

Title 15 - Mississippi Department of Health
Part 20: Bureau of Public Water Supply
Subpart 72: Public Water Supply

CHAPTER 1. MISSISSIPPI PRIMARY DRINKING WATER REGULATION

Subchapter 1. General Provisions:

Rule 1.1.2. **Definitions.**

1. **Department** shall mean the Mississippi State Department of Health.
2. **Director** shall mean the Executive Officer of the Mississippi State Department of Health or his authorized agent.
3. **Municipality** shall mean a city, town, village, or other public body created by state law, or an Indian tribal organization authorized by law.
4. **Federal Agency** shall mean any department, agency, or instrumentality of the United States.
5. **Administrator** shall mean the Administrator of the U.S. Environmental Protection Agency or his authorized representative.
6. **Federal Act** shall mean the Safe Drinking Water Act of 1974, cited as Public Law 93-523, or any subsequent revisions thereto.
7. **Regulations** shall mean primary drinking water regulations promulgated by the administrator pursuant to the federal act.
8. **Backflow** shall mean the reversal of normal flow direction where water flows from the intended point of delivery towards the public water supply.
9. **Cross Connection** shall mean any direct interconnection between a public water system and a non-public water system or other source which may result in the contamination of the drinking water provided by the public water system. This definition includes any arrangement of piping where a potable water line is connected to non potable water; it may be a pipe-to-pipe connection where potable and non potable water lines are directly connected or a pipe-to-water connection where the potable water outlet is submerged in non potable water. If the potable and non-potable source are separated by gate valves, check valves or devices other than the appropriate backflow preventer as outlined by this regulation, a cross connection exists. By-pass arrangements, jumper connections, swivel or change over assemblies, or other temporary or permanent assemblies through which, or because of which, backflow may occur are considered to be cross connections.

- 10. Public water system** means a system for the provision to the public of water for Human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Furthermore, two or more water systems that are adjacent, that are owned or operated by the same supplier of water, that individually serve less than 15 service connections or less than 25 persons but in combination serve 15 or more service connections or 25 or more persons, shall also be defined as a public water system. Such term includes: Any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any “special irrigation district.” Service connection, as used in the definition of public water system, does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if:
- a. The water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, cooking, or other similar uses);
 - b. The Director or Administrator determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulation is provided for residential or similar uses for drinking and cooking; or
 - c. The Director or Administrator determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulation.
 - d. Special irrigation district means an irrigation district in existence prior to May 18, 1994, that provides primarily agricultural service through a piped water system with only incidental residential or similar use where the system or the residential or similar users of the system comply with the exclusion provisions in Section 1401(4)(B)(i)(II) or (III) of the Federal Safe Drinking Water Act.
- 11. Professionally installed** shall mean installed in a workmanlike manner with no apparent errors in installation.
- 12. Significant deficiencies** cause or have the potential to cause the introduction of contamination into drinking water delivered to customers of a public water supply. This could include defects in design, operation or maintenance of the source, treatment or distribution systems.

13. **Sanitary defect** is a defect that could provide a pathway for entry for microbial contamination into the distribution system or that is indicative of a failure or imminent failure in a barrier that is already in place.

14. **Assessment – Level 1** is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. It is conducted by the system operator or owner. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g. whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any State directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system.

15. **Assessment – Level 2** is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. A Level 2 assessment provides a more detailed examination of the system (including the system's monitoring and operational practices) than does a Level 1 assessment through the use of more comprehensive investigation and review of available information, additional internal and external resources, and other relevant practices. It is conducted by an individual approved by the State, which may include the system operator. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g., whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any State directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system. The system must comply with any expedited actions or additional actions required by the State in the case of an E. coli MCL violation.

16. **Clean compliance history** shall mean that the public water supply has a record of no Maximum Contaminant Level violations under 40 CFR 141.63 or subpart Y and no coliform treatment technique trigger exceedances, no monitoring

violations under 40 CFR 141.21, or treatment technique violations under subpart Y.

17. **Seasonal system** shall mean a non-community water system that is not operated as a public water system on a year-round basis and starts up and shuts down at the beginning and end of each operating season

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.1.6. **Preconstruction and Treatment Requirements.** Planning and design of improvements for existing public water systems or the creation of new community or non-transient non-community public water system shall be in accordance with the Department's current version of the "*Minimum Design Criteria for Public Water Supplies.*"

1. **Siting Requirements.** Before a person may initiate construction of a new community or non-transient non-community public water system or increase the capacity of an existing community or non-transient non-community public water system, he shall submit sufficient information to the Director for evaluation of the proposed site, to determine whether the site and design of the proposed construction or modification will enable the system to comply with this regulation including Title 40 Code of Federal Regulations Sections 141.63.
2. **Plans and Specifications Approval.** Prior to advertising for bids and/or initiating construction of a new community or non-transient non-community public water system or making significant extensions or alterations to an existing community or non-transient non-community public water system which may affect the operation of that system, plans and specifications for the proposed construction shall be approved by the Director. Plans and specifications submitted to the Director for approval shall be prepared by a professional engineer licensed to practice in the State of Mississippi.
3. **Operation and Maintenance Plans.** Each applicant for a new community or non-transient non-community public water system shall submit an operation and maintenance plan for review and approval by the Director. The plan must be approved by the Director prior to beginning construction.
4. **Financial and Managerial Viability.** Each applicant for a new community or non-transient non-community public water system shall submit financial and managerial information as required by the Public Utilities Staff. Plans and specifications shall not be approved by the Director until written certification of the financial and managerial viability of the new water system is received from the Executive Director of the Public Utilities Staff.
5. **Changes to Existing Public Water Systems.** Plans and specification for changes to an existing community or non-transient non-community public water systems

shall not be approved if the Director determines the changes would threaten the viability of the water system or if the changes may overload the operational capabilities of the water system.

6. **Non-Centralized Treatment Devices.** Public water systems may utilize point-of-entry devices to comply with maximum contaminant levels as stipulated in the National Primary Drinking Water regulations as published at Title 40 Code of Federal Regulations Sections 141.100 and 141.101.
7. **Ban of Use of Lead Products.** Any pipe, solder, or flux used in the installation or repair of any public water system, or any plumbing in a residential or nonresidential facility providing water for human consumption which is connected to a public water system shall be lead free. Solders and flux are defined as "lead free" when they contain not more than 0.2 percent lead. Pipes and pipe fittings are defined as "lead free" when they contain not more than 0.25 percent lead in the wetted surface material. Plumbing fittings and fixtures intended by the manufacturer to dispense water for human ingestion are defined as "lead free" when they comply with standards established in accordance with 42 U.S.C. 300g-6(e).
8. **Lead Service Line Replacement.** It shall be the responsibility of each supplier of water to comply with the lead service line replacement requirements and lead service line reporting requirements as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.84 and 141.90.
9. **Overloaded Public Water Systems.** Public water systems that are serving customers in excess of the design capacity as determined by the Director shall be identified as overloaded and shall immediately, upon written notification by the Director, cease adding new customers. Public water systems identified as overloaded shall not add new customers until notified, in writing, by the Director that the system's design capacity has been increased and that the water system can resume adding new customers.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 2. Maximum Contaminant Levels

Rule 1.2.1. **Microbiological.** All microbiological maximum contaminant levels, maximum contaminant level goals, and treatment technique requirements shall apply to public water systems as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.4, 141.52, 141.63, 141.851, and 141.860.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 3. Monitoring, Analytical, And Treatment Technique Requirements

Rule 1.3.1. **Coliform Sampling and Analyses.** It shall be the responsibility of each supplier of water to comply with the treatment triggers, assessment requirements, and Coliform Monitoring and Analytical Requirements as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.21 or any subsequent revisions thereto including 141.852 – 141.860 and subpart Y except that the following optional provisions of Title 40 Code of Federal Regulations Section 141.21, 141.854, and 141.855 are not adopted:

1. The provision of Title 40 Code of Federal Regulations Section 141.21 (a)(2) concerning the reduction of the monitoring frequency for community water systems serving 1,000 or fewer persons;
2. The provision of Title 40 Code of Federal Regulations Section 141.21 (a)(5) concerning waiver of the time limit for sampling after a turbidity sampling result exceeds 1 NTU;
3. The provision of Title 40 Code of Federal Regulations Section 141.21 (b)(3) concerning collection of large volume repeat samples in containers of any size;
4. The provision of Title 40 Code of Federal Regulations Section 141.21 (d) concerning agents other than State personnel conducting sanitary surveys;
5. The provisions of Title 40 Code of Federal Regulations Section 141.21 (e)(2) with respect to waiver of ~~fecal coliform~~ or E. Coli testing on a total coliform positive sample;
6. Provisions allowing systems to perform reduced monitoring below the minimum of monthly. All systems regardless of type and operational status will be on monthly monitoring schedules.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.3.6. **Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors Sampling and Analyses.** It shall be the responsibility of each supplier of water to comply with the disinfectant monitoring, disinfection byproduct sampling, analysis and all other requirements as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.131, 141.132, 141.531, 141.600-605, 141.620-625, 141.627, and 141.628. Compliance with this section shall be determined as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.133 and 141.620.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.3.7. **Ground Water Microbial Sampling and Analyses.** It shall be the responsibility of each supplier of ground water to comply with the source microbial monitoring and analytical requirements and if requested, provide any information that will allow the state to perform a hydrogeologic sensitivity assessment as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.400, 141.402, 141.853, and Subpart Y

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.3.8. **Filtration and Disinfection.** It shall be the responsibility of each supplier of water to comply with the filtration and disinfection analytical and monitoring requirements as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.70, 141.71, 141.73, 141.74, 141.174, and 141.856.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 4. Sanitary Surveys.

Rule 1.4.1. **Surface Water Systems:** The Mississippi State Department of Health shall make periodic on-site surveys of each public surface water system for the purpose of determining the adequacy of the water source, facilities, equipment, watershed control program, operation and maintenance procedures and monitoring and compliance as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.63, 141.522 and 141.723. These surveys include the right to inspect all records, take water quality samples, or verify procedures, to determine compliance with this regulation. Significant deficiencies, as determined by the Department utilizing current EPA guidance manuals, shall be identified by Department staff during the conduct of sanitary surveys. Public water systems shall, upon receipt of the sanitary survey report, provide a written response to all significant deficiencies identified in the report to the Department within 45 days of receipt of the report. In this written response, the public water system shall outline its plan to correct the significant deficiencies identified in the survey report. After reviewing the public water system's written response, the Director shall require, by means of a written order, that the public water system correct the significant deficiencies within a reasonable period of time as determined by the Department.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.4.2. **Ground Water Systems:** The Mississippi State Department of Health shall make periodic on-site surveys of each public ground water system for the purpose of determining the adequacy of the water source, treatment, distribution, storage, pumps, reporting, management and operator compliance as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.63 and 141.401. These surveys include the right to inspect all records, take water quality samples, or verify procedures, to

determine compliance with this regulation. Significant deficiencies, as determined by the Department utilizing current EPA guidance, shall be identified by Department staff during the conduct of sanitary surveys. Public water systems shall, upon receipt of the sanitary survey report, provide a written response to all significant deficiencies identified in the report to the Department within 30 days of receipt of the report. In this written response, the public water system shall outline its plan to correct the significant deficiencies identified in the survey report. After reviewing the public water system's written response, the Director shall require, by means of a written order, that the public water system correct the significant deficiencies within 120 days or within a reasonable period of time as determined by the Department.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 5. Reporting, Records, And Public Notification

Rule 1.5.1. Reporting Requirements.

1. The supplier of water shall provide the results of all water quality analyses to be utilized for compliance with this regulation to the Director as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31, 141.35, 141.73, 141.75, 141.76, 141.90, 141.134, 141.173, 141.175, 141.405, 141.570, 141.601, 141.602, 141.629, 141.706, 141.710 and 141.712.
2. The supplier of water shall report to the Director the failure to comply with these regulations, including failure to comply with monitoring and analytical requirements, and failure to meet maximum contaminant levels as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31, 141.35, 141.73, 141.75, 141.76, 141.173, 141.175, 141.405, 141.860, 141.861.
3. The supplier of water shall provide proof of public notification to the Director as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31(d), 141.90(f) and 141.405.
4. The supplier of water or a consecutive ground water system shall maintain records and submit to the Director copies of all required records as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31 (e), 141.90, 141.91, 141.75, 141.76, 141.175, 141.405, 141.721, 141.722, and 141.861.
5. The state shall be responsible for submitting to the Administrator all information stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 142.15.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.5.2. **Public Notification and Education.** Each supplier of water shall provide public notification or education as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.35, 141.71, 141.73, 141.74, 141.85, 141.90(f), 141.170-141.174, 141.201-141.211, 141.402, 141.404(d), 141.500-141.553, 141.560-141.564, Appendices A-C to Subpart Q, and Subpart Y of Part 141. Public notification of fluoride content is required of all public water suppliers as stipulated in Title 40 Code of Federal Regulations Section 143.5.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.5.3. **Record Maintenance.** Each supplier of water shall retain records and make such records available to the Director as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.33, 141.35, 141.75, 141.76, 141.134, 141.155, 141.175, 141.571, 141.601, 141.602, 141.629, 142.62, and 141.861.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.5.5. **Laboratory Certification.**

1. The Director may prescribe minimum requirements for a laboratory to be certified by the Mississippi State Department of Health to perform water quality analyses required under this regulation.
2. Each supplier of water must utilize the services of certified laboratory or party approved by the state where applicable to complete all water quality analyses as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.28, 141.705, 141.852.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 18. Consumer Confidence Reports

Rule 1.18.1. **Purpose and Applicability.** Each community public water system shall prepare and deliver to their customers an annual consumer confidence report as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.151.

1. **Effective Dates.** The effective dates for community public water supplies to prepare and deliver annual consumer confidence reports shall be as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.152.

2. **Content of the Reports.** The content of the Consumer Confidence Reports prepared by community public water supplies shall be as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.153 and subpart Y.
3. **Required Additional Health Information.** It shall be the responsibility of each community public water supply preparing a consumer confidence report to include the required additional health information as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.154.
4. **Report Delivery.** Delivery of Consumer Confidence Reports prepared by community public water supplies shall be as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.155.

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6. **Federal Act** shall mean the Safe Drinking Water Act of 1974, cited as Public Law 93-523, or any subsequent revisions thereto.
7. **Regulations** shall mean primary drinking water regulations promulgated by the administrator pursuant to the federal act.
8. **Backflow** shall mean the reversal of normal flow direction where water flows from the intended point of delivery towards the public water supply.
9. **Cross Connection** shall mean any direct interconnection between a public water system and a non-public water system or other source which may result in the contamination of the drinking water provided by the public water system. This definition includes any arrangement of piping where a potable water line is connected to non potable water; it may be a pipe-to-pipe connection where potable and non potable water lines are directly connected or a pipe-to-water connection where the potable water outlet is submerged in non potable water. If the potable and non-potable source are separated by gate valves, check valves or devices other than the appropriate backflow preventer as outlined by this regulation, a cross connection exists. By-pass arrangements, jumper connections, swivel or change over assemblies, or other temporary or permanent assemblies through which, or because of which, backflow may occur are considered to be cross connections.

- 10. Public water system** means a system for the provision to the public of water for Human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Furthermore, two or more water systems that are adjacent, that are owned or operated by the same supplier of water, that individually serve less than 15 service connections or less than 25 persons but in combination serve 15 or more service connections or 25 or more persons, shall also be defined as a public water system. Such term includes: Any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any “special irrigation district.” Service connection, as used in the definition of public water system, does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if:
- e. The water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, cooking, or other similar uses);
 - f. The Director or Administrator determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulation is provided for residential or similar uses for drinking and cooking; or
 - g. The Director or Administrator determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulation.
 - h. Special irrigation district means an irrigation district in existence prior to May 18, 1994, that provides primarily agricultural service through a piped water system with only incidental residential or similar use where the system or the residential or similar users of the system comply with the exclusion provisions in Section 1401(4)(B)(i)(II) or (III) of the Federal Safe Drinking Water Act.
- 11. Professionally installed** shall mean installed in a workmanlike manner with no apparent errors in installation.
- 12. Significant deficiencies** cause or have the potential to cause the introduction of contamination into drinking water delivered to customers of a public water supply. This could include defects in design, operation or maintenance of the source, treatment or distribution systems.

13. **Sanitary defect** is a defect that could provide a pathway for entry for microbial contamination into the distribution system or that is indicative of a failure or imminent failure in a barrier that is already in place.
14. **Assessment – Level 1** ~~shall mean an evaluation of the public water supply to identify the possible presence of sanitary defects, defects in distribution system, coliform monitoring practices, and when possible the likely reason that the system has triggered the assessment. This assessment is conducted by the system operator and will be in accordance with the approved current Level 1 Assessment Form.~~ is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. It is conducted by the system operator or owner. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g. whether a ground water system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any State directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system.
15. **Assessment – Level 2** ~~shall mean an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and when possible the likely reason that the system triggered the assessment. This Assessment will provide a more detailed examination of the system than does the Level 1 Assessment through a comprehensive investigation and review of system information. This assessment is conducted by an individual approved by the State in accordance with set criteria.~~ is an evaluation to identify the possible presence of sanitary defects, defects in distribution system coliform monitoring practices, and (when possible) the likely reason that the system triggered the assessment. A Level 2 assessment provides a more detailed examination of the system (including the system's monitoring and operational practices) than does a Level 1 assessment through the use of more comprehensive investigation and review of available information, additional internal and external resources, and other relevant practices. It is conducted by an individual approved by the State, which may include the system operator. Minimum elements include review and identification of atypical events that could affect distributed water quality or indicate that distributed water quality was impaired; changes in distribution system maintenance and operation that could affect distributed water quality (including water storage); source and treatment considerations that bear on distributed water quality, where appropriate (e.g., whether a ground water

system is disinfected); existing water quality monitoring data; and inadequacies in sample sites, sampling protocol, and sample processing. The system must conduct the assessment consistent with any State directives that tailor specific assessment elements with respect to the size and type of the system and the size, type, and characteristics of the distribution system. The system must comply with any expedited actions or additional actions required by the State in the case of an E. coli MCL violation.

16. **Clean compliance history** shall mean that the public water supply has a record of no Maximum Contaminant Level violations under 40 CFR ~~141.21~~ 141.63 or subpart Y and no coliform treatment technique trigger exceedances, no monitoring violations under 40 CFR 141.21, or treatment technique violations under subpart Y.
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1. **Siting Requirements.** Before a person may initiate construction of a new community or non-transient non-community public water system or increase the capacity of an existing community or non-transient non-community public water system, he shall submit sufficient information to the Director for evaluation of the proposed site, to determine whether the site and design of the proposed construction or modification will enable the system to comply with this regulation including Title 40 Code of Federal Regulations Sections 141.63.
2. **Plans and Specifications Approval.** Prior to advertising for bids and/or initiating construction of a new community or non-transient non-community public water system or making significant extensions or alterations to an existing community or non-transient non-community public water system which may affect the operation of that system, plans and specifications for the proposed construction shall be approved by the Director. Plans and specifications submitted to the Director for approval shall be prepared by a professional engineer licensed to practice in the State of Mississippi.
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5. The provisions of Title 40 Code of Federal Regulations Section 141.21 (e)(2) with respect to waiver of E. Coli testing on a total coliform positive sample;
6. Provisions allowing systems to perform reduced monitoring below the minimum of monthly. All systems regardless of type and operational status will be on monthly monitoring schedules.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.3.6. **Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors Sampling and Analyses.** It shall be the responsibility of each supplier of water to comply with the disinfectant monitoring, disinfection

byproduct sampling, analysis and all other requirements as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.131, 141.132, 141.531, 141.600-605, 141.620-625, 141.627, and 141.628. Compliance with this section shall be determined as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.133 and 141.620.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.3.7. **Ground Water Microbial Sampling and Analyses.** It shall be the responsibility of each supplier of ground water to comply with the source microbial monitoring and analytical requirements and if requested, provide any information that will allow the state to perform a hydrogeologic sensitivity assessment as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.400, 141.402, 141.853, and Subpart Y

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.3.8. **Filtration and Disinfection.** It shall be the responsibility of each supplier of water to comply with the filtration and disinfection analytical and monitoring requirements as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.70, 141.71, 141.73, 141.74, 141.174, and 141.856.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 4. Sanitary Surveys.

Rule 1.4.1. **Surface Water Systems:** The Mississippi State Department of Health shall make periodic on-site surveys of each public surface water system for the purpose of determining the adequacy of the water source, facilities, equipment, watershed control program, operation and maintenance procedures and monitoring and compliance as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.63, 141.522 and 141.723. These surveys include the right to inspect all records, take water quality samples, or verify procedures, to determine compliance with this regulation. Significant deficiencies, as determined by the Department utilizing current EPA guidance manuals, shall be identified by Department staff during the conduct of sanitary surveys. Public water systems shall, upon receipt of the sanitary survey report, provide a written response to all significant deficiencies identified in the report to the Department within 45 days of receipt of the report. In this written response, the public water system shall outline its plan to correct the significant deficiencies identified in the survey report. After reviewing the public water system's written response, the Director shall require, by means of a written order, that the public water system correct the significant deficiencies within a reasonable period of time as determined by the Department.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.4.2. **Ground Water Systems:** The Mississippi State Department of Health shall make periodic on-site surveys of each public ground water system for the purpose of determining the adequacy of the water source, treatment, distribution, storage, pumps, reporting, management and operator compliance as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.63 and 141.401. These surveys include the right to inspect all records, take water quality samples, or verify procedures, to determine compliance with this regulation. Significant deficiencies, as determined by the Department utilizing current EPA guidance, shall be identified by Department staff during the conduct of sanitary surveys. Public water systems shall, upon receipt of the sanitary survey report, provide a written response to all significant deficiencies identified in the report to the Department within 30 days of receipt of the report. In this written response, the public water system shall outline its plan to correct the significant deficiencies identified in the survey report. After reviewing the public water system's written response, the Director shall require, by means of a written order, that the public water system correct the significant deficiencies within 120 days or within a reasonable period of time as determined by the Department.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 5. Reporting, Records, And Public Notification

Rule 1.5.1. Reporting Requirements.

1. The supplier of water shall provide the results of all water quality analyses to be utilized for compliance with this regulation to the Director as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31, 141.35, 141.73, 141.75, 141.76, 141.90, 141.134, 141.173, 141.175, 141.405, 141.570, 141.601, 141.602, 141.629, 141.706, 141.710 and 141.712.
2. The supplier of water shall report to the Director the failure to comply with these regulations, including failure to comply with monitoring and analytical requirements, and failure to meet maximum contaminant levels as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31, 141.35, 141.73, 141.75, 141.76, 141.173, 141.175, 141.405, 141.860, 141.861.
6. The supplier of water shall provide proof of public notification to the Director as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31(d), 141.90(f) and 141.405.

7. The supplier of water or a consecutive ground water system shall maintain records and submit to the Director copies of all required records as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.31 (e), 141.90, 141.91, 141.75, 141.76, 141.175, 141.405, 141.721, 141.722, and 141.861.
8. The state shall be responsible for submitting to the Administrator all information stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 142.15.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.5.2. **Public Notification and Education.** Each supplier of water shall provide public notification or education as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.35, 141.71, 141.73, 141.74, 141.85, 141.90(f), 141.170-141.174, 141.201-141.211, 141.402, 141.404(d), 141.500-141.553, 141.560-141.564, Appendices A-C to Subpart Q, and Subpart Y of Part 141. Public notification of fluoride content is required of all public water suppliers as stipulated in Title 40 Code of Federal Regulations Section 143.5.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.5.3. **Record Maintenance.** Each supplier of water shall retain records and make such records available to the Director as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.33, 141.35, 141.75, 141.76, 141.134, 141.155, 141.175, 141.571, 141.601, 141.602, 141.629, 142.62, and 141.861.

SOURCE: Miss. Code Ann. §41-26-6

Rule 1.5.5. **Laboratory Certification.**

1. The Director may prescribe minimum requirements for a laboratory to be certified by the Mississippi State Department of Health to perform water quality analyses required under this regulation.
2. Each supplier of water must utilize the services of certified laboratory or party approved by the state where applicable to complete all water quality analyses as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Sections 141.28, 141.705, 141.852.

SOURCE: Miss. Code Ann. §41-26-6

Subchapter 18. Consumer Confidence Reports

Rule 1.18.1. **Purpose and Applicability.** Each community public water system shall prepare and deliver to their customers an annual consumer confidence report as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.151.

1. **Effective Dates.** The effective dates for community public water supplies to prepare and deliver annual consumer confidence reports shall be as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.152.
2. **Content of the Reports.** The content of the Consumer Confidence Reports prepared by community public water supplies shall be as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.153 and subpart Y.
3. **Required Additional Health Information.** It shall be the responsibility of each community public water supply preparing a consumer confidence report to include the required additional health information as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.154.
4. **Report Delivery.** Delivery of Consumer Confidence Reports prepared by community public water supplies shall be as stipulated in the National Primary Drinking Water Regulations as published under Title 40 Code of Federal Regulations Section 141.155.