TITLE 179 PUBLIC WATER SYSTEMS

CHAPTER 5 REPORTING AND RECORDKEEPING

5-001 SCOPE AND AUTHORITY: These regulations require public water systems to keep certain records and reports for stated periods of time. The statutory authority is found in Neb. Rev. Stat. §§ 71-5301 to 71-5313.

5-002 DEFINITIONS

Department means the Division of Public Health of the Department of Health and Human Services ~~Regulation and Licensure~~.

Director means the Director of ~~Regulation and Licensure~~Public Health of the Division of Public Health or his/her authorized representative.

5-003 REQUIRED REPORTS: The owner of a public water supply must report to the Director within the time prescribed on each of the following occurrences which influence or alter the reliability of the system or the safety of drinking water delivered to the consumer:

1. Any disruption in service that results in a likelihood for the entrance of contaminants into the system, including reduced pressure due to fire fighting operations or breakdown should be recorded by the owner of the system. Any loss of pressure or disruption of service for reasons beyond normal repair or replacement must be reported to the Director when more than 10% of the consumers are affected.

2. Any proposed change in source of supply or treatment processes, or any expansion of storage or to the distribution service area must be reported to the Director before ~~entering into any financial commitment for~~ implementing a change.

3. All reports, studies, and investigations pertinent to the operation and management of a public water system must be made available to the Director on request.

4. Any change in personnel, elected or appointed, having primary responsibility for the operation of a public water supply system, must be promptly reported to the Director by the owner or a representative of the owner.

5. Any change in ownership of a public water system must be reported to the Director by the prior owner, and the prior owner is responsible for informing the new owner of the general provisions of the Nebraska Safe Drinking Water Act and the regulations implementing it.

5-004 REPORTING REQUIREMENTS: Except where a shorter period is specified in Title 179 the owner of a public water system must report to the Director the results of any test measurement or analysis required by Title 179 within (1) the first ten days following the month in which the result is received, or (2) the first ten days following the end of the required monitoring period as stipulated by the Director, whichever of these is shortest.

5-004.01 Except where a different reporting period is specified in Title 179, the owner of a public water supply system must report to the Director within 48 hours the failure to comply with any state drinking water standard regulation (including failure to comply with monitoring requirements) set forth in 179 NAC 5.

5-004.02 The owner of a public water system is not required to report analytical results to the Director in cases where the Department Laboratory performs all of the analysis and reports all of the results.

5-004.03 The public water system, within ten days of completing the public notification requirements under 179 NAC 4 for the initial public notice and repeat notices, must submit to the Director a certification that it has fully complied with the public notification regulations. The public water system must include with this certification a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system and to the media.

5-004.04 The owner of a public water system must submit to the Director within the time stated in the request copies of any record required to be maintained under Title 179 or that the Director is entitled to inspect pursuant to Neb. Rev. Stat §§ 71-5301 to 71-5313.

5-005 ~~REQUIRED~~ RECORDS MAINTENANCE: Any owner of a public water system subject to the provisions of Title 179 must retain on the premises of the public water system or a convenient location near such premises, the following records:

1. Records of ~~bacteriological~~microbiological analyses and~~,~~ turbidity analyses, ~~temperature, pH, and disinfectant residual analyses~~ made pursuant to Title 179 must be kept for not less than five years. Records of chemical analyses made pursuant to Title 179 must be kept for not less than ten years. Actual laboratory reports may be kept or data may be transferred to tabular summaries, provided that the following information is included:

    a. The date, place, time of sampling, and the name of the person who collected the sample;

b. Identification of the sample as to whether it was a routine distribution system sample, a check sample, a raw or processed sample, or any other special purpose sample;

c. Date of analysis;

d. Laboratory and person responsible for performing analysis;

e. The analytical technique or method used; and

f. The results of the analysis.

2. Ground Water Under the Direct Influence of Surface Water

a. Owners of public water systems that use a ground water source under the direct influence of surface water which does not provide filtration must keep records of source water bacteriological and turbidity measurements on Department Forms PWS 401 and PWS 402 which are attached and incorporated into these regulations, or on an alternate format that includes the same information.

b. Owners of public water systems that use a surface water source or a ground water source under the direct influence of surface water which provides filtration must keep records of the disinfection residual and turbidity measurements on Department Form PWS 407 which is attached and incorporated into these regulations, or on an alternate format that includes the same information..

3. Records of action taken by the owner or the system to correct violations of primary drinking water regulations must be kept for a period of not less than three years after the last action taken with respect to the particular violation involved.

4. Copies of any written reports, summaries or communications relating to sanitary surveys of the system conducted by the owner of the system, by a private consultant, or by any local, state or federal agency including the Department must be kept for a period of not less than ten years after completion of the sanitary survey involved.

5. Records concerning a variance or exemption granted to the system and records relating to receipt and compliance with Administrative Orders to correct construction or operational deficiencies must be kept for a period ending not less than five years following the expiration of such variance, exemption or order.

6. Copies of public notices issued pursuant to 179 NAC 4 and certifications made to the Department pursuant to 179 NAC 5-004 must be kept for three years after issuance.

7. Copies of monitoring plans developed pursuant to 179 NAC 23 (upon its effective date) must be kept for the same period of time as the records of analyses taken under the plan are required to be kept under 179 NAC 5-005 item 1, except as specified elsewhere in Title 179.

8. Records that must be maintained for the Ground Water Rule are found in 179 NAC 8-008.02.

5-006 AVAILABILITY OF RECORDS: All records required by Title 179 must be available for public inspection at any reasonable hour and will be reviewed periodically for completeness by the Director.

179 NAC 5 Attachment

PWS 401

CT DETERMINATION FOR UNFILTERED SYSTEMS – MONTHLY REPORT TO PRIMACY AGENCY[1]

Month _____ System/Treatment Plant _____
Year _____ PWSID _____
Disinfectant/Sequence of Application _____

	Coliform Measurements[2]				Turbidity Measurements	
	No. of Samples		No. of Samples Meeting Specified Limits		Maximum[3] Turbidity (NTU)	Turbidity[4] "Event" (yes or No)
Date	Fecal	Total	Fecal (≤ 2//100 ml)	Total (≤ 100/100 ml)		
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
Totals					Maximum Daily Turbidity - ____NTU Total No. of Turbidity Events = _____	

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Notes: [1] Samples are taken from the source water immediately prior to the first disinfection point included in the CT determination.

[2] As specified in ~~40 CFR 141.74(b)(1)~~179 NAC 13-007.02A, a fecal or total coliform samples must be taken on each day that the system operates and a source water turbidity measurement exceeds 1 NTU.

[3] For each day that the maximum turbidity exceeds 5 NTU, the date should also be entered for the day that the state was notified of this exceedance, e.g., "7.3 – 22 Apr."

[4] A "yes" response is required each day the maximum turbidity exceeds 5 NTU and the previous day did not. This is indicative of the beginning of a turbidity "event." The total number of "yes" responses equals the number of turbidity "events" in the month.

PWS 402

LONG-TERM SOURCE WATER QUALITY CONDITIONS FOR UNFILTERED SYSTEMS
(For System Use Only)

Year _____ System/Treatment Plant _____

PWSID _____

	Coliform Measurements				Turbidity Measurements	
	No. of Samples		No. of Samples Meeting Specified Limits		Days with Turbidity > 5 NTU	Number of Turbidity Events
Month	Fecal	Total	Fecal (≤ 2//100 ml)	Total (≤ 100/100 ml)		
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						
					Total:	

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PWS 407

DAILY DATA SHEET FOR FILTERED SYSTEMS
(For system use only)

Month _____ System/Treatment Plant _____ PWS ID_____
Year _____ Filtration Technology _____

Date	(1) Minimum Disinfection Residual at Point-of Entry to Distribution System (mg/L)	Maximum Filtered Water Turbidity (2)				(3) No. of Turbidity Measurements	(4) No. of Turbidity Measure ments ≤ Specified Limit	(5) No. of Turbidity Measure-ments > 5 NTU
		Filter #	Combined Filter Effluent	Clear-well effluent	Plant effluent			
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								
					Total			

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Notes:

1. For multiple disinfectants, this column must only be completed for the last disinfectant added prior to entering the distribution system. If less than 0.2 mg/L, the duration of the period must be reported~~, e.g., "1.2-3 hrs."~~.
2. For systems using conventional treatment, direct filtration, or technologies other than slow sand or diatomaceous earth filtration, turbidity measurements may be taken at the combined filter effluent, clear well effluent, or plant effluent prior to entry into the distribution system. The turbidity may also be measured for each individual filter with a separate sheet maintained for each distribution system. The turbidity may also be measured for each individual filter with a separate sheet maintained for each.
3. For continuous monitors, count each 4 hour period as 1 sample.
4. Depending on the filtration technology employed, the number of turbidity samples meeting the following levels must be recorded: conventional treatment or direct filtration – 0.5 NTU, slow sand filtration – 1 NTU, diatomaceous earth filtration – 1 NTU. The state may specify alternate performance levels for conventional treatment or direct filtration, not exceeding 1 NTU, and slow sand filtration not exceeding 5 NTU, in which case the number of turbidity measurements meeting these levels must be recorded.
5. In recording the number of turbidity measurements exceeding 5 NTU, the turbidity values should also be recorded~~, e.g., "3: 5.6; 6.2; 6.0"~~.