

Guidelines for Developing A Public Water System

(January 2000)

New Mexico

The following information with attachments was prepared by the Drinking Water Bureau of the New Mexico Environment Department to assist potential new public water systems (PWS). Because of the legal requirements of several government agencies, the process can be long and complex. Some general information regarding other agency requirements is included, but it is the responsibility of the owner of the water system to contact these agencies and meet these requirements.

The owner of a water system must determine if the system will constitute a public water system as defined by the federal Safe Drinking Water Act (SDWA) and the NM Drinking Water Regulations (DWR).

- ◆ The term “public water system” means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly services an average of twenty-five (25) individuals at least 60 days out of the year. Such term includes (1) any water supply source, treatment, storage, and distribution facilities under control of the operator of such system, and (2) any water supply source or pretreatment storage facilities not under such control which are used primarily for in connection with such system.
- ◆ A public water supply system is either a ‘community water system’, a ‘non-transient non-community water system,’ or a ‘non-community water system’. Water haulers and water wholesalers are included in this definition.”

If the system qualifies as a public water system, the type of public water system must be determined from the following definitions.

- ◆ *Community water system* – a public water supply system which serves at least 15 service connections used by year round residents or regularly services an average of twenty-five (25) year round residents.
- ◆ *Non-Transient Non-Community* – A public water supply system that is not a ‘community water system’ and regularly services at least 25 of the same persons for more than six months per year, including but not limited to schools and factories.
- ◆ *Non-Community water system* – A public water supply system that is not a ‘community water system’ nor a ‘non-transient non-community water system’, including but not limited to: seasonal facilities such as children camps or recreational camping areas; or year round facilities which serve more than 25 persons who are not residents thereof, such as gasoline stations, marinas, rest areas, restaurants which are not served by a community water system.

Application and Public Water System Identification Number (PWS#)

Approval by the NMED is required for most all new PWS and modifications to existing PWS. The NMED application form is **Attachment A** and requires the submission of technical, managerial and financial information. Incomplete applications may be returned.

When the application is submitted to the Department, two (2) sets of plans and specifications should be included (see page one of the application form) for a sanitary review of the construction plans (DWR section 502). Also included must be a capacity development analysis (see page three of the application form). This analysis must document the system's ownership accountability, staffing and organization, revenue sufficiency, credit worthiness, and fiscal management and controls.

Every public water system is assigned a PWS# by the NM Environment Department after the application is processed. This number is the federal and state method of identifying each specific water system and it is requested the number be used on all future correspondence, forms, and reports.

New Municipalities

The requirements of the Drinking Water Regulations governing new public water systems do apply to a new municipality which is **constructing a new** water system. However, because almost all new water systems in New Mexico are either privately owned, for-profit or publicly owned non-profit corporations, these guidelines and application form were drafted with that in mind. Responses on the application form by a new municipality should be adapted accordingly. For example, where the application asks for corporate Customer Service Rules and Regulations the municipality should supply its relevant water utility ordinance; where association officials' names are asked for the municipality should supply the names of municipal officials, etc.

The Drinking Water Regulations, Part XII, contain "Review References," which are existing technical references and existing Public Utility Commission (PUC) regulations. As stated in the DWR, these provide a **guideline** for the applicant and list the kind of detailed information needed. Municipalities are not subject to PUC regulations and any questions about use of these regulations in developing a PWS application should be directed to the NMED's Drinking Water Bureau.

Planning considerations

The quantity of water available from existing and new sources should be adequate to supply the total water demand of the community including commercial and industrial requirements plus a reasonable surplus for anticipated growth and development. The location, climate, population, type of community, cost of water, ultimate service area, required flow for fire protection, type of supply source, quality of supply source and other factors should be considered. Special attention should be given to the selection of the supply source which will meet the existing and long-term needs of the community and which will be within the operating budget for the system.

Funding Method

The cost of installing a new water system is usually high. Several different methods of funding are available and should be considered. Funding can be obtained through a variety of sources, some of which have been included in this packet (**Attachment B**). These sources, although not the only ones available, represent the majority of public funding for water systems in New Mexico. Please keep in mind that each of the agencies responsible for funding have individual requirements that can vary greatly from one agency to the next. Additionally, some agencies provide grant funding, some provide loans, with interest rates from 0% to market rate, currently around 5%, and some provide a combination of grant and loan funds. To determine which one may be best suited to your needs, a brief description of each funding source is provided, as are the contacts phone numbers.

Contact State Engineer Office

Before designing a new water system, the State Engineer Office must be contacted and water rights declared or appropriated. A flow chart of this process has been included in this packet for your reference (**Attachment C**). If the supply source is ground water and the water rights have been obtained, a drilling permit will also be required before drilling can commence. After drilling of the well a final inspection and report shall be provided on forms supplied by State Engineer Office which must be completed and returned. For more information concerning water rights and drilling, please contact the States Engineer Office at (505) 827-6120.

Design Criteria and Preliminary Studies

Design of a new or modifications to an existing public water system require the services of a licensed engineer. A guideline for selecting an engineer has been included (**Attachment D**). Information gathered by the engineer should include but is not limited to: user population, growth potential, required studies, treatment methodology, environmental impact information, etc. **Extensive community participation in this step of the process is essential to insure the project constructed is affordable and meets the community's needs.** The engineer should also determine the type of source water as either surface water, ground water, or ground water under the influence of surface water or GWUDI. Basic information for the determination and requirements of ground water under the influence of surface water is included in this packet, **Attachment E**. Research and/or preliminary samples should be taken to help find the best available method (BAT) of treatment for the source water, if required (DWR section 107).

Design Of Public Water System

A professional engineer is required to design any new public water supply system or public water supply system modifications. The design should meet all appropriate American Water Works Association (AWWA) Standards; the latest editions of the New Mexico Standard Specifications for Public Work Projects; Recommended Standards For Water Works (Great lakes Upper River Board of State Public Health & Environmental Managers), and the Guidelines For Water Supply Systems and Treatment Works in New Mexico.

Water Source Siting

When selecting a site for water supply it should be located away from any sources of contamination. When possible new sources should be located in an undeveloped area which is free of man-made sources of contamination and which exhibits little potential for contamination in the future. A proposed well for public use shall be located at least 200 feet from any potential sources of contamination and should not be subject to flooding. The siting requirements for water sources are required to meet are detailed in DWR section 109.

General Operating Requirements

The Drinking Water Regulations (Section 208) define various requirements associated with the operation of a public water supply system. The following are examples.

- ◆ Employment of state certified operator (information enclosed, **Attachment F**).
- ◆ Protection of water supply including disinfection of lines following construction or repair work.
- ◆ Treatment of contaminated water supply.
- ◆ Control of cross-connections which could contaminate the system's water.
- ◆ Sanitary survey of system at specific time intervals.
- ◆ Record keeping, includes but is not limited to: financial, monitoring, system as-builts and sampling.
- ◆ Notification of consumers when potential health hazards are present in the public water supply.

DWR Subpart III discusses various regulations concerning water system sampling and analytical requirements for non microbiological contaminants. Using funding provided NMED through the Water Conservation Fee paid by every public water system (see **Attachment G**) many, but not all, of the following water quality sampling and laboratory analysis services are provided by the NMED and its certified samplers. To conduct business in New Mexico you must obtain a Tax Identification Number (CRS #) whether your are for profit or non-profit.

See **Attachment H** for details of water quality sampling and analysis. In sum:

- ◆ All public water supply systems shall be responsible for the collection, sampling, analyzing of water from the system.
- ◆ Sampling shall begin within 90 days of becoming a public water system.
- ◆ All samples shall be collected by a certified sampler.
- ◆ Compliance samples shall include inorganic, organic, and radiological.

Microbiological contaminant sampling and analytical requirements include but are not limited to the following.

- ◆ Compliance sampling – Public water supply systems must collect total coliform samples at sites which are representative of water throughout the distribution system according to their approved written sampling plan. (Plan instructions, **Attachment I**).
- ◆ Sampling frequency based on system size and system type.
- ◆ Systems using chlorine disinfectant need to maintain a log of chlorine residuals throughout the system.

Surface water and GWUDI systems are also required to take specific samples and measurements according to DWB section 303 (Surface Water Report, **Attachment J**). The following is a representative list of these requirements.

- ◆ Turbidity
- ◆ Residual disinfectant
- ◆ Temperature
- ◆ pH
- ◆ Chlorine contact time

Operator Certification

All operations and maintenance of all or any part of a public water supply system shall be performed by, or under the direct supervision of, a certified operator or certified supervisor. Operator certification is classified by levels ranging from 1 to 4 (see **Attachment F**). Public water supply systems are classified according to population and treatment processes. The level of certification of the operator must be equivalent to or greater than the classification of the water system where he is employed.

Voluntary and Assistance Programs

NMED has several voluntary, free programs available which can provide extensive assistance to community water systems. These programs include wellhead protection, comprehensive performance evaluations, technical assistance and operator training. Please contact NMED at (505) 827-1400 or toll free at 1-877-654-8720 if interested in participating in any of the voluntary programs. Copies of complete regulations can be obtained by calling these numbers.

The NM Rural Water Association, phone 1-800-819-9893, and the Rural Community Assistance Corporation, phone 505-983-5074, both are capable and experienced at providing free on-site assistance to community systems.

Attachments to:
Guidelines for Developing a Public Water System
In New Mexico

Attachment Description

- A Application Form, two pages plus two pages of instructions.
- B Public Drinking Water Funding Sources, listing agencies and phone numbers.
- C Flow Chart for Water Rights Applications, with State Engineer Office, Water Rights Division phone number.
- D Choosing the Right Engineer for Your Project, two page AWWA article.
- E Determining Groundwater under Direct Influence, Drinking Water Bureau Guidelines.
- F Utility Operator Certification; regulations, examination schedule, and application instructions.
- G Baseline Sampling Plan; 8 page summary of water quality sampling requirements for public water systems.
- H Water Conservation Fee; regulations, registration form and reporting form.
- I Guidance for Developing a Sample Siting Plan for public water systems in New Mexico.
- J Turbidity Reporting Form.



**Drinking Water Bureau
Application for Approval of Construction or Modification Of
Public Water Supply System**



Date of Application: _____

Proposed Construction Date: _____

Application for new system: Yes No

Application for system modification: Yes No

DWSS# _____

Public Water System:

Consulting Engineer:

Name: _____

Name: _____

Address: _____

Address: _____

State: _____

State: _____

Contact: _____ Phone: _____

Contact: _____ Phone: _____

E-mail Address: _____

E-mail Address: _____

Proposed Construction or Modification To

(Include: qty, size, linear footage, and type)

- Supply Source _____
- Treatment _____
- Transmission _____
- Storage _____
- Pumps (booster or transfer) _____

- Distribution _____
- Disinfection _____
- Backflow prevention _____
- Meter installation _____
- Other (explain) _____

Population Served By System:

- | | | |
|---------------------------------------|---|---|
| <input type="checkbox"/> 25 to 500 | <input type="checkbox"/> 5,001 to 10,000 | <input type="checkbox"/> 20,001 to 50,000 |
| <input type="checkbox"/> 501 to 5,000 | <input type="checkbox"/> 10,001 to 20,000 | <input type="checkbox"/> More than 50,000 |

Does the construction or modification meet any of the following criteria: Yes No

(If answer is no please submit a preliminary engineering report and two sets of plans and specifications for review.)

(If answer is yes please submit a preliminary engineering report)

1. Is construction for distribution only and less than 1000 linear feet: Yes No
2. Improvements are for distribution only and the system employees a water utility staff which includes (by contract or direct employment) a professional engineer registered in New Mexico who will have responsible charge: Yes No
3. Is construction routine maintenance or replacement of electrical or mechanical equipment. Yes No

I, the undersigned a responsible officer or representative of the applicant, certify that, to the best of my knowledge, the information stated in this application together with the associated plans, specifications and other information give a true and complete representation of the proposed construction or modification of the public water supply system.

Signature: _____

Title: _____

Print Name: _____

Date: _____

NMED – Drinking Water Bureau
525 Camino de Los Marquez St.
Santa Fe, NM 87501

Subpart V of 20 NMAC 7.1 (Drinking Water Regulations) requires that most public water supply system projects be approved in writing by the Department prior to the start of construction.

To obtain the required Department approval for a public water supply system project, the application package for the project must be submitted at least thirty (30) days prior to advertising the project for bid or entering into a construction contract if the project is not advertised for bid. The application package must contain:

Application Form -- At least one copy of the "Application for Approval of Construction or Modification of a Public Water Supply System" must be submitted. The form must be completely filled out and signed, as Department staff cannot make additions, deletions or changes to the form.

Engineering Design Summary - At least one copy of an engineering design summary must be submitted. An engineering design summary must include engineering information as required to set out the basis of the design of the proposed project. The engineering design summary must be in sufficient detail to allow Department staff to review the plans and specifications with regard to minimum design criteria, recognized public health and sanitary engineering practices and regulatory requirements.

Plans - At least two sets of the plans must be submitted. The plans must be clear, legible and drawn to a scale that permits all necessary information to be shown without crowding. The plans must include a title page giving the name of the project, the owner of the public water supply system and the design engineer. The plans must include a location map for the project and a general layout of the facilities to be constructed. Detail plans should consist of plan views, elevations, sections, supplementary views and schematic diagrams as may be needed for construction of the proposed project.

Specifications - At least two sets of the specifications must be submitted. The specifications must specifically cover the proposed project. The specifications must include all construction information not shown on the plans, which is necessary to inform in detail of the requirements for quality of material, workmanship and fabrication of the project.

Plans and specifications for public water supply system projects must be prepared under the direction of a professional engineer certified to practice in the State of New Mexico. Plans and specifications cannot be accepted for review by Department staff unless the engineer responsible for the design of the project has affixed his/her seal to the plans and specifications.

**Application for Approval of Construction of a
NEW Public Water Supply System ****
(Commencing operation after October 1, 1999)

Date of Application: _____

Public Water System

Name: _____

Business address: _____

Phone: _____

Consulting Engineer

Name: _____

PE #: _____

Phone: _____

1. State Corporation Commission Number: _____
2. NM Tax Identification Number: _____
3. State Engineer file # (s): _____

Provide a copy or other evidence of the following:

Ownership/ Management/ Staffing

4. Customer Service Rules and Regulations.
5. Evidence of ownership accountability:
 - a) Corporation – certificate of incorporation and by-laws.
 - b) Subsidiary affiliation - copy of contract for delivery of water.
6. Company/ Association Officials' names and phone numbers.
7. Certified operator's name, phone number and certificate number.
8. Staffing and job descriptions.
9. If new system is within one mile of existing public water system, document why consolidation with that system is not a viable alternative.

Revenue Sufficiency/ Fiscal Management

10. Construction project costs and source(s) of funding.
11. Two-three years' budgets, projecting revenues and expenses.
12. Number of customers by customer class, as billed.
13. Rate schedule(s).
14. Potential meter connections based on: a) source of supply, b) storage, c) water rights.
15. For systems serving **more than 500 persons**, a rate study documenting revenue sufficiency.
16. Billing form, monthly/quarterly financial statement form, and monthly accounts receivable aging report form.
17. Annual financial report form.

** applies to new community water systems and new non-transient non-community water systems, including those that increase because of construction from below 15 connections to more than 15 connections.

As required by the federal Safe Drinking Water Act, the NM Drinking Water Regulations, 20 NMAC 7.1, Subpart V, require that any new community water system and new non-transient non-community water system as defined in the regulations which commence operation after October 1, 1999 include in their application to the NMED a capacity development analysis. This analysis must document “ownership accountability, staffing and organization, revenue sufficiency, credit worthiness, and fiscal management and controls.”

The analysis provided by the water system must be substantially in conformance with the three review documents listed in Subpart XII of the regulations. These are: NM Public Utilities Commission Rules 740.5 and 760, and the US Department of Agriculture, Rural Utilities Service, RUS NM Instruction 1942-A. Copies are available from the Environment Department.

Call toll free: 1-877-654-8720 or write to the address on the reverse side.

INSTRUCTIONS for Page Three,

Application for Approval of Construction of a New Public Water Supply System

The amount of detail and documentation provided by the water system in response to these requirements should be commensurate with the size and complexity of the system, in conformance with the NM Laws of 1985, Chapter 221, to limit governmental regulation of rate setting by small water utilities to provide for a degree of oversight that is proportionate to the need and benefit of such regulation.

Item #:

1. Public Regulation Commission (Corporation Commission) phone number: 827-4504.
2. NM Taxation and Revenue Department phone number: 827-0832.
3. State Engineer Office phone number: 827-6120.
4. Model “Rules and Regulations” can be found in the NM Public Utilities Commission Rule 760 and in the Rural Utilities Service Instruction 1942-A referred to above. These “models” should be adapted to the particular needs of your system.
7. Regulations governing Operator Certification and Training requirements, information on training offered, and application forms can be obtained from the NMED Facility Operations Section, phone number: 827-2802.
8. Even if part-time or volunteer, staff duties should be summarized in writing.
10. Summarize amounts in grant and/or loan funding, term of loan(s), and monthly payment.
11. Sample budget and other forms for small systems are available to use as models.
12. a) Residential, b) Commercial, c) Industrial, d) other, as appropriate, as billed.
13. Provide a copy of rate schedule(s), if not contained in your rules and regulations, detailing residential rates, commercial rates (if applicable), and special charges such as membership fees, reconnection fees, late payment fees, etc.
14. Assuming expected, daily maximum usage, calculate capacity limits.
15. A rate study estimates rates that would apply if the system were developed to 85% of its plant-in-service capacity. The study should include at a minimum:
 - a) Estimated cost of service and supporting documents;
 - b) Type of services being provided, i.e. fire protection, irrigation, or other uses that affect the determination of system capacity capabilities;
 - c) Estimated water usage per month per customer per customer class;
 - d) Potential meter connections based on existing water rights, source of supply capacity, treatment facility capacity, and storage capacity.

Common Public Drinking Water Funding Sources in New Mexico

State Drinking Water Revolving Loan Fund

Funding Agencies: New Mexico Environment Department (NMED)&
New Mexico Finance Authority (NMFA)

Funding Type: Loan, 0% - 3 %

Contact: NMED - Drinking Water Bureau, (505) 827-7536
Toll free: 1-877-654-8720

NMFA - (505) 984-1454
Toll free: 1-877-ask-nmfa

Infrastructure Loan Program (Public Project Revolving Loan Fund)

Funding Agencies: New Mexico Finance Authority (NMFA)

Funding Type: Loan, Below Bond Market Rate; Disadvantaged program 3%-0%

Contact: New Mexico Finance Authority, (505) 984-1454
Toll Free: 1-877-ask-nmfa

Finance Authority Emergency Funding and Water and Wastewater Grant Program

Funding Agency: New Mexico Finance Authority (NMFA)

Funding Type: Emergency Loans, Supplemental Grants

Contact: New Mexico Finance Authority, (505) 984-1454
Toll Free: 1-877-ask-nmfa

Rural Infrastructure Program

Funding Agencies: New Mexico Environment Department (NMED)

Funding Type: Loan, Below Bond Market Rate

Contact: Constructions Program Bureau, (505) 827-2816

Small Cities Community Development Block Grant Program

Funding Agencies: Department of Finance & Administration

Funding Type: Grant

Contact: Local Governments Division, (800) 432-7108
In Santa Fe: (505) 827-4950

Board of Finance Emergency Funding Program

Funding Agencies: Department of Finance & Administration

Funding Type: Grant and/or Loan

Contact: Board of Finance Division, (505) 827-4980

Rural Development Program

Funding Agencies: US Department of Agriculture, Rural Utilities Service (
(Formerly Farmers Home Administration)

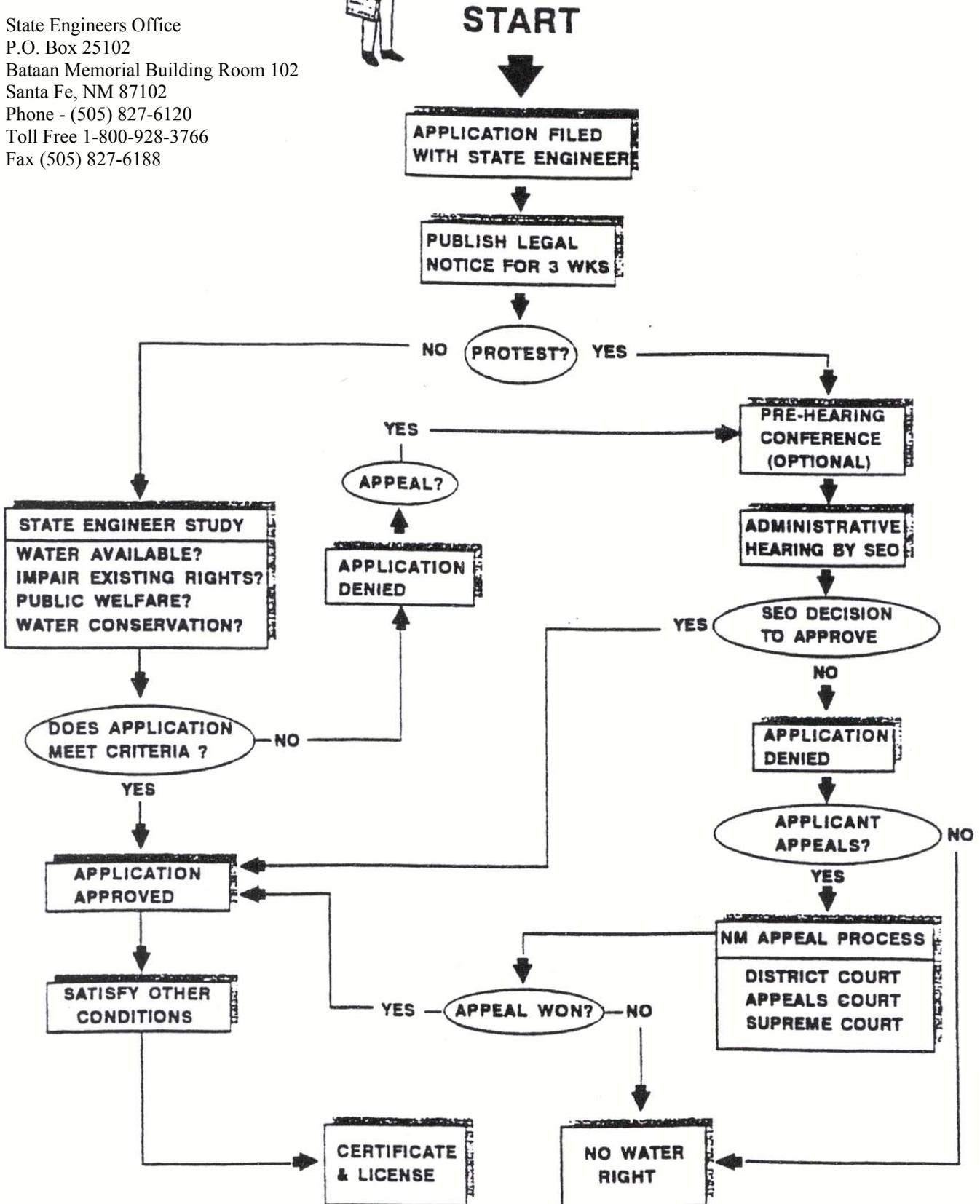
Funding Type: Grant and/or Loan

Contact: Rural Utilities Service, (505) 761-4955

Flow Chart for Water Rights Application



State Engineers Office
 P.O. Box 25102
 Bataan Memorial Building Room 102
 Santa Fe, NM 87102
 Phone - (505) 827-6120
 Toll Free 1-800-928-3766
 Fax (505) 827-6188



Choosing the Right Engineer for Your Project

Opflow, 8/96

Q. Our current surface water treatment facility is no longer adequate to meet the needs of our growing community. The plant still functions quite well except under peak flow conditions. . We would like to hire an engineer who is familiar with small communities and upflow clarification units and who would cooperate with our chief plant operator to help us expand our facility to accommodate projected growth. Do you have any suggestions on how we should go about selecting an engineer for this project.

A. Anytime a utility seeks outside professional services the more thought that is given to the recruitment and selection process the greater the likelihood of a satisfactory outcome. Selecting an engineer is an important part of doing business and how wisely this decision is made can impact the utility for years to come.

Generally there are six steps in selecting the right Engineering firm for your project.

- ◆ Educate yourself about the need for the work to be done and possible options for doing it.
- ◆ Identify prospective engineering firms
- ◆ Issue a request for proposals (RFP)
- ◆ Interview the candidates who respond
- ◆ Check the references
- ◆ Select a firm and make a contract for their services.

EDUCATE YOURSELF

The better informed the manager is about the need for the work to be done and the available options to accomplish the task, the more effective they will be at communicating project needs to prospective engineers. Educating yourself on why the project needs to be done and what approaches have been tried in the past gives you the background to write your RFP and begin narrowing the field of prospective engineering firms. This information will help the utility throughout the selection process and beyond.

Develop a list of at least five engineering firms that you may be able to send RFP's. The state licensing board for engineers, state or local engineering society, or the state drinking water agency and other utilities, should be able to make some suggestions.

ISSUE REQUEST FOR PROPOSAL

Briefly describe your problem and ask firms how they would go about solving it. The more information you can give them the better. The proposal should include:

- ◆ a description of the problem
- ◆ what you want the firm to accomplish
- ◆ deadline by which you must receive an answer
- ◆ contact person for more information
- ◆ criteria that will be used to judge proposal
- ◆ the place and time the proposal must be submitted

INTERVIEW CANDIDATE

Select three or four candidates that meet your criteria to interview. Don't hesitate sending out more requests if you are not satisfied with the result of this response. Decide who will best represent the utility at the interview. It may be a good idea if the Board of Directors or advisory board is present. Don't take anything for granted. Ask for details and clarification until you are absolutely clear about the candidates meaning and intention on all questions. Some question to keep in mind:

- ◆ Does the firm have experience with communities like yours?
- ◆ Do they have experience with small water systems?
- ◆ What have they done lately? Get names of contact people.
- ◆ Does the firm have experience getting outside financing? Get examples
- ◆ What is their level of understanding of the current drinking water regulations?
- ◆ Can the firm work effectively with in house experts such as the chief operator, the general manager and the board of directors.
- ◆ Does the firm charge for telephone calls?
- ◆ Does the firm see some ways you can save money on this project?

Be sure to ask the same questions to all applicants in the interest of fairness and objectivity.

CHECK REFERENCE

Don't just check those references that the firm wants you to check. Ask for a list of the last five to ten jobs that they did and compare the responses with those of the references the firm volunteered. Find out if the firm really did work well with in-house experts and responded to the clients needs. Are the clients satisfied with the work and does the finished work satisfy performance expectations? Where there problems or delays?

SELECT FIRM AND CONTRACT FOR ITS SERVICES

The selection process will be much easier if you first establish criteria and a ranking system on which to base your decision. Cost is important but your decision should not be based merely on financial savings. Take a close look at wide variations in proposal costs to be sure your comparing the same things. Would the high bid could be more in line if unnecessary services were deleted? Is the low bid taking into consideration everything that is necessary?

One approach to reducing cost would be to offer a bonus for cost savings.. Avoid paying the engineer a percentage of the projects total cost, as this provides the opposite of the desired incentive. One final note make sure your attorney studies the final contract before you sign it.

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Joe McDonald is AWWA resources engineer and can be contacted by telephone at (303) 347-6201.

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Drinking Water Bureau
Determining Groundwater under Direct Influence (GWUDI)
November 20, 1998

A (GWUDI) is used to identify ground water under the direct influence of surface water. This analysis will be used to control waterborne viruses, i.e. Cryptosporidium and Giardia lamblia. This analysis will apply both to known surface water and groundwater sources utilizing collection devices (spring houses, infiltration galleries, horizontal and vertical wells) or sources (aquifers) that may be at risk for contamination of Giardia. If groundwater system is confirmed to be under the direct influence of surface water it will be required to meet the Surface Water Treatment Rule (SWTR).

Required Sampling Locations for Vulnerable Sources

- ◆ Spring houses
- ◆ Infiltration galleries
- ◆ Shallow wells less than 100 feet in depth in known bedrock or karst conditions.
- ◆ Wells located within 200 feet of known surface waters.
- ◆ Wells located in areas that are periodically flooded shall undergo (GWUDI) sampling.
- ◆ Wells without a sanitary seal surrounding the well casing.
- ◆ Wells that may be suspect due to waterborne sickness, outbreaks or TCR violations

Microbiological and Chemical Assessment

The Microscopic Particulate Analysis (MPA). There are six protozoa indicators produced by the MPA sample to determine if a system fall into the GWUDI category these are: diatoms, rotifers, coccidia, plant debris, insect parts, Giardia and Cryptosporidium cysts. MPA tests should be performed twice a year. Once during a wet period and one during the dry period of the year, with 4-6 months between sampling events. Sampling will continue until the system is classified as surface water or two consecutive samples have been classified as “ Non-detect”.

A system will continue to undergo periodic MPA’s (every 4-6 months) until there is a confirmed hit or get 2 (consecutive) Non-detects. A confirmed hit will result in the classification of the system as Groundwater Under the Direct Influence of surface water. Two consecutive Non-detects will result in classification of the system as a groundwater system.

Based on the Microscopic Particulate Analysis (MPA). If the laboratory analysis is presumptive for Cryptosporidium or Giardia at any level, a confirmation sample will be performed immediately upon notification from the certified laboratory. If the second laboratory analysis indicates again presumptive for Cryptosporidium or Giardia it will be classified as a surface water system and be required to meet the Surface Water Treatment Rule (SWTR). Additionally, if the laboratory returns a confirmed positive sample for Cryptosporidium or Giardia it will be classified a surface water system and will be required to meet the (SWTR). If a suspected groundwater system tests negative for Cryptosporidium, Giardia or any microbiota during both sampling periods it will be classified as a groundwater system.

Turbidity, pH, and temperature are also used in conjunction with the (MPA) to determine if a groundwater source is under the influence of surface water. Turbidity particles found inside a source are typically surface water indicators. However, this collection practice used by it self must be used with caution because flocculated particles could give false values. The pH is used to determine the acidity and alkalinity within the water.

If a system has between moderate (**M**) to extremely heavy (**EH**) volumes of Coccidia, Diatoms, Algae, Insect/Larvae, Rotifers or Plant Debris it will be classified as a surface water system and be required to meet the Surface Water Treatment Rule (SWTR).

WATER QUALITY CONTROL COMMISSION
P.O. Box 26110/1190 St. Francis Drive
Santa Fe, New Mexico 87502

TITLE 20
CHAPTER 7
PART 4

ENVIRONMENTAL PROTECTION
WASTEWATER AND WATER SUPPLY FACILITIES
UTILITY OPERATOR CERTIFICATION

SUBPART I - GENERAL PROVISIONS

- 100. ISSUING AGENCY.** Water Quality Control Commission.
- 101. SCOPE.** All persons, facilities and systems subject to the Utility Operators Certification Act.
- 102. STATUTORY AUTHORITY.** Utility Operators Certification Act, NMSA 1978, . . . 61-33-1 to 10.
- 103. DURATION.** Permanent.
- 104. EFFECTIVE DATE.** November 30, 1995. This Part amends and replaces the Water Quality Control Commission Regulations, WQCC 82-1, Part 4 filed March 12, 1974, as amended.
- A. All references to Part 4 of WQCC 82-1 in any other rule shall be construed as a reference to this Part.
 - B. The amendment and replacement of WQCC 82-1 Part 4 shall not affect any administrative or judicial enforcement action pending on the effective date of such amendment nor the validity of any certification issued pursuant to WQCC 82-1 Part 4.
- 105. OBJECTIVE.** The objective of this Part is to implement the Utility Operators Certification Act.
- 106. CONSTRUCTION.** This Part shall be liberally construed to carry out the purposes of the Act. If any provision or application of this Part is held invalid, the remainder or its application to other situations or persons shall not be affected.
- 107. COMPLIANCE WITH OTHER REGULATIONS.** Compliance with this Part does not relieve a person from the obligation to comply with other applicable state and federal regulations.
- 108. DEFINITIONS.** All terms defined in the Utility Operators Certification Act and in 20 NMAC 7.4 shall have the meanings provided therein except as modified herein. As used in this Part:
- A. "board" means the Utility Operators Certification Advisory Board;
 - B. "certification act" means the Utility Operators Certification Act, NMSA 1978, . . . 61-33-1 to 10;
 - C. "certified operator" means a person who is certified by the Commission as being qualified to operate one of the classifications of public water supply systems or public wastewater facilities;
 - D. "certified supervisor" means a person who is certified as an operator by the Commission as qualified to operate one of the classifications of water supply systems or wastewater facilities and who performs on-site coordination, direction and inspection of the operation of a public wastewater facility or a public water supply facility;
 - E. "collection system" means pipelines or conduits, pumping stations, force mains, and all other devices, appurtenances and facilities used for collecting and conducting waste to a point of treatment and disposal;
 - F. "Commission" means:
 - 1. the Water Quality Control Commission, or
 - 2. the Department, when used in connection with any administrative and enforcement activity or function which the Commission has delegated to the Department under the Certification Act;
 - G. "Department" means the New Mexico Environment Department;
 - H. "distribution system" means pipelines, appurtenances, devices and facilities which carry potable water under pressure to each consumer;
 - I. "domestic liquid waste" means human excreta and water-carried waste from typical residential plumbing fixtures and activities, including but not limited to waste from toilets, sinks, bath fixtures, clothes or dishwashing machines and floor drains;
 - J. "domestic liquid waste treatment unit" means a watertight unit designed, constructed and installed to stabilize only domestic liquid waste and to retain solids contained in such domestic liquid waste, including but not limited to aerobic treatment units and septic tanks;

- K. “education” means academic credit received attending any public or private primary, secondary or high school, approved vocational training courses in the water supply and wastewater field, college or university;
- L. “experience” means actual work experience, full or part-time, as an operator in the fields of public water supply or public wastewater treatment. Work experience in a related field may be accepted at the discretion of the Commission;
- M. “operator” means any person employed by the owner as the person responsible for the operation of all or any portion of a public water supply system or public wastewater facility. Not included in this definition are such persons as directors of public works, city engineers, city managers, or other officials or persons whose duties do not include actual operation or direct supervision of public water supply systems or public wastewater facilities;
- N. “owner” means the person or persons having the responsibility of managing or maintaining a public water supply system or a public wastewater facility;
- O. “population served” means actual or estimated maximum number of persons served by the public water supply system or public wastewater facility;
- P. “public wastewater facility” means a system of structures, equipment and processes designed to collect and treat domestic and industrial waste and dispose of the effluent, but does not include:
 - 1. any domestic liquid waste treatment unit;
 - 2. any industrial facility subject to an industrial pretreatment program regulated by the United States Environmental Protection Agency under the requirement of the federal Clean Water Act of 1977; or
 - 3. any waste treatment system which is strictly limited to treating non-human, agricultural waste;
- Q. “public water supply system” means:
 - 1. a system for the provision to the public of piped water for human consumption or domestic purposes if the system:
 - a. has at least fifteen service connections; or
 - b. regularly serves an average of at least twenty-five individuals at least sixty days of the year; and
 - 2. includes any water supply source and any treatment, storage and distribution facilities under control of the operator of the system;
- R. “training” means approved education or non-academic training in the fields of public water supply system or public wastewater treatment facility operations;
- S. “training credit” means the amount of credit earned by a participant in a training program;
- T. “treatment works” means any plant or other works used for the purpose of treating, stabilizing or holding wastes;

109. - 110. [RESERVED

111. CLASSIFICATION OF PUBLIC WATER SUPPLY SYSTEMS AND PUBLIC WASTEWATER FACILITIES.

Public water supply systems and public wastewater facilities are classified by the Commission in Sections 112 and 113 in accordance with the Certification Act, NMSA 1978, § 61-33-4(A).

112. PUBLIC WATER SUPPLY SYSTEMS.

<u>Population Served</u>	0	501	5,001	10,001	20,000+
	500	5,000	10,000	20,000	

A. Treatment Process

Classification

Filtration (sand, gravity)	SWA	3	3	3	4
Coagulation, Sedimentation, Filtration	SWA	3	3	4	4
Chemical Precipitation (Mn, Fe, softening)	SWA	3	3	4	4
Aeration SW	2	3	3	4	
Odor and Taste Control (activated carbon)	SW	2	3	3	4
Chemical Addition (stabilization)	SW	2	2	3	4
Pressure Filtration	SWA	2	2	3	4
Ion Exchange (softening, defluoridation)	SWA	2	3	3	4
Chlorination	SW	2	2	3	4
Fluoridation	SW	2	2	3	4
Special, such as desalination	SWA	4	4	4	4
Production, ground water only	SW	1	2	3	4

*SW = Small Water Classification

*SWA = Advanced Small Water Classification

B. Distribution Systems

Classification

Distribution of Treated Surface Water	1	2	2	2	3
Distribution of Chlorinated Ground Water	1	2	2	2	3
Distribution of Unchlorinated Ground Water	1	1	2	2	3

113. PUBLIC WASTEWATER FACILITIES.

<u>Population Served</u>	1	501	5,001	10,001	20,000+
	500	5,000	10,000	20,000	

A. Treatment Process

Classification

Raw Wastewater Lagoons	SWW	1	1	1	1
Aerated Lagoons	SWW	2	2	2	2
Primary Treatment	SWW	2	2	2	2
Primary Treatment and Oxidation Ponds	SWW	2	2	2	2
Secondary Treatment, Trickling Filter	SWW	2	3	3	4
Secondary Treatment, Aeration	SWWA	3	3	4	4
Physical-Chemical Treatment Processes	SWWA	3	3	3	4
Advanced Waste Treatment Process	SWWA	3	4	4	4

*SWW = Small Wastewater Classification

*SWWA = Advanced Small Wastewater Classification

B. Collection System

Ordinarily, collection systems are considered as a part of the treatment works; however, where the jurisdiction or responsibility for collection system is not the same as the jurisdiction or responsibility for the treatment works, the collection system shall be classified as Class 1, if the population served is less than 15,000 persons and as Class 2, if the population served is greater than or equal to 15,000 persons.

114. - 199. [RESERVED]

SUBPART II - OPERATOR CERTIFICATION

200. CERTIFICATION GENERAL PROVISIONS.

- A. After July 1, 1976, each owner of a public water supply system or a public wastewater facility serving 2,500 persons or more shall employ a certified operator(s).
- B. After December 1, 1993, each owner of a public water supply system or a public wastewater facility serving 501 - 2,500 persons shall employ a certified operator(s).
- C. After December 1, 1995, each owner of a public water supply system or public wastewater facility shall employ a certified operator(s).
- D. All operations and maintenance of all or any part of a public water supply system or public wastewater facility shall be performed by, or under the direct supervision of, a certified operator or certified supervisor in accordance with the deadlines set forth for the specific sizes of systems in Section 200.A, 200.B and 200.C. The certified operator or certified supervisor must hold certification in a class equal to, or greater than, the classification of the system or facility.
- E. Class 4 is the highest classification level and Class 1 is the lowest for systems serving a daily maximum population greater than 500 persons. These classes are ranked so that a person holding certification in a particular class may operate any facility in that particular class and any lower class. Separate certification is required for the operation of a public water supply system and of a public wastewater facility.
- F. The classes of small system certifications are ranked so that any person holding certification at the advanced level may operate any facility in that class and any lower class.
- G. Persons holding certification in Class 1 - 4 may operate facilities in the classes of small water and wastewater systems provided that they are certified at a level which is inclusive of the treatment processes employed by the small system operated.
- H. The name(s) of the certified operator(s) and certified supervisors employed by a public water supply system or public wastewater facility must be on file at all times with the Department. A certified operator or certified supervisor may be replaced with another certified operator or certified supervisor of the required particular class at any time. The owner shall notify the Department in writing within ten days after the replacement.

201. REQUIREMENTS FOR CERTIFICATION. Each applicant for certification as a public water supply system operator or a public wastewater facility operator shall:

- A. Make application on forms furnished by the Department. Applications shall be submitted to the Department not later than thirty (30) days prior to the date of the examination.
- B. Submit evidence that the applicant has reached the age of majority.
- C. Pay a fee, in advance, to the Department. The fee shall be \$15.00 for each Department action such as examination for certification and \$10.00 for the issuance of a temporary certificate.
- D. Successfully meet the educational, experience and training requirements stipulated in Section 202 of this Part. All training programs must be approved by the Commission and the Commission shall assign the number of training credits for each approved training program.
- E. Successfully pass the examination for the class and type of certification being applied for:

1. Examinations for certification shall be scheduled at such times and locations as the Commission deems necessary.
2. Examinations shall be used in determining skill, knowledge, ability and judgement of the applicant.
3. All examinations will be graded and the applicants notified of the results. Examination papers will not be returned to the applicant, but may be reviewed by the applicant at the Department office.

202. REQUIREMENTS FOR THE CLASSES.

A. Basic requirements are:

1. Class 1 and the classes of small system certification require one year of experience plus ten training credits;
2. Class 2 requires three years of experience plus thirty training credits;
3. Class 3 requires five years of experience plus fifty training credits; and
4. Class 4 requires high school graduation, or G.E.D. equivalent, plus one year's experience as a Class 3 certificate holder plus eighty training credits.

B. Substitutions.

1. In no case shall the actual experience be less than one year for any class except as in 202.B.2.d of this Part.
2. Education may be substituted for the basic requirements or used for training credits as follows. In no case may the same education serve both as a substitution for experience and as training credits except as provided in this section.
 - a. High school graduation or G.E.D. equivalent may be substituted for one year's experience.
 - b. No more than one year (30 semester hours) of successfully completed college education in a non-related field may be substituted for an additional six months of the required experience.
 - c. One year of an approved vocational school in the water and/or wastewater field may be substituted for only one additional year of the required experience.
 - d. An Associate's Degree for a two-year program in an approved school in the water and/or wastewater field and six months of actual experience in that field (which may be accrued before, during, or after the school program) may be substituted for the requirements of any level up to and including Class 2. An Associate's Degree for a two-year program in an approved school in the water and/or wastewater field and twelve months of actual experience in that field (which may be accrued before, during, or after the school program) may be substituted for the requirements of a Class 3.
 - e. Completion of at least three years of actual experience in the water and/or wastewater field plus high school diploma or equivalent, plus 15 semester hours of successfully completed college education directly related to the water or wastewater field may be substituted for any level up to and including Class 3.
 - f. A Bachelor's Degree for a major directly related to the water or wastewater field plus two years of actual experience in that field may be substituted for any level up to and including Class 3.
3. Full time water and wastewater laboratory experience may be substituted for operator experience in a respective field at a rate of 25% of the actual experience held.

203. TEMPORARY CERTIFICATION. If, after reasonable time and effort by an owner, a qualified operator cannot be employed, temporary certification may be issued for the operator of a system or facility. Such a certificate is issued to an individual for a period not to exceed six months. A temporary certificate may be extended to a maximum of 18 months if the operator is involved in a training program that will qualify him for the required level in that period.

204. CERTIFICATION WITHOUT EXAMINATION.

- A.
1. Certificates shall be issued without an examination to persons who, on July 1, 1993, were operators of a system or facility serving under 2,500 persons. Applications for certification under this section must have been made on or before December 1, 1993.
 2. Persons making application under this section must meet the basic requirements for certification outlined in Section 202.
 3. Certificates issued under this section will be restricted to the particular system or facility for which the applicant is employed as it existed on July 1, 1993. Major changes in the type of treatment employed, or the size of the population served, that would significantly affect the operation of the system or facility shall cause any certificate issued under this section to become invalid. The limitations of any certificate issued under this section will be printed thereon.
 4. The Commission may deny any application for certification under this section if, in the opinion of the Commission, approval of the application could adversely affect the health and safety of the public or the environment.
 5. Application for certification under this provision must be accompanied by a \$25.00 fee per certificate requested, payable to the Department.
- B. The Commission may issue certificates, in equivalent classification, without examination to applicants who hold valid certificates or licenses issued by any state, territory, or foreign jurisdiction, provided that the requirements for issuance of such certificates or licenses are, in the opinion of the Commission, equal to or higher than those set forth in this Part. Application for certification under this provision must be accompanied by a \$25.00 fee per certificate requested, payable to the Department.

205. RENEWAL OF CERTIFICATES.

- A. All initial certifications shall expire on the last day of the certificate holder's birth month following the third anniversary of certification. All renewals shall be for three years. A fee of \$15.00 will be payable to the Department for each renewal.
- B. The Department shall mail each holder of a certificate a renewal notice at least thirty days prior to the expiration date, mailed to his last address of record. Failure to receive such notice shall not relieve the holder of his responsibility to apply for renewal prior to the expiration date.
- C. Each certificate issued under Section 204 must be renewed at three year intervals.
- D. Renewal will require that each certificate holder be credited with having obtained thirty (30) training credits in the three-year period preceding the date on which renewal application is due. This requirement will apply after the third year of New Mexico certification for each operator.

206. LAPSED CERTIFICATES.

- A. Certificates which have not been renewed in accordance with Section 205 will be considered lapsed and invalid.
- B. Lapsed certificates may be reinstated without penalty upon application within thirty days of the date of expiration. A lapsed certificate which has not been reinstated within the thirty-day period may be reinstated within one year of expiration date upon reapplication and payment of a \$5.00 per month penalty fee for each month or portion thereof beyond the expiration date. Reinstatement of lapsed certificate will also require satisfaction of all the renewal requirements of Section 205.
- C. If a lapsed certificate has not been reinstated within one year of its expiration date, re-examination will be required for reinstatement.

207. SUSPENSION AND REVOCATION.

- A. The Commission shall suspend or revoke any or all certificate(s) held by a certified operator or certified supervisor as provided for in Section 61-33-7 of the Certification Act.
- B. In the event of a contemplated suspension or revocation of a certificate, the Commission shall notify the certificate holder by registered mail of the reason for such action. Within 20 days after receipt of the notice, the certificate holder may request in writing that a hearing be held by the Commission.
- C. When the Commission contemplates the suspension or revocation of a certificate, the Commission shall serve upon the certificate holder a written notice containing a statement:
 - 1. that the Commission has sufficient evidence which, if not rebutted or explained, will justify the Commission in suspending or revoking the certificate;
 - 2. indicating the general nature of the evidence;
 - 3. that unless the certificate holder within twenty days after service of the notice deposits in the mail a certified return receipt requested letter addressed to the Commission and containing a request for a hearing, the Commission will take the contemplated action; and
 - 4. calling the certificate holder's attention to their rights under NMSA 1978, Section 61-1-8.
- D. If the certificate holder does not mail a request for a hearing within the time and in the manner required by this section, the Commission may take the action contemplated in the notice and such action shall be final and not subject to judicial review.
- E. If the certificate holder does mail a request for a hearing as required by this Section, the Commission shall, within twenty days of receipt of such request, notify the certificate holder of the time and place of hearing, the name or names of the person or persons who shall conduct the hearing for the Commission and the statutes and regulations authorizing the Commission to take the contemplated action, which hearing shall be held not more than sixty nor less than fifteen days from the date of service of such notice.
- F. Re-issuance of a revoked certificate shall be accomplished by reapplication as provided for in an original certificate. Any person whose certificate is revoked shall be ineligible for admission to any examination for certification for the entire period of revocation as set by the Commission.
- G. A certificate may be suspended for a specified period of time to be determined by the Commission.

208. ELIGIBILITY FOR OPERATOR TRAINING GRANT FUNDS. Each applicant for operator training grant funds administered by the Department shall:

- A. Submit evidence satisfactory to the Department that the recipient of the training:
 - 1. is a person who is a candidate for employment as a "certified operator" as defined under Section 108 of this Part; or
 - 2. is a person in a supervisory role responsible for the management of a public water supply system or public wastewater treatment facility; or
 - 3. is a person who is or will be involved in the instruction of operators.
- B. Submit evidence satisfactory to the Department that not less than ten percent (10%) of the training cost is provided by the employer of the utility operator; the cost of per diem and mileage may not be paid from grant funds but may be accounted in determining the training cost provided by the employer; and
- C. Supply any other pertinent information deemed necessary by the Department.

209. UTILITY OPERATORS CERTIFICATION ADVISORY BOARD.

- A. Pursuant to Section 61-33-4(G), a Board shall be appointed by the Commission to function with the Commission to establish qualifications of operators, classify systems, adopt regulations and advise the administration of the Certification Act. The Commission shall properly notify the Board of all matters brought before the Commission to which the Certification Act is applicable.
- B. The Board shall consist of seven (7) certified operators. The Commission shall also appoint two (2) certified operators to serve as alternates to Board members in their absence. All alternates appointed prior to the effective date of this Part will be allowed to serve out the remainder of their three year terms.
- C. Appointments to the Board shall be for three year terms. The Commission shall appoint new Board members at its first meeting of each fiscal year. The terms shall overlap so that no more than three terms shall expire in any one year.
- D. At the first meeting of each fiscal year, the Board shall elect from its membership a chairman, a vice chairman, and two members to sit as Commission Members on all matters to which the Certification Act is applicable.
- E. A quorum shall consist of a least four (4) members.
- F. The duties of the Board shall include:
 - 1. Reviewing proposed rules, regulations and guidelines regarding the administration of the Certification Act for action by the Commission including:
 - a. the basis for classifying public water supply systems and public wastewater facilities, and
 - b. qualifications for the various classifications of operators, and
 - 2. reviewing proposed examinations for each class and type of certification;
 - 3. proposing criteria for the evaluation of applicant qualifications;
 - 4. reviewing applications for issuance of certificates by reciprocity or endorsement;
 - 5. proposing criteria for the evaluation of proposed training programs;
 - 6. making recommendations to the Commission for replacement when a Board vacancy occurs;
 - 7. performing any other function in regard to the Certification Act as directed by the Commission.
- G. Any Board member failing to attend three consecutive regular meetings is automatically removed as a member of the Board. The Commission may remove any member of the Board for neglect of any duty required by law, for incompetency or for unprofessional conduct and shall remove any Board member who violates any provision of the Certification Act. The Commission shall fill any vacancies on the Board.

210. - 299. [RESERVED]

Chemical, & Radiological Baseline Monitoring of Drinking Water

Chemical Monitoring

For inorganic chemicals, monitoring frequency is dependent upon the water source and contaminant being sampled.

ALL PWS MUST BE SAMPLED WITHIN 90 DAYS OF COMING ON LINE

Inorganic chemicals

CONFIRMATION & AVERAGING REQUIRED TO DETERMINE COMPLIANCE FOR NITRATE

PUBLIC NOTICE IS REQUIRED FOR FLOURIDE IF RESULT IS > 2 mg/L

Sample collection frequency

Groundwater

Nitrate	Annual (If 1 sample 2, S mg/L, 1/41y at least 1 year) All
Nitrite	systems - no waivers 1 time only (if result is < .5 mg/L)
Asbestos	All systems every 9 years (1 st period of cycle if no waiver)
Others	CWS & NTNCWS triennial - CWS & NTNCWS Surface water
Nitrate	Quarterly (reduced to annual if none > S mg/L) All
Nitrite	systems 1 time only (if result is < .5 mg/L) All systems
Asbestos	every 9 years (as groundwater system) CWS & NTNCWS
Others	annual - CWS & NTNCWS

A CONFORMATION SAMPLE IS REQUIRED IF ANY MCL IS EXCEEDED

Sampling locations

Groundwater systems shall take a minimum of one sample at every entry point to the distribution system which is representative of each well after treatment **except Asbestos (distribution – both distribution and source if source is vulnerable)**

Surface water systems shall take a minimum of one sample at every entry point to the distribution system after any application of treatment or in the distribution system at a point representative of each source after treatment

1 SULFATE SAMPLE FROM THE SOURCE FOR A NEW SYSTEM OR SOURCE - CWS & NTNCWS

Organic Chemicals

Monitoring frequency varies depending on system size and whether contaminants are detected during initial monitoring

Monitoring frequencies:

- ◆ SOCs: 4 consecutive quarterly samples during the first compliance period (Systems >3300 with no detect can reduce to 2 quarterly samples (2 consecutive 6 month periods) in 1 year, per compliance period) (Systems <3300 with no detect can reduce to 1 sample per compliance period) CWS & NTNCWS
- ◆ VOCs: 4 consecutive quarterly samples during the first compliance period (**Groundwater** systems can reduce to 1 annual if no detects in initial round, then 1 X 3 years after 3 consecutive years of no detects)

Confirmation sample required if a DETECT of any VOC

Detect = ≤ 0.5 ug/L (1/41y sampling required if compliance & confirmation are ≤ 0.5 ug/L)

Sampling locations (organic)

Groundwater systems shall take a minimum of one sample at every entry point to the distribution system which is representative of each well after treatment

Surface water systems shall take a minimum of one sample

- ◆ At every entry point to the distribution system after any application of treatment
- ◆ Or, in the distribution system at a point representative of each source after treatment

TTHMs: Systems that serve population > 10,000 and disinfect

- ◆ One sample taken at a point in the distribution system reflecting maximum residence time in the system
- ◆ Remaining samples taken at representative locations within the distribution system
- ◆ Additionally, groundwater sources should have one sample analyzed for maximum TTHM Potential

Radiological Monitoring

Monitoring frequency

- ◆ Initial sampling consists of the analysis of an annual "Field Composite Sample" (1 consecutive quarterly samples)
- ◆ Thereafter, sampling must be every 4 years, in the same month (if MCL was not exceeded the initial result was < 7.5 pCi/L). If initial result was > 7.5 pCi/L another "Field Composite" is required

Groundwater systems shall take a minimum of one sample at the source, then at every entry point to the distribution system which representative of each well after treatment

Surface water systems shall take a minimum of one sample at every entry point to the distribution system after any application a treatment or, in the distribution system at a point which is representative of each source after treatment

Turbidity Monitoring

Monitoring for turbidity must be accomplished on a daily basis for surface water sources and groundwater under the influence of surface water

- ◆ Sampling shall be done at representative entry points to the distribution system and according to 902.2 of the Drinking Water Regulations

Field Log Book Record

Written record used to trace possession and handling of samples from the moment of collection until shipment or delivery to the laboratory for analysis. All records should be done legibly in ink; Field records should be signed & dated

74-1-13. Water conservation fee; imposition; definitions.

- A. There is imposed on every person who operates a public water supply system; a water conservation fee in an amount equal to three cents (\$. 03) per thousand gallons of water produced on which the fee imposed by this subsection has not been paid.
- B. The "water conservation fund" is created in the state treasury and shall be administered by the department of environment. The fund shall consist of water conservation fees collected pursuant to this section. Balances in the fund at the end of any fiscal year shall not revert to the general fund but shall accrue to the credit of the fund. Earnings on the fund shall be credited to the fund.
- C. Money in the water conservation fund is appropriated to the department of environment for administration of a public water supply program to:
- (1) Test public water supplies for the contaminants required to be tested pursuant to the provisions of Section 1412 of the federal Safe Drinking Water Act and finalized through July 1, 1992, and collect chemical compliance samples as required by those provisions of the federal act;
 - (2) Perform vulnerability assessments which will be used to assess a public water supply's susceptibility to those contaminants; and
 - (3) Implement new requirements of the Utility operators Certification Act [61-1-1 to 61-1-31 NMSA 1978] and provide training for all public water supply operators.
- D. The taxation and revenue department shall provide by regulation for the manner and form of collection of the water conservation fee. All water conservation fees collected by the taxation and revenue department shall be deposited in the water conservation fund.
- E. The fee imposed by this section shall be administered in accordance with the provisions of the Tax Administration Act [Chapter 7, Article 1 NMSA 1978], and shall be paid to the taxation and revenue department by each person who operates a public water supply system in the manner required by the department on or before the twenty-fifth day of the month following the month in which the water is produced.
- F. Each operator of a public water supply system shall register and comply with the provisions of Section 7-1-12 NMSA 1978 and furnish such information as may be required by the taxation and revenue department.
- G. As used in this section:
- (1) "Person" means any individual or legal entity and also means, to the extent permitted by law, any federal, state or other governmental unit or subdivision or an agency, department or instrumentality thereof; and
 - (2) "Public water supply system" means a system that provides piped water to the public for human consumption and that has at least fifteen service connections or regularly services an average of at least twenty-five individuals at least sixty days per year.

History: Laws 1993, ch. 317, 2.

Effective dates. - Laws 1993, ch. 317, ~ 4 makes the act effective on April 8, 1993.

Appropriations - Laws 1993, ch. 317, ~ 3 appropriates \$4,947,161 from the general fund to the department of environment for expenditure in the eighty-first, eighty-second, eighty-third and eighty-fourth fiscal years for the purpose of testing all public water supplies for the contaminants required to be tested for under ~ 1412 of the federal Safe Drinking Water Act and finalized through July 17, 1992; performing vulnerability assessments which will be used to assess a public water supply's susceptibility to the contaminants and thereby reduce the sampling frequency; collecting chemical compliance samples required under ~ 1412 of the federal Safe Drinking Water Act for all public water supplies; and implementing new requirements of the Utility Operators Certification and providing training for all public water supply operators, and provides that any unexpended or unencumbered balance remaining at the end of the eighty-fourth fiscal year shall revert to the general fund.

Safe Drinking Water ACT - The federal Safe Drinking Water Act, referred to in Paragraph (1) of Subsection (c), is compiled as 21 U.S.C. ~ 349 and 42 U.S.C. ~ 300f.

**Taxation and Revenue Department
Joseph M. Montoya Building
1100 South St. Francis Drive
Post Office Box 630
Santa Fe NM 87504-0630**

TRD Regulation TA 15:3

Amending TRD Rule TA-90

**Regulation Pertaining to the
TAX ADMINISTRATION ACT
Section 7-1-15 NMSA 1978**

I.

7-1-15. SECRETARY May SET Tax Reporting and Payment Intervals-The Secretary may, pursuant to regulation allow taxpayers with an anticipated tax liability of less than two hundred dollars (\$200) a month to report and pay taxes at intervals which the secretary may specify However, unless specifically permitted by law, an interval shall not exceed six months

**II. TA 15:3 - QUARTERLY AND SEMIANNUAL REPORTING - WATER
CONSERVATION FEE**

Persons who are liable for reporting the water conservation fee under Section 74-1-13 and whose anticipated aggregate liability for the fee is less than \$200 a month may report and pay this fee at quarterly or semiannual intervals if the taxpayer applies for and obtains the prior approval of the secretary or the Secretary's delegate The semiannual reporting and payment intervals shall be only for the periods of January through June and July through December of any calendar year The quarterly reporting and payment intervals shall be only for the three- month periods ending March 31, June 30, September 30 and December 31 of any calendar year.

Persons who liable for reporting the water conservation fee may not change from reporting interval to another without the prior written approval of the secretary or the secretary's delegate except that the person may change without prior approval from quarterly or semiannual reporting to monthly if the person begins the monthly reporting with either the January or July reporting period.

As a condition of approving quarterly or semiannual reporting the secretary or the secretary's delegate may require the posting of a security bond or other acceptable security in an appropriate amount payable to the State of New Mexico guaranteeing payment to the State of New Mexico of the

TRD Regulation TA 15:3

STATE OF NEW MEXICO - TAXATION & REVENUE DEPARTMENT
REGISTRATION UPDATE

CRS I.D. No. _____

CURRENT INFORMATION

Firm Name _____	Phone (____) _____	County _____
-----------------	--------------------	--------------

NEW INFORMATION

Firm Name _____	Phone (____) _____	County _____
-----------------	--------------------	--------------

Mailing Address _____	City, State, Zip Code _____
-----------------------	-----------------------------

Location Address _____	City, State, Zip Code _____
------------------------	-----------------------------

Taxpayer Name _____	Social Security Number _____	Federal ID Number _____
---------------------	------------------------------	-------------------------

ADDITIONAL BUSINESS INFORMATION

ADD Date _____ Name _____

DELETE Address _____

CHANGE City, County, State, Zip Code _____

ADD Date _____ Name _____

DELETE Address _____

CHANGE City, County, State, Zip Code _____

1. Request to change reporting status to: Monthly Quarterly Semiannual
2. Change type of business activity **OR** Add a business activity (check activity below)
 - Agriculture Mining Construction Manufacturing Trans, Comm. Utility Wholesale Retail
 - Finance, Ins. & Real Estate Service Government
3. Change business starting date to: ____/____/____
4. Reinstate the above ID number as of _____ (date)
5. Cancel the above ID number since the firm or business stopped doing business in New Mexico on _____ (date)
 Reason for cancellation: _____

Are you closing a business? If so, answer questions 6 through 8.

6. Does this business own a liquor license lease a liquor license - Liquor License No. _____
7. Is the business to be operated by another taxpayer? No Yes - If Yes, give name, address and business status below:

Name of taxpayer or firm _____	New Mexico CRS I.D. Number (if known) _____
Address, City, State, Zip Code _____	

8. New business operator is: Purchaser Lessee Repossessor Other (specify) _____

<p>FOR DEPT. USE ONLY</p> <p>Authorization for Starting Date Change _____</p> <p>Reporting Status Change _____</p> <p>SIC Code Change to _____</p>

THIS REGISTRATION UPDATE MUST BE SIGNED BY THE TAXPAYER OR TAXPAYER'S REPRESENTATIVE.
 I declare that the information reported on this form is true and correct.

Print Name _____ Title _____ Date _____
 Signature _____

Send original to any Taxation & Revenue Department office listed on the back of this form. Taxpayer, please make a copy for your files.

REGISTRATION UPDATE

Use this form to notify the Taxation and Revenue Department when you:

- Change your firm name;
- Change your mailing address;
- Change the business location;
- Add, delete or change one or more locations (but remain operating in at least one location);
- Wish to change your reporting status;
- Change the type of business activity;
- Need to change your business starting date; or
- Wish to reinstate or cancel an I.D. number.

Enter the **CRS I.D.** Number in the top center box. Fill in the current information (as it appears on Taxation and Revenue Department records before the change is made) in the box marked **current information**.

Indicate what you want to change by entering the **new** information as you want it to appear on your Taxation and Revenue Department records in the box marked **new information**.

Add, delete or change business information in the box marked **additional business information**.

You must report on a monthly basis if you're combined gross receipts, compensating and withholding tax liability average is greater than \$200 per month. Monthly filing periods are from the first of the month to the end of the month. Please wait for notification from the Department before beginning to file monthly.

You may request a quarterly or semiannual reporting status only if your combined gross receipts, compensating and withholding tax liability averages less than \$200 per month. The semiannual reporting periods are: January through June and July through December. The quarterly reporting periods are: January through March, April through June, July through September and October through December. Until you receive notification that you have been approved to file quarterly or semiannually, you must continue to file monthly.

This Registration Update must be signed by the owner, if the taxpayer is a proprietorship; by a partner, if the taxpayer is a partnership; or by an officer, if the taxpayer is a corporation.

NOTE If the ownership changes in any way, **a new ID Number is required** Complete and submit an Application for Registration (Form RP-31 [ACD-31O15]) whenever ownership changes.

Mail or deliver the completed form to one of the following Taxation and Revenue Department district offices:

ALAMOGORDO
Taxation & Revenue Department
Murray Morgan State Office Bldg.
P. O. Box 1 56
Alamogordo, NM 88311-0156
Telephone: 437-4850

FARMINGTON
Taxation & Revenue Department
3501 E. Main St.
P.O. Box 479
Farmington, NM 87499-0479
Telephone: 325-5049

ROSWELL
Taxation & Revenue Department
901 S. Main St.
P. O. Box 1557
Roswell, NM 88202-1557
Telephone: 624-6065

ALBUQUERQUE
Taxation & Revenue Department
First Security Bank Bldg. East
5301 Central, NE
P. O. Box 8485
Albuquerque, NM 87198-8485
Telephone: 841-6200

HOBBS
Taxation & Revenue Department
726 E. Michigan, Suite 170
P.O. Box 216
Hobbs, NM 882414216
Telephone: 3934163

SANTA FE
Taxation & Revenue Department
Manuel Lujan Sr. bldg.
P. O. Box 5374
Santa Fe, NM 87502-5374
Telephone: 8274700

CLOVIS
Taxation & Revenue Department
Bruce King State office Bldg.
P. O. Drawer 759
Clovis, NM 881024759
Telephone: 763-5515

LAS CRUCES
Taxation & Revenue Department
505 S. Main St., Suits 349
P. O. Box 607
Las Cruces, NM 880044607
Telephone: 524-6225

SILVER CITY
Taxation & Revenue Department
1876 Highway 1 80 East
P. O. Box 1378
Silver City, NM 88061-1378
Telephone: 388-1 101

WATER CONSERVATION FEE

REPORT PERIOD

□□ - □□

Beginning (mm-yy)

□□ - □□

Ending (mm-yy)

□□□□□□

For Department Use Only

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Signature _____ Date _____

RPD-41109

INT. 5/93

Mail To: Taxation & Revenue Department, P.O. Box 25123, Santa Fe, NM 87504-5123

CRS I.D. 0 □□□□□□ 00 □

1. Total Gallons Subject to Fee □□□, □□□, □□□, □□□

2. Line 1 divided by 1,000 □□□, □□□, □□□

3. Line 2 x .03 = Total fee due \$ □□□, □□□. □□

4. Penalty \$ □□, □□□. □□

5. Interest \$ □□, □□□. □□

6. TOTAL \$ □□□, □□□. □□

▼ **RETAIN THIS PORTION FOR YOUR RECORDS** ▼

RPD-41109
INT. 5/93

WATER CONSERVATION FEE

REPORT PERIOD

□□ - □□

Beginning (mm-yy)

□□ - □□

Ending (mm-yy)

□□□□□□

For Department Use Only

Please print your numbers like this:

9	8	7	6	5	4	3	2	1	0
---	---	---	---	---	---	---	---	---	---

CRS I.D. 0 □□□□□□ 00 □

1. Total Gallons Subject to Fee □□□, □□□, □□□, □□□

2. Line 1 divided by 1,000 □□□, □□□, □□□

3. Line 2 x .03 = Total fee due \$ □□□, □□□. □□

4. Penalty \$ □□, □□□. □□

5. Interest \$ □□, □□□. □□

6. TOTAL \$ □□□, □□□. □□

WHO MUST FILE: Every person who operates a public water supply system with 15 service connections or regularly services an average of at least 25 individuals.

WHEN TO FILE: The Water Conservation Fee, Form RPD-41109, is due on or before the 25th day of the month following the month in which the water was produced.

REPORTING PERIOD: Reporting is on a monthly basis, from the first day of the month to the last day of the month.

Detach the top portion and submit with check made payable to: New Mexico Taxation and Revenue Department, P.O. Box 25123, Santa Fe, NM 87504-5123.

LINE INSTRUCTIONS

Enter your CRS identificaiton number.

- 1) Enter the total amount of gallons of water produced in the reporting period upon which the fee is due.
- 2) Divide line 1 by 1,000, rounding to the nearest whole number.
- 3) Multiply line 2 by .03. This equals the Total Fee Due.
- 4) Penalty is calculated as 2% of line 3 per month or partial month up to 10% of the fee due or \$5.00, whichever is greater.
- 5) Interest for late filing is 1.25% of line 3 per month or partial month that this report is late.
- 6) Enter total of lines 3, 4 and 5.

GUIDANCE FOR DEVELOPING A SAMPLE SITING PLAN FOR PUBLIC WATER SUPPLY SYSTEMS IN NEW MEXICO

One of the requirements of the Safe Drinking Water Act (SDWA) is that each public water supply system (PWS) have a written sample siting plan to follow when collecting water samples. This outline provides guidance for developing a plan and submitting it to the Environment Department for approval.

The sampling plan shall, at a minimum, include the following:

- ◆ A written description of the system which includes the PWS Code # of the system, the name of the system, the name, address, and phone # of the owner of the system, the name, address, and Phone # of the operator of the system if different from the owner, the population of the system or if the system is operated seasonally, indicate the months of operation during the previous year:
- ◆ A map of the water supply system showing the general layout of the system including the general location of all sources and their entry points to the distribution system, the location of treatment facilities including disinfection facilities, and the location of storage facilities. Small water supply systems such as restaurants and systems, which have only one service connection, are not required to submit a map as part of their plan.
- ◆ A written description of the sampling sites to be used for total coliform sampling which includes the address of the site, the location of the sampling tap at the site, and a reference to the site's location on a schematic diagram.
- ◆ The name of the laboratory(s) to be used for the system's microbiological analyses is also required

The plan will be reviewed based on the following criteria:

- ◆ At least one sampling site shall be chosen for each major portion and each isolated portion of the distribution system. Major portions of a distribution system include areas such as business districts, subdivision, industrial parks, etc. When identifying isolated portions of a distribution system, consideration must be given to the direction of flow and location of the water sources and storage tanks.
- ◆ All sampling sites chosen should be sampled at least every four months. For example, a system is required to take one sample per month based on population; however, four sampling sites have been selected to monitor the water system. In this case, the system will take samples from one of the sites one-month and one sample from the next site the next month, continuing this rotation month by month. The result is that each site will be sampled every four months, which satisfies the criteria for sampling each site at least every four months (see sketch below).
- ◆ Site alternatives may be accepted within five connections up or down from designated site. This is to allow flexibility of sample taking should a customer not be home on a particular sampling day. When submitting samples from an alternative location the sample should be labeled as alternative for site # and give the name and address of the alternative site.
- ◆ Public water systems, which collect six or more samples per month, shall collect them at regular time intervals throughout the month. For example, a system that is required to take a minimum of eight samples per month should take two samples per week.



MICROBIOLOGICAL INFORMATION FORM

New Mexico Environment Department
Drinking Water Bureau

Community Water Supply System

Nontransient Noncommunity System

Noncommunity System

Season Begin Date (MM/DD)

Season End Date (MM/DD)

SECTION A - GENERAL INFORMATION

WSS Code#:	Water Supply System Name:	Service Area Type (See Appendix B, Table 1)	County:
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System Location:	System Phone#
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System Mailing Address:	Street/P.O. Box	City	State	Zip Code
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Name of System Owner:	Type of Owner: (See Appendix B, Table 2)	Owner Phone #:
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Owner's Mailing Address:	Street/P.O. Box	City	State	Zip Code
---------------------------------	------------------------	-------------	--------------	-----------------

Population Served	# of Connections	System Serves Water to Public: <input type="checkbox"/> Year Round <input type="checkbox"/> Seasonally	If seasonally enter daily population served during each month								
Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.

Detail you sampling throughout the Month:

Description of action(s) taken when compliance or repeat samples are positive:

Information Furnished By: _____

Date: _____

Phone: _____

Plan Reviewed By: _____

Date: _____

Phone: _____



NMED – Drinking Water Bureau

Surface Water Systems Monthly Operating Report



PWSS # _____
 System Name _____
 Treatment Plant Name _____
 Filtration Technology _____

Month _____
 Year _____

A copy of this report must be filed with your local NMED Drinking Water Office by the 10th day of the following month.

Day Of Month	Minimum Disinfectant Residual At System Entry Point	Maximum Daily Turbidities							Maximum Daily Individual Filter Turbidities			
		Raw Water Influent	Settled Water Effluent	Combined Filter Effluent	Plant Effluent	Number of Turbidity Meas.	No. Of Turbidity Meas. <= Specified Limit	No. Of Turbidity Meas. >1	Filter #1	Filter #2	Filter #3	Filter #4
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
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29												
30												
31												

- For Multiple Disinfectants, This column must only be completed for the last disinfectant added prior to entering the distribution system. If less than .2 mg/l, the duration of the period must reported , e.g. “.1,3hrs”.
- For Systems using conventional treatment, direct filtration, or technologies other than slow sand or diatomaceous earth filtration, turbidities measurements may be taken at the combined filter effluent, clear well 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.
- For continuous monitors count each four-hour period as one sample.
- No of turbidity samples meeting the following levels must be recorded: Slow sand or diatomaceous earth 1 NTU; Convention filtration, Direct Filtration, or technologies other than slow sand or diatomaceous earth filtration - .5 NTU..
- In recording the number of turbidity measurements above 5 NTU, the turbidity values should also be recorded, e.g. “6.2,8.0”



NMED – Drinking Water Bureau

Surface Water Systems Monthly Operating Report



System Name: _____
Treatment Plant Name: _____
Filtration Technology: _____
PWSS #: _____

Month: _____
Year: _____

A copy of this report must be filed with your local NMED Drinking Water Office by the 10th day of the following month.

Day Of Month	Filter Cell # 1	Filter Cell # 2	Filter Cell # 3	Filter Cell # 4	Day Of Month	Filter Cell # 1	Filter Cell # 2	Filter Cell # 3	Filter Cell # 4
1					17				
2					18				
3					19				
4					20				
5					21				
6					22				
7					23				
8					24				
9					25				
10					26				
11					27				
12					28				
13					29				
14					30				
15					31				
16									

ESWTR Questions		Filter # 1	Filter # 2	Filter # 3	Filter # 4
2	Type Of Turbidimeter?				
2	Date Of Last Calibration?				
3	Was individual filter turbidity level greater than 1.0 NTU in 2 consecutive measurements taken 15 minutes apart?				
4	Date:				
5	Was individual filter turbidity level greater than 0.5 NTU in 2 consecutive measurements taken 15 minutes apart at the end of 4 hours of operation after filter has been backwashed or otherwise taken offline?				
6	Date:				
7	If Question 3 and/or Question 5 were answered yes list date that filter profile was completed.				
	Date filter profile report was submitted to NMED-DWB				