

The Purpose of PWS Operations:

Assure an Adequate Supply of Safe
Drinking Water on a Continuous Basis

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

The Water Spout

Nebraska Department of Health and Human Services Drinking Water and Groundwater Division

Volume XXXIII "SAFE DRINKING WATER IS WHAT WE SPOUT ABOUT" May, 2021

The Big Change—Public Water Supply Program Merger

By Michael Wentink; Water Operator Training and Licensure

LB 148 effectively transfers the Public Water Supply Program (Nebraska Safe Drinking Water Act) authorities and associated responsibilities to the Nebraska Department of Environment and Energy (NDEE). This major change took some time for development.

In July of 2017, through a Memorandum of Agreement (MOA) between the Nebraska Department of Health and Human Services (DHHS) and, at the time, Nebraska Department of Environmental Quality (NDEQ), management of the Public Water Supply Program was transferred to NDEQ, although statutory authority remained with DHHS. July 1, 2019 saw the merger of Nebraska Department of Energy and NDEQ, resulting in an Agency name change to NDEE.

January, 2021 saw the introduction of LB 148 in the Nebraska Legislature, its eventual passage, and signature by the Governor in March, 2021. And, here we are today, preparing for formal transfer of Public Water Supply Program components to NDEE. There are many details to address in the transfer, but based on experiences during the prior integration period that began in 2017, transition is anticipated to run smoothly. It has been a hectic year or more since information has graced the pages of this document. A historical timeline of "what's happened" follows. (continued on page 2)

Note—this will be the last issue of *The Water Spout* under the DHHS banner. After 30 + years as a product of the same Agency (although renamed a couple of times), the next issue will carry the NDEE banner.

As a Reminder: Mailing Address

The DHHS (soon to be NDEE) Drinking Water Program physical mailing address is:

**Nebraska Department of Health & Human Services
Drinking Water and Groundwater Division
P.O. Box 98922
Lincoln, NE 68509-8922**

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Editor: Michael Wentink

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Website address:

<http://dee.ne.gov/NDEQProg.nsf/OnWeb/PWS>

24-hour Emergency Phone: (402) 499-6922

(Continued from Page 1)

Webpage — Have you had a difficult time locating Public Water Supply Program information and forms to complete?

Understandable - The Nebraska Public Water Supply Program webpage made a transition from the Department of Health and Human Services website to the Nebraska Department of Environmental Quality (NDEQ at that time) website a couple of years ago. To add more intrigue to this time period of change, not only did the Program webpage location move but is undergoing a change in style and structure. The preliminary work-up for the webpage looks good, and should be more user friendly when completed. The Public Water Supply Program webpage is located at the following address:

<http://dee.ne.gov/NDEQProg.nsf/OnWeb/PWS> .

COVID-19 Hibernation — To minimize exposure to coronavirus, the NDEE, including the Public Water Supply Program went into home office status towards the end of March 2020. That move to temporary home office status was a well planned and organized process by NDEE. Although a few activities were suspended (examinations, inspections, etc.), these activities resumed following development of protective protocol. Return to the office for most occurred around the month of August. At this time, activities are proceeding, for the most part, as prior to COVID-19.

Monitoring and Compliance Section — The Monitoring and Compliance Section (M&C) of the Program has restructured into area coverage similar to the Field Reps coverage of areas in the State. (Map on page 4). The purpose of the restructure is to provide more effective answers to questions and solutions to problems that may be experienced by water system operators. M&C personnel are versed in all of the water quality monitoring rules. Operators should contact their respective M&C representative with questions about collecting water samples, health effects of contaminants, or other water quality related items.

Water Operator Training and Examinations — Protocol was developed in June of 2020 for the conduct of Grades I — IV water operator training courses, and subsequently, also for proctoring of water operator examinations. These protocol are designed to afford protection against exposure to COVID-19. Because of the social distancing required while seated, class sizes are limited.

Cybersecurity — With the malicious cyber attack to a Florida Water Utility earlier this year, a rejuvenated effort at preventing access to process equipment and control systems has gained further attention.

Basic Ransomware Recommended Mitigations

- Change passwords when employees leave the water system
- Backup data regularly, keep offline backups, and verify integrity of backup process.
- Keep software updated. Install software patches so that attackers can't take advantage of known problems or vulnerabilities.
- Use two-factor authentication and strong passwords. Ensure anti-virus and anti-malware solutions are set to automatically update and regular scans are conducted.

Steps for Responding to a Suspected Cyber Incident at a Water or Wastewater Utility

1. Disconnect compromised computers from the network. Do *not* turn off or reboot systems.
2. Assess the scope of the compromise, and isolate all affected IT systems.
3. Open a ticket with your antivirus software or security service vendor.
4. Assess any potential damage, including impacts to treatment processes or service disruptions.
5. Initiate manual operation of equipment if control systems have been compromised.
6. Distribute any advisories or alerts to customers as needed, including customers whose records may have been compromised.
7. Identify methods to scan all IT assets to eradicate malicious code. Assess and implement recovery procedures.

Reporting

1. Report the incident to local law enforcement and the primary oversight agency (typically, the state).
2. Contact the National Cybersecurity and Communications Integration Center (NCCIC) at 888-282-0870 or NCCIC@hq.dhs.gov. NCCIC can assist your utility with identifying and restoring affected systems, coordinating federal assistance, and improving security.
3. Submit an incident report through WaterISAC (analyst@waterisac.org; 866-H2O-ISAC).

REGULATORY UPDATE

Lead and Copper Rule Revision

By Michael Wentink; Field Services and Training

The big news.- Lead and Copper Rule Revision (LCRR). Published in the Federal register on January 15, 2021, with an effective date of March 16, 2021 and compliance deadline of January 16, 2024. this is where the rule revision takes a detour.

A White House memorandum issued to Heads of Executive Departments and Federal Agencies entitled "Regulatory Freeze and Pending Review" directed agencies to consider postponing the effective date of regulations that have been published in the *Federal Register*, but have not taken effect, for the purpose of reviewing any questions of fact, law, and policy the rules may raise. In addition, the LCRR has been challenged in court by the Natural Resources Defense Council, Newburgh Clean Water Project, NAACP, Sierra Club, United Parents Against Lead and the Attorneys General of New York, California, Illinois, Maryland, Minnesota, New Jersey, Oregon, Pennsylvania, Wisconsin, and the District of Columbia. The United States Environmental Protection Agency (USEPA) seeks to extend the effective date to December 16, 2021, and compliance date to September 16, 2024.

No one wishes to speculate on what the final effective and compliance dates may be but one thing is certain, there are, as written in the Final Rule, changes in the Lead and Copper Rule. In general, EPA's new Lead and Copper Rule better protects children and communities from the risks of lead exposure by better protecting children at schools and child care facilities, getting the lead out of our nation's drinking water, and empowering communities through information. Improvements under the new rule include:

- Using science-based testing protocols to find more sources of lead in drinking water.
- Establishing a trigger level to jumpstart mitigation earlier and in more communities.
- Driving more and complete lead service line replacements.
- For the first time, requiring testing in schools and child care facilities.
- Requiring water systems to identify and make public the locations of lead service lines.

By and far, the major impact on public water systems will be the required lead service line inventory and replacement of those lines if triggered by lead sample results. That can be an expensive undertaking.

The LCRR contains changes to the elements of the current Lead and Copper Rule in areas of sample collection, sample site locations, and of course, conditions that can trigger replacement of lead service lines. The Nebraska Public Water Supply Program will follow the developments of this Rule revision and pass on information to water systems as we are able.

More information is available on the USEPA website. Webpage address is:

<https://www.epa.gov/ground-water-and-drinking-water/proposed-revisions-lead-and-copper-rule> .

| Title 179 | |
|--------------------------------------|--------------------|
| Latest Revision Dates of Regulations | |
| NAC | |
| 2-001 | November 15, 2003 |
| 2-002 | March 22, 2016 |
| 2-015 | September 22, 1999 |
| 3 | March 22, 2016 |
| 4 | March 22, 2016 |
| 5 | December 22, 2012 |
| 6 | March 22, 2016 |
| 7 | April 4, 2010 |
| 8 | March 22, 2016 |
| 9 | March 22, 2004 |
| 10 | June 21, 2011 |
| 11 | November 15, 2003 |
| 12 | December 22, 2012 |
| 13 | March 22, 2016 |
| 14 | March 22, 2016 |
| 16 | March 22, 2016 |
| 17 | November 13, 2005 |
| 18 | November 15, 2003 |
| 19 | November 13, 2005 |
| 21 | March 22, 2004 |
| 22 | March 22, 2004 |
| 23 | June 11, 2013 |
| 24 | June 11, 2013 |
| 25 | June 11, 2013 |
| 26 | March 22, 2016 |

These regulations can be viewed at:
<http://dee.ne.gov/NDEQProg.nsf/OnWeb/PWS>

Water Operator Grades I - IV and VI Continuing Education – 2021
Please contact the appropriate organization at the phone number provided for further information regarding these scheduled training activities.

Location and date changes may occur due to local COVID-19 conditions.

| Date | Location | Topic(s) | Hours Available for Grade | | | | | Contact | Phone |
|--------------|----------------|-----------------|---------------------------|-----|-----|-----|-----|---------------|----------------|
| | | | I | II | III | IV | VI | | |
| June 3 | Falls City | Wastewater | 5 | 5 | 5 | 5 | 1.5 | LoNM | 402-476-2829 |
| June 10 | Gretna | Backflow | 5 | 5 | 5 | 5 | 5 | CCC | 877-222-0780 |
| June 23 | Sutton | Water | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| July 8 | Imperial | Wastewater | 5 | 5 | 5 | 5 | 1.5 | LoNM | 402-476-2829 |
| July 13 | Chadron | Water | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| July 15—16 | Kearney | Heartland WW | 6 | 6 | 6 | 6 | 0 | NWOD | 402-533-1676 |
| July 20 | Gering | Water | 3 | 3 | 3 | 3 | 0 | NDEE | 402-471-0523 |
| August 4 | Columbus | Backflow | 5 | 5 | 5 | 5 | 5 | CCC | 877-222-0780 |
| August 11 | Hartington | Water | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| August 17 | Beatrice | Backflow | TBA | TBA | TBA | TBA | TBA | LoNM/AWWA | 402-476-2829 |
| August 18 | Wayne | Backflow | TBA | TBA | TBA | TBA | TBA | LoNM/AWWA | 402-476-2829 |
| August 24 | Grand Island | Backflow | TBA | TBA | TBA | TBA | TBA | LoNM/AWWA | 402-476-2829 |
| August 25 | Ogallala | Backflow | TBA | TBA | TBA | TBA | TBA | LoNM/AWWA | 402-476-2829 |
| September 8 | Fremont | Water | 3 | 3 | 3 | 3 | 0 | NDEE | 402-471-0523 |
| September 9 | Norfolk | Backflow | 5 | 5 | 5 | 5 | 5 | CCC | 877-222-0780 |
| September 14 | McCook | Water | 5 | 5 | 5 | 5 | 0 | LoNM/AWWA | 402-476-2829 |
| September 15 | Alma | Water | 5 | 5 | 5 | 5 | 0 | LoNM/AWWA | 402-476-2829 |
| September 16 | Tecumseh | Water | 5 | 5 | 5 | 5 | 0 | LoNM/AWWA | 402-476-2829 |
| September 21 | McCool Jct. | Backflow | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| September 23 | Ord | Backflow | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| September 28 | Gering | Preconference | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| Sept. 29—30 | Gering | Fall Conference | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| October 5 | So. Sioux City | Backflow | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| October 7 | O'Neill | Backflow | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| October 12 | Bellevue | Backflow | TBA | TBA | TBA | TBA | TBA | E. Nebr. ABPA | (402) 570-6690 |
| October 12 | Norfolk | Water | 5 | 5 | 5 | 5 | 0 | LoNM/AWWA | 402-476-2829 |
| October 12 | Franklin | Water | TBA | TBA | TBA | TBA | TBA | NeRWA | 402-443-5216 |
| October 13 | Columbus | Water | 5 | 5 | 5 | 5 | 0 | LoNM/AWWA | 402-476-2829 |
| October 14 | Seward | Water | 5 | 5 | 5 | 5 | 0 | LoNM/AWWA | 402-476-2829 |

TBA – Hours not assigned at time of printing

NeRWA — Nebraska Rural Water Association
 LoNM—League of Nebraska Municipalities
 CCC—Central Community College; (When calling the 877 number, select extension #7527.
 NWOD—Nebraska Wastewater Operators Division

NDEE— Nebraska Department of Environment and Energy
 AWWA—Nebraska Section American Water Works Association
 E. Nebr. ABPA—Eastern Nebraska Chapter of American Backflow Prevention Association

Water Operator Courses - 2021

Register Early!
Registration required at least two weeks prior to the class (Due to social distancing requirements, seating is limited).

The course registration form for grades I – IV water operator training courses is available at

<http://dee.ne.gov/NDEQProg.nsf/OnWeb/PWS>

PWS Regulation Review

Due to COVID-19 protocol, attendance is limited to subsequent Grade IV Course Attendees.

Begins at 1:00 P.M. on the afternoon prior to the two-day Grade IV course

| | |
|--------------------|---------------------|
| July 20 | Gering |
| September 8 | Fremont |
| December 7 | Grand Island |

Grade IV

Cost is \$80.00 for the class and \$180.00 for the two textbooks if needed.

| | |
|------------------|--------------|
| July 21 – 22 | Gering |
| September 9 – 10 | Fremont |
| December 8 – 9 | Grand Island |

Grade III

Cost is \$200.00 for the class and \$180.00 for the two textbooks if needed.

| | |
|--------------|----------|
| October 4 –8 | Beatrice |
|--------------|----------|

Grade I & II

Cost is \$200.00 for the class and \$180.00 for the two textbooks if needed.

| | |
|----------------|--------------|
| August 16 – 20 | Grand Island |
|----------------|--------------|

Grade VI Training Courses

October 20 – 24 Wahoo (**Class is Full**)

Contact the Nebraska Rural Water Association at (800) 842-8039 or (402) 443-5216.

Note: You may also register for NeRWA classes at <http://nerwa.org/Backflow.html>

Contact Total Backflow Resources at (712) 574-0674 or email at info@totalbackflow.com.

Note: You may also register for TBR classes at <https://totalbackflow.com/>

Total Backflow Resources has nothing posted as being scheduled for the remainder of 2021 at the time this document is distributed. Contact TBR for more information – Courses may be scheduled as the need arises.

2022

January 10 – 14 Wahoo

Contact the Nebraska Rural Water Association at (800) 842-8039 or (402) 443-5216.

Note: You may also register for NeRWA classes at <http://nerwa.org/Backflow.html>

Public Water Supply Program Personnel Changes

Field Area 4 Program Rep — Bob Byrkit retired in May of 2020. After a search and review of applicants, Eric Cox, formerly a water operator in Harvard accepted the position.

Field Area 5 Program Rep—Ralph Naber retired in December of 2020. The search is on to fill that position. Ralph's years of experience leaves some big shoes to fill.

Field Area 8 Program Rep—Doug Woodbeck retired in April, 2021. Search is also on for to fill Doug's position. As with Ralph, Doug leaves the business with a great deal of institutional knowledge that will be greatly missed.

There you have it — three Field Services vacancies within one year. All three of those recently retired Field Area Reps will be missed. Eric has progressed quickly in the Program Rep position, as likely will the selected replacements for Field Areas 5 and 8.

Nebraska Department of Health and Human Services Division of Public Health Drinking Water Program

