: March 12, 2002; January 22, 2008; May 26, 2009; XXXXXX, 2014.