DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Water Supply Management
Division of Drinking Water Management

Document ID: 383-2100-208
Title: DEP Approval Guide for Noncommunity Water Systems
Effective Date: August 5, 2000

Policy: Department staff will follow the guidance and procedures presented in this document to direct and support implementation of consecutive water systems activities under the safe drinking water management programs.

Purpose: The purpose of this document is to establish a rational and reasonable basis for staff decisions which will promote quality, timely and consistent service to the public and regulated community.

Applicability: This guidance will apply to all noncommunity water systems.

Disclaimer: This guidance and procedures outlined in this document are intended to summarize existing requirements. Nothing in this document shall affect more stringent regulatory requirements.

The guidance and procedures herein are not an adjudication or a regulation. There is no intent on the part of DEP to give this document that weight or deference. The guidance and procedures merely summarize how and on what basis DEP will administer and implement its responsibilities with respect to noncommunity water system activities. DEP reserves the discretion to deviate from the guidance and procedures in this document if circumstances warrant.

Page Length: 12 pages
Location: Volume 22, Tab 3A
Definitions: See Pa. Code Chapter 109
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INTRODUCTION

The Department of Environmental Protection (DEP) is entrusted with protecting Pennsylvania's air, land, and water from pollution and providing for the health and safety of its citizens through a cleaner environment. One way DEP carries out its environmental protection responsibilities is through a system of authorizations -- permits, licenses, certifications, registrations, and approvals.

DEP has taken a number of steps to improve the quality, efficiency, and responsiveness of the authorization process for applicants. All environmental protection and land development decisions now are made in the six regional offices or six mining districts. This action brings decision making closer to the applicant and creates one-stop authorization.

In addition, DEP encourages the scheduling of conferences to help applicants with questions or concerns regarding approval applications; corresponds with applicants during the approval review process; and has prepared a series of permit and approval guides to provide information to applicants and the public.

This approval guide is designed to better inform the general public and potential applicants about the Noncommunity Water System Approval. It provides information about: the types of activities which will require approval, how to apply for approval, how DEP evaluates the information received, the approval process in general, and the authority by which DEP regulates a particular activity.

By helping interested persons understand this process and making improvements to the process itself, we hope to simplify the approval process for you.
AUTHORITY TO ADMINISTER THIS APPROVAL PROGRAM

The Pennsylvania Safe Drinking Water Act (SDWA), which was passed in 1984, empowered DEP to establish and maintain a permit program concerning plans and specifications for the design and construction of new or substantially modified public water systems.

Statutes

1984 Pennsylvania Safe Drinking Water Act (35 P.S. Section 721.1 - 721.17)

Regulations

25 Pennsylvania Code Chapter 109 (relating to the SDWA)

25 Pennsylvania Code Chapter 301, 303, 305 (relating to operator certification)

Guidances

Public Water Supply Manual, Part II - Community System Design Standards


To obtain appropriate DEP guidances, policies, work forms, instructions, and documents relating to the drinking water program, contact the appropriate regional office (see Appendix). Various DEP guidances can also be obtained through DEP’s homepage (see back cover).
NONCOMMUNITY WATER SYSTEMS

More than 11 million Pennsylvanians rely on over 11,000 public water systems to provide them with clean, safe drinking water. More than 8,700 of these systems are classified as noncommunity water systems. Standard guidelines set forth in a noncommunity water system approval ensure the health and safety of the citizens who rely on these systems.

A noncommunity water system (NCWS) is a type of a public water system (PWS). The categorical definitions are as follows:

**Public Water System** - a system that provides water to the public for human consumption and that serves at least 15 service connections or at least 25 people daily for at least 60 days of the year. Public water systems are categorized as either community or noncommunity.

- **Community Water System** - a PWS that serves at least 15 service connections that are used by year-round residents or regularly serves at least 25 year-round residents.

- **Noncommunity Water System** - any PWS that is not a community water system. Noncommunity water systems are categorized as either transient or nontransient.

- **Nontransient NCWS** - a noncommunity water system that serves at least 25 of the same people for at least six months of the year. Examples of nontransient noncommunity water systems include, but are not limited to, schools, hospitals, industrial parks, commercial establishments, and large restaurants.

- **Transient NCWS** - a noncommunity water system that is not a nontransient system. Examples of transient noncommunity water systems include, but are not limited to, restaurants with less than 25 staff, churches, and campgrounds.
WHO MUST APPLY FOR APPROVAL

A noncommunity water system must obtain a PWS permit unless it meets any of the following criteria:

1. it is licensed under the Public Eating and Drinking Places Act, *
2. it is permitted under the Seasonal Farm Labor Act, *
3. it is permitted under the Public Bathing Law, ** or
4. it uses only groundwater, and provides treatment no greater than disinfection in order to comply with the primary maximum contaminant levels.

* The Public Eating & Drinking Place License and the Seasonal Farm Labor Camp Permit are both administered by the Pennsylvania Department of Agriculture.

** The Public Bathing Place Permit is administered by the Pennsylvania Department of Health.

If any of the above criteria are met, a PWS permit may be unnecessary. However, all of the above will be required to obtain a NCWS Approval. Any NCWS that meets (1), (2), or (3) above should coordinate NCWS approval with DEP and the other applicable state agency to avoid a possible delay in obtaining a final review and approval by the other agency of the facility that is served by the NCWS. DEP retains the right to require any NCWS that meets any of the above criteria to obtain a PWS permit if, in DEP’s judgment, the NCWS cannot be adequately regulated through the standardized specifications and conditions of their respective licenses or approval.

The NCWS Approval applies to both construction and substantial modification activities, as well as to operation activities.

A construction activity refers to the full construction of a new NCWS. A substantial modification activity refers to activities such as: new sources; additions or deletions of treatment processes; storage reservoirs; changes in treatment chemicals; replacement of tank linings; replacement of reservoir linings; covering of reservoirs; construction of covered storage tanks or standpipes which are designed to standard specifications; transfers of ownership; incorporations; and mergers.

An operation activity is assumed to be the intended, on-line purpose of a construction or substantial modification activity.

An Erosion and Sedimentation Control Plan will be required if construction or modification activities will involve the movement of earth. This requirement, as well as any other permit requirements, will be made by the appropriate regional office (see Appendix).
REQUIREMENTS FOR NCWS APPROVAL

All NCWS Approval applications must be received by DEP within 30 days of initiation of operation after the completion of the construction or substantial modification. Applications may be submitted prior to construction if the applicant desires technical assistance from DEP. It is recommended that applications be submitted prior to construction in order to avoid the possible need to correct any problems caused by improper site location or construction. Applications should be coordinated with DEP and the other appropriate state agency in the event the NCWS will serve a Public Eating & Drinking Place, a Seasonal Farm Labor Camp, or a Public Bathing Place. Obtaining all necessary approvals in a timely manner could avoid a delay in the operation of the facility. To apply for NCWS approval, the applicant must submit:

1. a brief description of the system, and
2. raw source quality data.

The document entitled “A Noncommunity Brief Description Form/Inventory” can be viewed online at the web address on the inset of the back cover, or obtained from the appropriate DEP regional office (see Appendix) or from local DEP field staff. DEP field staff routinely assist NCWS suppliers to complete this paperwork, so it is very important that a NCWS supplier have all of the needed technical and administrative information, including water quality test data, before meeting with DEP.

Please note that the type of NCWS, either transient or nontransient, determines what source water quality testing must be performed. Therefore, it is important that an applicant contact DEP early in the facility review process to determine what water quality tests must be done and to arrange for samples to be analyzed by a DEP certified drinking water laboratory. The water quality testing results must be submitted with the Brief Description Form.

The information that is provided in the Brief Description Form will allow DEP to review the proposal for potential health effects and for conformance with any relevant regulations, policies, or suggested guidances (see below). The raw source quality data will be used to determine if treatment is required to remove contamination.

In addition to the raw source quality data, a properly annotated, 7.5-minute United States Geological Survey (USGS) topographic map must accompany the completed form. Information on how to obtain USGS topographic maps can be found on the USGS website at http://www.usgs.gov. Topographic maps can also be purchased at most major book or sporting goods stores.

DEP will review the above information for compliance with the regulations in Chapter 109, as well as for conformance with the suggested guidelines in Parts II and IV of the Public Water Supply Manual. The review of NCWS Approval applications usually takes one month. The NCWS will then be notified of either approval or disapproval. If the NCWS is disapproved, then
DEP will provide the reasons for disapproval, and the NCWS will need to make the necessary corrections.

It is in the NCWS’s best interest to apply for approval as early as possible. This will preclude the possible need to correct any construction or modification that has already been completed. Early application will also help achieve timely procurement of any other needed licenses (e.g., Eating & Drinking Places, Bathing Places).
APPROVAL CONDITIONS, MONITORING, AND INSPECTIONS

By issuing an approval, DEP authorizes the NCWS to commence or continue the newly approved activity. In doing so, DEP may require special conditions which are site- and/or project-specific.

Special conditions may vary between approvals. An approval may have no special conditions or as many as needed. All special conditions are printed and attached to their respective approvals.

Monitoring requirements are specified in Chapter 109 of DEP’s regulations. These requirements vary depending upon whether the NCWS is transient or nontransient, as well as the contaminants being treated. Monitoring requirements for special conditions are determined by the regional office.

On-site surveillance is routinely conducted about once a year. These inspections target traditional problem areas and will periodically include a more comprehensive full inspection. The full inspection examines almost all aspects of the source(s), treatment plant, and distribution system.
# APPENDIX

## FIELD OPERATIONS REGIONAL OFFICES

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| **Southeast Office** - (610) 832-6028  
Assistant Director/Permit Coordinator  
Lee Park, Suite 6010  
555 North Lane  
Conshohocken, PA  19428-2233 | Bucks, Chester, Delaware, Montgomery, and Philadelphia |
| **Northeast Office** - (570) 826-2352  
Assistant Director/Permit Coordinator  
2 Public Square  
Wilkes-Barre, PA  18711-0790 | Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, and Wyoming |
| **Southcentral Office** - (717) 705-4703  
Assistant Director/Permit Coordinator  
909 Elmerton Avenue  
Harrisburg, PA  17110-8200 | Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, and York |
| **Northcentral Office** - (570) 327-3320  
Assistant Director/Permit Coordinator  
208 West Third Street, Suite 101  
Williamsport, PA  17701 | Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, and Union |
| **Southwest Office** - (412) 442-4181  
Assistant Director/Permit Coordinator  
400 Waterfront Drive  
Pittsburgh, PA  15222-4745 | Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, and Westmoreland |
| **Northwest Office** - (814) 332-6816  
Assistant Director/Permit Coordinator  
230 Chestnut Street  
Meadville, PA  16335-3481 | Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, and Warren |
This and related environmental information are available electronically via Internet. For more information, visit us through the Pennsylvania homepage at http://www.state.pa.us or visit DEP directly at http://www.dep.state.pa.us (choose directLINK Drinking Water Publications”).

www.GreenWorks.tv - A web space dedicated to helping you learn how to protect and improve the environment. The site features the largest collection of environmental videos available on the Internet and is produced by the nonprofit Environmental Fund for Pennsylvania, with financial support from the Pennsylvania Department of Environmental Protection, 877-PA-GREEN.