

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

GUIDANCE DOCUMENT

“This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Nebraska Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.”

Pursuant to
Neb. Rev. Stat. § 84-901.03

ASSESSMENTS AND CORRECTIVE ACTIONS

Revised Total Coliform Rule

Beginning April 1, 2016, this fact sheet applies to public water systems (PWSs) serving 1,000 or fewer people that must conduct a Level 1 or Level 2 assessment.

What is an assessment?

When total coliform sampling results show that a PWS may be vulnerable to contamination, the PWS must perform an assessment (Level 1 or Level 2) and **FIND AND FIX ANY “SANITARY DEFECTS.”** A sanitary defect can provide a pathway of entry for microbial contamination into the distribution system or indicate imminent failure in an existing barrier (e.g., cracked tank, rat droppings on wellheads, or broken seals).

THERE ARE 5 BASIC ELEMENTS TO INVESTIGATE DURING AN ASSESSMENT:

- **Atypical events that may affect distributed water quality or indicate that distributed water quality was impaired;**
- **Changes in distribution system maintenance and operation, including water storage;**
- **Water source treatment methods that affect distributed water quality;**
- **Inadequacies in sample sites, sample collection procedures and sample processing; and**
- **Existing water quality monitoring data.**

A LEVEL 2 ASSESSMENT IS A MORE COMPREHENSIVE AND IN-DEPTH EXAMINATION THAN A LEVEL 1 ASSESSMENT because the cause of the Level 2 assessment is more critical and more likely to result in a direct public health impact.

- A Level 1 assessment will be conducted by the PWS. A Level 2 assessment will be conducted by the Department.
- A system has 30 days (after learning an assessment was triggered) to complete the assessment, correct sanitary defects found, and submit the completed assessment form to the field representative. For sanitary defects found but NOT fixed within the 30 days, the system must develop a corrective action plan, with the approval of the Department, which includes a proposed completion date for all incomplete corrective actions. **AFTER COMPLETING EACH SCHEDULED CORRECTIVE ACTION, THE SYSTEM MUST NOTIFY THE DEPARTMENT TO AVOID VIOLATIONS.** Throughout the assessment process, systems are to consult with the Department to discuss progress.

Examples of Common Causes of Contamination	Example of Common Corrective Action(s)
Cross connections	<ul style="list-style-type: none"> ✓ Maintenance of adequate pressure ✓ Installation of backflow prevention assembly/device ✓ Implementation/upgrade of cross connection control program
Cracks in well seal, casing, etc.	<ul style="list-style-type: none"> ✓ Replacement/repair of well components

What Does a System Do If It Triggers an Assessment?

Within 30 days of learning that an assessment was triggered, a completed state assessment form must be submitted to the Department.

Level 1 Assessment

A Level 1 assessment is required if a system:

1. Fails to collect and have at least 3 repeat samples analyzed for each routine TC+ or
2. Has two or more TC+ samples (use routine and repeat results in calculating) in one month.

The system conducts the assessment.

STEP 1: The Department will send a letter and a Level 1 assessment form, notifying the system that it must conduct a Level 1 assessment.

STEP 2: The system must perform the assessment and return the form to the Department within 30 days.

STEP 3: If sanitary defect(s) are found, fix them or propose to the Department a schedule for fixing if the sanitary defect(s) cannot be corrected within 30 days of triggering the assessment.

-- After completing each scheduled corrective action, the system must notify the Department.

-- The system or the Department may consult with each other at any time to discuss progress or the corrective action(s) identified.

NOTE - A PWS will get a treatment technique violation if the system:

- ✓ Fails to perform an assessment or take corrective action within the specified time frame. The system is required to provide Tier 2 public notice within 30 days in response to a treatment technique violation.

For more information, visit our website at <http://dhhs.ne.gov/drinkingwater> or call your field representative or Andy Kahle at 402-471-0521.

Level 2 Assessment

A Level 2 assessment is required if a system has either:

1. *E. coli* MCL violation:

Routine	Repeat
TC+ & EC-	<i>E. coli</i> -positive (EC+)
TC+ & EC+	TC+
TC+ & EC+	One or more samples is missing

OR

2. Two level 1 triggers in a rolling 12-month period.

Department personnel conduct the assessment.

STEP 1: The Department will notify the system when a Level 2 assessment must be conducted.

STEP 2: Department personnel will bring the Level 2 assessment form when they come to perform the assessment.

STEP 3: Assessment will be performed.

STEP 4: If sanitary defect(s) are found, fix them or propose to the Department a schedule for fixing if the sanitary defect(s) cannot be corrected within 30 days of triggering the assessment.

-- After completing each scheduled corrective action, a system must notify the Department.

-- The system or the Department may consult with each other at any time to discuss progress or the corrective action(s) identified.