

# Local Primacy Agency (LPA) Delegation Agreement Amendment

## Providing oversight of Public Water Systems in Nevada County

# EPA and Public Water System Regulation

- The Environmental Protection Agency (EPA) is required, per the Safe Drinking Water Act (SDWA) to establish and enforce standards that public drinking water systems must follow, including:
    - Maximum contaminant levels or treatment techniques
    - Monitoring and reporting requirements
  - The EPA delegates primary enforcement responsibility (also called **primacy**) for public water systems to States and Indian Tribes if they meet certain requirements.
  - State of California has Primacy over public water systems
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EPA

- EPA delegates primary enforcement to States (Primacy)

State of California

- State delegates primary enforcement to local jurisdictions

Local Jurisdiction

- Local Primacy Agency

# Classifications of Public Water Systems

3 types of public water systems:

Community Water System (CWS): A public water system that supplies water to the same population year-round.

Non-Transient Non-Community Water System (NTNCWS): A public water system that regularly supplies water to at least 25 of the same people at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

Transient Non-Community Water System (TNCWS): A public water system that provides water in a place such as a gas station or campground where people do not remain for long periods of time.

# Local Primacy Agency (LPA) Overview

- California Health and Safety Code 116330 gave the California Department of Public Health (CDPH) the authority to delegate primary responsibility for the administration & enforcement of public water systems to local jurisdictions.
  - From 1993 – 2013, the County EH Department, acting under the local primacy agency delegation, monitored and regulated local community (public) water systems.
  - In 2013, The County of Nevada EH Department and CDPH entered into a formal delegation agreement that included grant funding and changing the delegation authority from the Local Health Officer to the Director of the Environmental Health Department.
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## Local Primacy Agency (LPA) Overview, continued

- In 2014, the authority to delegate primary responsibility for the administration & enforcement of public water systems to local jurisdictions. was transferred to the State of California Water Resources Control Board, Division of Drinking Water.
  - In 2017, the Deputy Director for the Drinking Water Division, issued required amendments to existing Local Primacy Agency Delegation Agreements.
  - In order for the County of Nevada, Environmental Health Department to maintain local oversight of Public Water Systems, the amendments must be accepted and implemented by April 1, 2017.
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# Changes to the LPA Delegation Agreement

- California Department of Public Health (CDPH) is removed as State oversight agency and replaced with State of California Water Resources Control Board, Division of Drinking Water
  - Reporting requirements changed to meet Division of Drinking Water protocols with major updates being:
    - LPA required to maintain internal database and report on SDWIS (Safe Drinking Water Information System)–State database.
    - LPA required to keep detailed time entry for every activity completed per water system by LPA Staff.
    - LPA required to obtain Division of Drinking water written approval for permit issuance to public water systems
    - LPA to implement enforcement citations and order issuances to public water systems with deficiencies
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# Impacts of Changes

- Reporting requirements on SDWIS Database are in place
  - EH Department has implemented detailed time accounting of all activities related to regulation of public water systems.
  - EH Department has a Division of Drinking Water approved citation document and order document that is currently in use
  - EH Department currently works closely with Division of Drinking Water regional engineer on all enforcement citations and orders issued; electronic reporting is active
  - Majority of changes are already being implemented by the EH Department
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# Summary

- Acceptance of amendment changes will not have a significant impact on current reporting activities in place.
  - Environmental Health Department recommends the Board of Supervisors accept and approve the amendment changes to retain local oversight of drinking water systems in Nevada County.
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Questions?