

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 631. PUBLIC WATER SUPPLY OPERATION**

RULE IMPACT STATEMENT

Subchapter 1. Introduction

252:631-1-3. Adoption of U.S. EPA regulations by reference [AMENDED]

Before the Water Quality Management Advisory Council, October 13, 2009, and before the Environmental Quality Board, November 19, 2009.

1. **DESCRIPTION:** The Department proposes to update its rules concerning the date of the incorporation by reference of certain federal regulations, except for the federal rules previously exempted. The change updates the publication date of the federal rules from July 1, 2008, to July 1, 2009.
2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** The classes of persons affected are public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards. However, there should be no new costs associated with these rule changes since the changes contain no new technical, operational or fee changes.
4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** Since there should be no new costs associated with these rule changes, the Department has received no information on cost impacts from private or public entities.
5. **CLASSES OF PERSONS BENEFITTED:** The classes of persons benefited are the customers of public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards will have little or no economic impact from the rule changes.
7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The political subdivisions that are public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards will have little or no economic impact from the rule changes.

8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** The small businesses that are public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards will have little or no economic impact from the rule changes.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** None.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** The DEQ will face no change in cost to implement this rule.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** None.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Federal grant funds, fees and state appropriated money will continue to be used.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** None.
14. **COOPERATION OF POLITICAL SUBDIVISION REQUIRED TO IMPLEMENT OR ENFORCE RULE:** None is required.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** Not applicable.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** There are none.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** These rule changes continue to provide for protection of public health and the environment through regulation of public water supply systems that are required to comply with the Safe Drinking Water Act and the Primary Drinking Water Standards will have little or no economic impact from the rule changes.
18. **IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** The current rule changes continue the protection established for potable water provided to the public. These regulations were implemented to protect the health and well being of the public and environment from bacteria and other contaminants that could exist in potable water.

19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** There will be none.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** The Department does not expect any quantitative and qualitative impacts on business entities.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: August 31, 2009.