

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 335 Department or Agency Environmental Management
Rule No. 335-7-11-.11
Rule Title: Action Level Non-Compliance

 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.

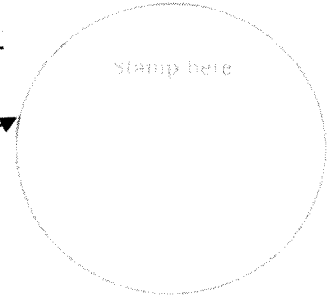
Certification of Authorized Official

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 Nancy Elliott

Date June 20, 2012

Date Filed



APA-2
11/96

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RULE NO. & TITLE: 335-7-11-.11 Action Level Non-Compliance (Amend)
335-7-11-.12 Corrosion Control Treatment Requirement
(Amend)
335-7-11-.13 Corrosion Control Study (Amend)
335-7-11-.17 Public Education Requirement (Amend)

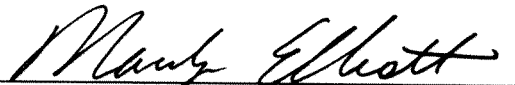
INTENDED ACTION: The Alabama Department of Environmental Management proposes to revise division 335-7, Public Water Supply.

SUBSTANCE OR PROPOSED ACTION: Revisions to rules 335-7-11-.11(a), 335-7-11-12(a), 335-7-11-.13(e) and 335-7-11-.17(2) are being proposed to correct typographical errors and clarify requirements.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing at the offices of the Alabama Department of Environmental Management, 1400 Coliseum Blvd, Montgomery, AL 36109 or by mail to P.O. Box 301463, Montgomery, AL 36130-1463.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 3, 2012 at 5:00 p.m.

CONTACT PERSON AT AGENCY: George M. Cox, Section Chief
Groundwater Section [334/271-7778]



Lance R. LeFleur
Director

335-7-11-11 Action Level Non-Compliance. Any water system with an action level exceeding the compliance limit for lead or copper shall complete the following requirements in the manner and by the deadline established by these regulations:

(a) Water systems must install and maintain adequate corrosion control treatment equipment to ensure that the lead/copper compliance limit can be met. The ~~department~~Department may require that an in-depth study be completed to determine the optimum corrosion control process for the system.

(b) Systems installing corrosion control treatment requirements shall monitor the parameters at the frequency established by these regulations. All parameters established must be reported on the monthly operation data reports by the 10th of the following month. Exceedance of the established values which indicate optimum corrosion control is considered a treatment technique violation.

(c) The lead and copper level in the source water serving the areas exceeding the compliance limit must be monitored to determine compliance with the primary drinking water standards in chapter 335-7-2. The source must be taken out of service and provided with satisfactory treatment, approved by the Department, to reduce the lead or copper level to meet these drinking water standards.

(d) A system that fails to meet the lead/copper compliance limit after the installation of corrosion control shall develop a program to replace lead service lines. All lead service lines in the system shall be identified and at least 7% replaced on an annual basis. More rapid replacement may be required by the Department.

(e) Systems which exceed the lead compliance limit shall deliver public educational materials according to the methods specified in the regulations. The language used in this public education notice must include specific language contained in the Appendix C.

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; XXXXX, 2012.