



Safe Drinking Water Act Regulatory Update

North Carolina
Public Water Supply
(PWS) Section
DWR, NCDENR

April 2013

This regulatory update highlights new and upcoming federal and state rules implemented under the Safe Drinking Water Act, as well as detailing information on existing requirements and opportunities.

Stage 2 Disinfectants and Disinfection Byproducts Rule Update



A system's compliance schedule under the Stage 2 Disinfectants and Disinfection Byproducts (DBP) Rule is based on its population and source water type. Systems on Schedule 1 and 2 are already monitoring under the Stage 2 DBP Rule. Monitoring for Schedule 3 and 4 systems begins **October 1, 2013**. Schedule 3 and 4 systems generally include those systems that serve a population of fewer than 50,000 people or purchase water from a system that serves fewer than 50,000 people. A list of Schedule 3 and 4 systems can be found on our website.

Routine Monitoring: The routine monitoring schedule for each population and source water type can be found in Section .2008 of our rules in the table in §141.621. Systems should use their current population to identify their monitoring schedule. Sampling must be conducted during the month with the highest historical DBP results or highest water temperature. Systems that sell and/or purchase water must identify and sample during the same month of the year as their purchaser(s)/seller(s). All systems on a quarterly schedule must sample every 90 days.

Compliance Monitoring Plan: Systems on Schedule 1 and 2 should have already submitted their Stage 2 Compliance Monitoring Plan to the Public Water Supply (PWS) Section. All systems on Schedule 3 or 4 are required to submit their plan by **July 1, 2013**. The plan and instructions can be found on our website. Please note that most systems on Schedule 3 and 4 will be able to use the Short Form version of the plan. The sample site naming convention of B01, B02, B03 must be used by all systems. Several Stage 2 training events, to include completion of these plans, will be performed by our staff across the state. Some of these workshops will be hosted by the Regional Offices at nearby locations and others will be sponsored by the N.C. Rural Water Association. (See our website for workshop schedules and locations). PWS Section staff will be reviewing the plans and notifying systems of approval or any necessary revisions.



Compliance with Maximum Contaminant Levels (MCLs): Under the Stage 2 DBP Rule, MCL compliance will be based on a locational running annual average (LRAA) as opposed to a running annual average (RAA) under the Stage 1 DBP Rule. Therefore, systems will be required to comply with the MCL at each monitoring location and will now average their data per location per quarter. As of October 1, 2013, all systems will no longer be collecting samples under the Stage 1 DBP Rule; the Stage 1 sampling sites will be replaced by the Stage 2 sampling sites.

Note: Systems may request an extension to the Stage 2 Rule compliance date to complete projects necessary to comply with Stage 2 MCL requirements. A maximum extension of 24 months may be requested by submitting a letter or email to the DBP team leader. Wholesalers requesting extensions should inform their purchasing systems, so that they too, can request an extension.

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The Reduction of Lead in Drinking Water Act will go into effect on January 4, 2014, limiting the wetted surface of every pipe, fixture, and fitting that comes into contact with potable drinking water to no more than 0.25% lead as a weighted average. The formula for calculating the weighted average of lead content is contained within the Act. This will redefine the previous "lead free" definition of the Safe Drinking Water Act (SDWA), which allowed up to 8% lead on wetted surfaces. Solders and flux must continue to contain no more than 0.2% lead.

The new law prohibits the sale or use of any components (except for those products exempted below) that do not meet the new "lead free" standard beginning January 4, 2014. This means that if existing inventory does not meet the new standard, it may not be used in the installation or repair of a system providing water for human consumption, even if it was legally purchased before that date. The previous Act allowed a period to phase-out the use of lead-based solders and plumbing fixtures. The EPA has indicated that guidance as to the regulation and enforcement of this Act will be released with the new Lead and Copper Rule. Requirements as to product and package labeling, "lead free" certification, and constraints on installation, repair, and replacement practices are expected to be included in this guidance.

Exemptions to the Act include:

- Pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for non-potable services, such as manufacturing, industrial processing, irrigation, outdoor watering, or other uses where the water is not used for human consumption, AND
- Toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are two inches or larger in diameter.

The PWS Section recommends that water systems begin taking steps to acquire inventory that meets the new "lead free" standard. Many manufacturers are already able to provide water systems with products that meet the new standard. Please check with your supplier to ensure that they can provide you with products that comply with the new Act. Water systems should plan existing and future projects carefully to accommodate the change; identify any potential financial impacts (e.g., if existing inventory is not used prior to January 4, 2014), and ensure that products used for non-potable versus potable projects are clearly identified in storage. If you have any questions about the new Reduction of Lead in Drinking Water Act, please contact your Lead and Copper Rule Manager.

Need Help With Compliance? Schedule a "CAT" Visit!

In 2013, the Lead and Copper Rule (LCR) Team will begin Compliance Assistance Team (CAT) visits to select water systems across the state. These visits are intended for systems having ongoing lead and copper compliance issues (multiple exceedances, form completion, treatment installation troubleshooting, etc.) that may require on-site help in returning to compliance. In addition to lead and copper concerns, other drinking water compliance issues will be discussed and resolved, as necessary. Staff from the PWS Section's Regional and Central Offices will perform these visits. They will meet with system owners and/or operators, in-person and on-site, when possible, to complete compliance requirements and to assist the system in developing a plan for further action, if required.

The ultimate goal of these visits is to help systems return to compliance quickly and efficiently, to avoid future violations and penalties. The LCR Team has identified a preliminary list of systems with ongoing compliance issues, and will be scheduling these CAT visits in the upcoming months. If you have ongoing lead and copper (or other contaminant group) compliance issues, and believe your system would benefit from a CAT visit, please contact your Regional Office or appropriate Central Office Rule Manager to discuss the possibility of scheduling a visit.



Consumer Confidence Report (CCR)

Electronic Delivery Saves Community Water Systems \$\$\$\$

Community water systems can now deliver their CCR to their customers electronically if done in accordance with the delivery methods provided in EPA's "Consumer Confidence Report Rule Delivery Options" memorandum dated January 3, 2013. The new framework provided for electronic delivery is an opportunity for water systems to see long-term burden reduction on delivery costs, while maintaining the integrity of the CCR and promoting greater transparency of drinking water information to all consumers receiving water from community water systems. Water systems may find the greatest cost savings by including on customers' water bill statements a URL that links directly to the CCR. EPA's memorandum, a copy of the PWS Section's letter/email informing N.C. water systems of this opportunity, and a revised CCR template and CCR certification form can all be found on our website at: <http://www.ncwater.org/pws/ccr.html>.



Reminder of Upcoming Consumer Confidence Report (CCR) Deadlines

April 1: If your system sells water to another water system you must provide them with the annual water quality data for 2012 no later than April 1, 2013.

July 1: All community water systems must submit a copy of their CCR and certification form detailing how and when the report was distributed. Although the official deadline for the certification is October 1, the PWS Section strongly encourages systems to submit the certification with their report before the July 1 deadline, preferably as soon as you have completed your distribution. This is particularly important if you are including Public Notification of a violation in the CCR. The following link provides the public notification acceptable for inclusion in the CCR: http://www.ncwater.org/pws/compliance/pn_rule/Composite_Generic_MR_PN-Certification_2013.pdf.

Submittal of your CCR and Certification Form to the Public Water Supply Section

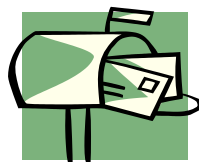
You may now submit your CCR and certification form by either method described below. Follow the directions to ensure efficient tracking and receipt of your submittal and expedited review of report data by the PWS Section for compliance with state and federal regulations.

By Email



- Provide your Water System Name and Water System Number (e.g. Water System Name NC0101010) in the subject line of the email.
- If your CCR is displayed on a web page, provide the direct URL for the report in the body of your email, and attach your completed certification form to the email. (Note: Water systems without a web page/direct URL must attach both the CCR and the certification form to the email as either a Word or PDF document.
- Email your documents to: PWSS.CCR@ncdenr.gov and use "Return Receipt Requested" to verify receipt by the PWS Section.

By Postal Mail



Mail your CCR and certification form to:
Public Water Supply Section, Attn: CCR Rule Manager
1634 Mail Service Center, Raleigh, N.C. 27699-1634

Drinking Water State Revolving Fund – Fast-Track Loans

Rather than waiting for the annual Drinking Water State Revolving Fund (DWSRF) application deadline, the PWS Section can now review loan applications for a "ready-to-proceed" project at any time during the year, if the applicant waives the opportunity to compete for any principal forgiveness. The PWS Section commits to making an offer within three months of receiving the application, subject to project eligibility, the availability of funds, and approval of the project by the Local Government Commission.



For more information, see the Fast-Track Loan factsheet under the factsheets website at: <http://www.ncwater.org/pws/srf/Pages/factsheets.htm>.

Now Available! No Experience Necessary! **Apprentice Certification for Water Treatment Facility Operators**

The North Carolina Water Treatment Facility Operators Certification Board (NCWTFOCB) ensures that skilled professionals treat and distribute public drinking water by certifying and renewing certifications for water treatment facility operators. Previously, it was required that applicants for certification obtain three to six months of hands-on experience prior to taking the certification exam. This policy reduced the number of potential operators because obtaining the experience was difficult. In general, water systems were hesitant to hire applicants who had no experience and who had not passed the exam.

In 2012, the NCWTFOCB revised its rules and initiated an apprentice certification program. The apprentice certification option includes the following:

- *No experience* is required to take the entry level examination.
- Apprentice examinee must attend and complete a board-certified school of the entry level class for which the examinee is applying (including a shoring class for C-Distribution).
- Apprentice examinee may not skip the entry level (no exceptions).
- Apprentice examinee must take the examination matching the school and pass the examination with a score of 70% or better.
- The cost of the examination is an administrative fee of \$50.
- The apprentice certification is valid for five years from the date of certification or until upgraded.
- The apprentice certification must be renewed each year at a cost of \$30 per certification.
- The apprentice operator must complete six hours of professional growth each year to maintain their certification.
- Once the six months of experience have been obtained, the apprentice operator may submit an application to upgrade their certification. A \$50 administrative fee must accompany the application.
- Pending verification and approval by the NCWTFOCB, the apprentice will be upgraded to full certification status.

The apprentice certification option has been in effect for one year, and it has been well received by the state's water utilities. Water system supervisors appreciate the opportunity to hire an apprentice since they can retain a fully certified operator within six months without the risk that the employee will fail to become certified. For more information on the apprentice certification, go to: www.ncwater.org/pws/ncwtfocb.

Interested in Supporting Our Military Veterans? If So, Keep Reading...

Research indicates that the work force in the water industry is shrinking while demand is increasing. The U.S. EPA has interest in recruiting and training veterans for careers in the water industry. Veterans are an optimal group for recruitment because the unemployment rate for returning veterans exceeds that of the general public. In addition, utilities report that veterans often bring experience that encourages teamwork, discipline and accountability.

There are a number of benefits available to veterans through the GI Bill. For example, the GI Bill provides financial incentives for a wide variety of training degree programs, licensing and certification, online courses, and even exams. In regard to on-the-job training, veterans are eligible to receive financial stipends on top of their wages.

In May 2012, a Memorandum of Understanding (MOU) was released between the EPA, and the Department of Veterans Affairs' Vocational Rehabilitation and Employment Service. The purpose of this MOU is to promote activities that connect disabled veterans with water industry careers and thereby support a competent workforce for the water industry. For information about this initiative, go to:

www.workforwater.org/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=2147483686.



The North Carolina Water Treatment Facility Operators Certification Board (NCWTFOCB) understands that encouraging veterans to consider careers in the water industry is mutually beneficial to veterans and the N.C. water industry. The new apprentice certification program offered by NCWTFOCB, as discussed in the article above, is a great way for veterans to get a head start on joining the water industry.

Lead and Copper Rule Updates:

Consumer Notice of Lead Tap Water Monitoring Results

The Lead and Copper Rule (LCR) requires that all water systems provide a notice of the individual lead tap water monitoring results to the persons served by the water system at the specific sampling site from which the sample was taken (e.g., the occupants of the residence where the tap was tested). To make completing this process easier for you, we have prepared a template that contains the required content and includes instructions on the back regarding the required timing, content, delivery requirements and certification of Lead Consumer Notice. The template, as well as other useful forms, can be found on our website at: www.ncwater.org/pws/LCR.html. When using the template, be sure to fill in all the required information. If you have questions, feel free to contact your LCR Rule Manager.

Optimal Corrosion Control Treatment Installation

Systems that exceed an Action Level are required to complete certain actions including Water Quality Parameter (WQP) monitoring, Source Water (SOW) monitoring, completion of an Optimal Corrosion Control Treatment (OCCT) recommendation/study, and, possibly, lead Public Education. The results of the WQP and SOW monitoring are used in the development of the OCCT recommendation by the system. Once the OCCT recommendation has been completed, it is sent to the PWS Section for evaluation and approval. Once the OCCT recommendation has been approved by the LCR Rule Manager, the system must install the designated treatment within 24 months of the date of approval. The clock starts ticking at this time for the installation of treatment.

At this point in the process, the LCR allows small or medium systems to cease completing the treatment steps if the system meets the lead and copper Action Levels for two consecutive six-month monitoring periods. If the system exceeds an Action Level in the future, the system is required to recommence the treatment steps at the last step that was not completed (i.e., installation of the designated treatment). However, since the system chose to sample for two consecutive six-month monitoring periods instead of installing treatment, the system has used 12 of the 24 months allowed for installation of the designated treatment and has only 12 months remaining to install the designated treatment. In reviewing our records of LCR compliance, we have noticed several systems that have exceeded an Action Level during many instances of monitoring and still have not installed the designated treatment. We will be issuing Notices of Violation to systems that are not installing the designated treatment as required by the LCR.

Upcoming Changes to the LCR



EPA, with input from their Regional Offices, other offices, and some states has been working on revisions to the LCR since 2008. The most recent information we have is that EPA plans to publish the proposed rule in September 2013 and plans to publish the final rule in May 2014. While we cannot say with certainty the changes that may be proposed, the following areas have been considered in the discussions regarding changes to the LCR: lead service line replacement, sample site selection criteria, tap sampling procedures, corrosion control treatments (CCT) and public education. It is also our understanding that EPA may incorporate provisions related to the Reduction of Lead in Drinking Water Act into the upcoming changes to the LCR. The Reduction of Lead in Drinking Water Act becomes effective on January 4, 2014.

Important Websites

EPA Office of Water: <http://water.epa.gov>

State of North Carolina: <http://www.ncgov.com>

PWS Section: <http://www.ncwater.org/pws/index.htm>

Drinking Water Watch: <https://www.pwss.enr.state.nc.us/NCDWW2/>

Rules Governing Public Water Systems: <http://www.ncwater.org/pws/rules/contents.htm>

Certified Laboratories: <http://slph.state.nc.us/EnvironmentalSciences/Certification/default.asp>

Note: System contacts should update their email address regularly to ensure that they receive all PWS Section updates and communications by emailing Kristi Lynn Carpenter at kristillynn.carpenter@ncdenr.gov.



Long Term 2 (LT2) Enhanced Surface Water Treatment Rule - Upcoming Dates

Surface Water Systems Serving...	Compliance Date for <i>Cryptosporidium</i> Treatment if Bin 2 or Higher Based on First Round of Source Water Monitoring	Submit Sample Schedule for Second Round of Source Water Monitoring	Second Round of Source Water Monitoring Begins
At least 100,000 people	April 1, 2012	January 1, 2015	April 1, 2015
From 50,000 to 99,999 people	October 1, 2012	July 1, 2015	October 1, 2015
From 10,000 to 49,999 people	October 1, 2013	July 1, 2016	October 1, 2016
Fewer than 10,000 people and monitor for <i>E. coli</i>	October 1, 2014	July 1, 2017	October 1, 2017
Fewer than 10,000 people and triggered to monitor for <i>Cryptosporidium</i>	October 1, 2014	January 1, 2019	April 1, 2019

Revised Total Coliform Rule (RTCR)

The U.S. EPA has announced major revisions to the 1989 Total Coliform Rule (TCR). The purpose of the TCR is to protect the public from microbial contamination. EPA anticipates greater public health protection under the Revised Total Coliform Rule (RTCR) by requiring assessment and corrective action and providing incentives for improved operation.

All public water systems must comply with the RTCR requirements beginning April 1, 2016.

(Note that the requirements of the existing rule must be followed until then.)

Major changes:

Coliform Treatment Technique: RTCR replaces the existing non-acute MCL that can result from detections of total coliform (but not *E. coli*) with a treatment technique requirement – often referred to as the “find and fix” provision. Systems with multiple detections of total coliform must conduct an assessment of their water systems to identify the cause and fix any problems that are found.

Reduced routine monitoring for small groundwater systems: The state may allow systems using ground water sources and serving 1,000 or fewer people to reduce their monitoring below the baseline schedule (monthly or quarterly depending on the system type). Some criteria for eligibility for reduced monitoring may be: clean compliance history, absence of sanitary defects, having a protected source, and having a certified operator.

Reduced repeat/additional routine monitoring: The number of repeat samples will be reduced to three for all systems; for systems serving 1,000 or fewer people, one of these repeats may count as a triggered sample under the Ground Water Rule requirements. The number of additional routine samples the month following a positive sample will also be reduced to three for certain types of systems.

Assessments: In response to triggers based on total coliform or *E. coli* detects and other factors, the water system must assess its entire operation to identify sanitary defects and apply an appropriate corrective action to defects found. Two levels of assessment are established: Level 1 is a basic evaluation and Level 2 is more in-depth and extensive. Level 2 assessments must be conducted by individuals approved by the state.

Seasonal systems: Under the RTCR, seasonal systems are specifically addressed for the first time. Any non-community system that doesn't operate year-round and has a start-up and shut-down phase of their operation will be defined as “seasonal.” Seasonal systems will have special monitoring requirements and must also follow state-approved start-up procedures. The RTCR does allow the state to exempt systems from some of the requirements when they continue to be pressurized, even when the business is not in operation. Routine monitoring for seasonal systems will be monthly.

The PWS Section has begun preparing for the adoption and implementation of the RTCR. We will be providing training to educate water systems on the RTCR and plan to develop applicable guidance documents and forms to assist water systems in meeting the new rule's requirements.

Remember: Follow the current rule until **April 1, 2016!**

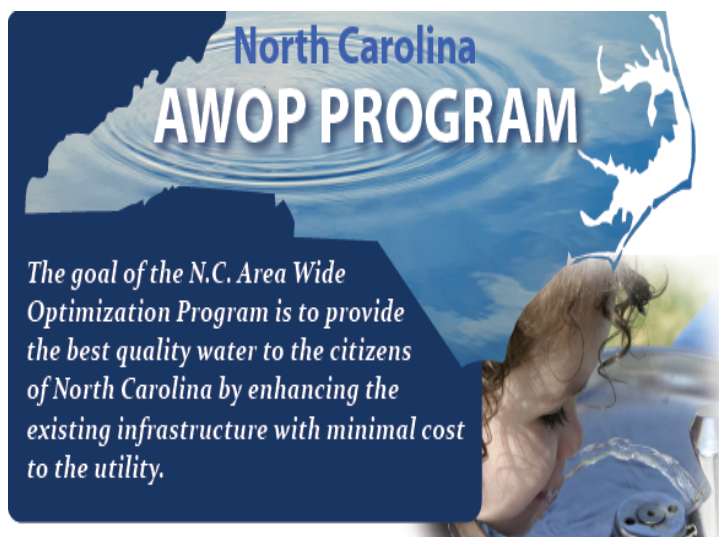
Electronic Plan Submittals

In April 2012, the PWS Section implemented a process for submittal of digital copies of the drawings and supporting documents to the Plan Review Unit with the objectives to minimize storage space, use less paper, and reduce printing and mailing expenses associated with paper copies. The process details are on the PWS Section's website and on the last page of Form DENR-2136 "Application for Approval of Engineering Plans and Specifications for Water Supply Systems."

Applicants using this option are to provide the PWS Section with one (1) complete set as hard copy (paper), consisting of the sealed drawings/plans, signed application, sealed specifications and sealed engineer's report with all calculations, and two (2) digital copies of these same documents on compact discs (CDs). The file format for the digital copy is PDF, with each item (plans, application, specifications, and engineer's report) in a separate folder. In the folder containing the drawings/plans, each drawing sheet should be a separate file. If the project involves a new well or a water treatment plant, the applicant must provide a second hard copy set [two (2) complete paper sets] along with the two CDs of the digital version. All new well projects should be submitted to the PWS Section Regional Office first to facilitate completeness of the required documents.

The PWS Section's Plan Review engineers will provide review comments or questions by email, phone, and/or letter. If comments are issued that necessitate revisions to the drawings/plans or other documents, the applicant will provide one revised hard copy of all revised documents, and two CDs containing all documents (revised and unchanged).

The PWS Section issues Authorization to Construct letters by email, and then by postal mail. It sends an approval package that includes a hard copy of the Authorization to Construct along with the plans and specifications that are stamped to indicate approval.



The goal of the N.C. Area Wide Optimization Program is to provide the best quality water to the citizens of North Carolina by enhancing the existing infrastructure with minimal cost to the utility.

To better protect public health and define optimized performance, a set of goals for all surface water treatment plants were adopted in N.C. Minimum data monitoring requirements are included for raw water turbidity, settled water turbidity, and on-line, continuous turbidity from each filter.

The performance goals include the following:

- When raw water turbidity average is > 10 NTU, the settled water turbidity is < 2 NTU, 95% of the time.
- When raw water turbidity average is ≤ 10 NTU, the settled water turbidity is < 1 NTU, 95% of the time.
- Filtered water turbidity is < 0.10 NTU, 95% of the time.
- Maximum individual filtered water turbidity does not exceed 0.3 NTU.
- Filter backwash is initiated before effluent turbidity exceeds 0.1 NTU.
- Filter to waste until turbidity is less than 0.1 NTU.
- Maximum filtered water measurement is less than 10 particles per milliliter.

For more information, visit the PWS Section AWOP page at: <http://www.ncwater.org/pws/awop.html>.

ATTENTION: Asbestos Compliance Deadline is December 31, 2013!!

All community, NTNC and adjacent community water systems must either collect an asbestos sample or obtain an approved waiver from the PWS Section between the dates of January 1, 2011 and December 31, 2013. In setting up asbestos monitoring schedules, the PWS Section has conservatively assumed that all distribution systems may contain some amount of asbestos piping, so each water system asbestos schedule has been set to require collection of one sample from their distribution system. This sample must be collected from a sample tap served by asbestos-containing cement pipe under conditions where asbestos contamination is most likely to occur. Water systems are encouraged to maintain documentation in their files which explains the reason for their asbestos sample site selection. A water system can avoid asbestos sampling if they can obtain a waiver from the PWS Section by certifying that they have no asbestos-containing cement pipe in their distribution system and if they are located in a county which is not vulnerable to asbestos contamination in their source water. Those water systems located in the 27 N.C. counties (plus portions of Wake County), which are designated as being vulnerable to asbestos contamination in their source water, must perform sampling and cannot opt out of taking asbestos samples by filing a waiver. The asbestos waiver request form and instructions can be found on our website.

IMPORTANT NOTE: If you are collecting your sample from the distribution system, be sure to identify your Facility ID No. as 'D01' and Sample Point ID as 'ASB' to receive proper credit.

PWSS REGIONAL OFFICES

Asheville Regional Office

2090 U.S. Highway 70
Swannanoa, N.C. 28778
Phone: (828) 296-4500

Fayetteville Regional Office

225 Green Street, Suite 714
Fayetteville, N.C. 28301
Phone: (910) 433-3300

Mooresville Regional Office

610 East Center Avenue, Suite 301
Mooresville, N.C. 28115
Phone: (704) 663-1699

Raleigh Regional Office

3800 Barrett Drive
Raleigh, N.C. 27609
Phone: (919) 791-4200

Washington Regional Office

943 Washington Square Mall
Washington, N.C. 27889
Phone: (252) 946-6481

Wilmington Regional Office

127 Cardinal Drive Extension
Wilmington, N.C. 28405
Phone: (910) 796-7215

Winston-Salem Regional Office

585 Woughtown Street
Winston-Salem, N.C. 27107
Phone: (336) 771-5000

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Lead & Copper: Mooresville, Wilmington, & Winston-Salem	Christyn Fertenbaugh (919) 707-9075		
Total Coliform & Groundwater Rules CWS & NTNC Systems	Chandler Warner—(919) 707-9092 chandler.warner@ncdenr.gov	Alex Gorbounov (919) 707-9080 alex.gorbounov@ncdenr.gov	
Total Coliform & Groundwater Rules Transient Systems	Derek Lewis—(919) 707-9086 derek.lewis@ncdenr.gov		
Nitrate/Nitrite		Steve Proctor (919) 707-9094 steve.proctor@ncdenr.gov	
Surface Water Treatment Rules	Steve Proctor (acting) (919) 707-9094 steve.proctor@ncdenr.gov		
Volatile Organic Chemicals			
Sanitary Districts			
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Radionuclides	Ernest Parker— (919) 707-9091 ernest.parker@ncdenr.gov		
Inorganic Chemicals (incl. Asbestos & Arsenic)		Dave McCartney (919) 707-9087 dave.mccartney@ncdenr.gov	
Disinfectants & Disinfection ByProducts	Dave McCartney (acting) (919) 707-9087 dave.mccartney@ncdenr.gov		
Public Notification Rule & Consumer Confidence Reports	Bethany Goodwin—(919) 707-9079 bethany.goodwin@ncdenr.gov		

2,700 copies of this public document were printed at a cost of \$4,680.23, or \$1.73 per copy. 3/13



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