

MEMORANDUM

To: Interested Parties
From: Don McKenzie, Water and Wastewater Section, Program Manager
Date: July 20, 2006
RE: **Operator Certification Policy Manual 20.1.2:** Clarification of Consecutive System Operator Requirements

Background: All community and non-transient non-community public water supply systems, as defined by the State of Wyoming, are required to retain two (2) certified operators under Water Quality Rules and Regulations, Chapter 5.

Pursuant to the 1996 Safe Drinking Water Act amendments, the State of Wyoming changed its definition of a public water supply to match the federal definition in 1997. This was done primarily to meet federal Drinking Water State Revolving Fund program requirements. At that time, both the United States Environmental Protection Agency (EPA) and State of Wyoming defined a public water supply to be "...a system for the provision to the public of water for human consumption through pipes or constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals..."

EPA subsequently clarified its definition of a public water supply with the "Coverage Clause," Code of Federal Regulations, 40 CFR 141.3. The implementation of the Coverage Clause caused two definitions of public water supply to be in effect with respect to consecutive public water systems: the federal definition and the more stringent State of Wyoming definition. This causes a great deal of confusion, animosity, and recalcitrance among the affected public water supply systems.

Policy 20.1.2

The Department of Environmental Quality (DEQ) will henceforth require only consecutive systems that are defined as such by EPA to comply with the regulatory requirements of Chapter 5. Consecutive community and non-transient non-community public water supply systems that are not regulated by EPA and do not have an EPA public water supply identification number will not be required to retain operators. This policy will realign the State and federal definitions of a public water supply for the purposes of the Operator Certification Program only and does not apply to other regulatory programs.