

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 335 Department or Agency Environmental Management
 Rule No. 335-7-2-.14
 Rule Title: Standard Monitoring Plan
 New 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

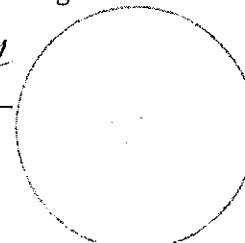
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

 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 March 21, 2016

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION**

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Environmental Management

Rule No. & Title: 335-7-2-.14 Standard Monitoring Plan (Amend)

Intended Action: The Alabama Department of Environmental Management proposes to amend rule 335-7-2-.14

Substance of Proposed Action:

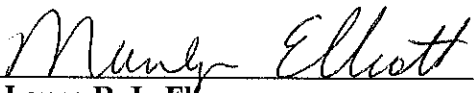
The Department proposes to make administrative corrections in this rule.

Time, Place, Manner of Presenting Views:

Comments may be submitted in writing or orally at a public hearing to be held at 1:00 PM, May 13, 2016, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

Final Date for Comment and Completion of Notice: May 13, 2016

Contact Person at Agency: Christy Monk, (334) 394-4364



Lance R. LeFleur
Director

335-7-2-.14 Standard Monitoring Plan.

(1) The system's standard monitoring plan (SMP) must comply with the following subparagraphs. Systems must prepare and submit a standard monitoring plan to the Department according to the schedule in rule 335-7-2-.13.

(a) The SMP must include a schematic of the distribution system (including distribution system entry points and their sources, storage facilities, and any point of disinfectant addition), with notes indicating locations and dates of all projected standard monitoring and all projected compliance monitoring under rules 335-7-2-.11 or 335-7-2-.12.

(b) The SMP must include justification of standard monitoring location selection and a summary of data that was used to justify the selection.

(c) The SMP must specify the population served and system type (ground water, surface water or ground water under the influence of surface water).

(d) Systems must retain a complete copy of the SMP submitted under this section rule, including any modifications required by the Department, for 10 years after the system submitted the SMP to the Department.

(2) Standard Monitoring.

(a) Systems must monitor as indicated in the following table. Systems must collect dual sample sets at each location. Systems must conduct one monitoring period during the peak historical month for TTHM levels or HAA5 levels or the month with the warmest water temperature. A review of available compliance, study, or operational data must be conducted to determine the peak historical month for TTHM or HAA5 levels or the warmest water temperature.

SMP Monitoring Requirements

Source Water Type	Population Size Category	Monitoring Periods and Frequency of Sampling	Distribution System Monitoring Locations ¹				
			Total per monitoring period	Near Entry Points	Average Residence Time	High TTHM Locations	High HAA5 Locations
Surface Water or Ground Water Under the Influence of Surface Water	< 3,300 consecutive systems	four (every 90 days)	2	1		1	
	< 3,300 non-consecutive systems		2			1	1
	3,301-9,999		4		1	2	1
	10,000-49,999	six (every 60 days)	8	1	2	3	2

Source Water Type	Population Size Category	Monitoring Periods and Frequency of Sampling	Distribution System Monitoring Locations ¹				
			Total per monitoring period	Near Entry Points	Average Residence Time	High TTHM Locations	High HAA5 Locations
	50,000-249,999		16	3	4	5	4
	250,000-999,999		24	4	6	8	6
	1,000,000-4,999,999		32	6	8	10	8
	≥ 5,000,000		40	8	10	12	10
Ground Water	< 500 consecutive systems	one (during peak historical Month) ²	2	1		1	
	< 500 non-consecutive systems		2			1	1
	500-9,999	four (every 90 days)	2			1	1
	10,000-99,999		6	1	1	2	2
	100,000-499,999		8	1	1	3	3
	≥ 500,000		12	2	2	4	4

¹ A dual sample set must be taken at each monitoring location during each monitoring period.

² The peak historical month is the month with the highest TTHM or HAA5 levels or the warmest water temperature.

(b) Systems must take samples at locations other than the existing monitoring locations used under rule 335-7-2-.11. Monitoring locations must be distributed throughout the distribution system.

(c) If the number of entry points to the distribution system is fewer than the specified number of entry point monitoring locations, excess entry point samples must be replaced equally at high TTHM and HAA5 locations. If there is an odd extra location number, the system must take a sample at a high TTHM location. If the number of entry points to the distribution system is more than the specified number of entry point monitoring locations, systems must take samples at entry points to the distribution system having the highest annual water flow.

(d) Each system must monitor at the number of locations in paragraph (2) of this rule. This monitoring cannot be reduced or combined with another system's monitoring.

(e) In addition to the minimum number of samples in subparagraph (2)(a) of this rule, one sample must be taken at a maximum residence time

representing each source of water at the frequency listed in the above SMP Monitoring Requirements table. Wells in the same aquifer may be reduced to one sample at a maximum residence time with Department approval.

(3) The DSE Report must be submitted to the Department by the appropriate deadline in paragraph 335-7-2-.13(c)~~the Distribution System Evaluation section of this chapter~~. The system's DSE report must include the following elements:

(a) All TTHM and HAA5 analytical results from compliance monitoring conducted under rules 335-7-2-.11 or 335-7-2-.12 and all standard monitoring conducted during the period of the DSE as individual analytical results and LRAAs presented in a table or spreadsheet acceptable to the Department.

(b) Include a schematic of the distribution system, population served, and water system type if it has changed from the SMP submitted under this section~~rule~~.

(c) An explanation of any deviations from the approved SMP.

(d) Recommended compliance monitoring locations for use under rule 335-7-2-.12 and the justification that was used to select the monitoring locations.

(4) The system must retain a complete copy of the DSE report submitted under this section~~rule~~ for 10 years after the date that the report was submitted. The system must also keep a copy of any modifications to the compliance monitoring locations required by the Department or any alternate monitoring locations approved by the Department for 10 years. The DSE report and any notification from the Department must be available for review by the Department or the public.

Author: Dennis D. Harrison.

Statutory Authority: Code of Alabama 1975, §§ 22-23-33, 22-23-49, 22-22A-5, 22-22A-6.

History: January 22, 2008.

Amended: XXXX XX, 2016