

**Proposed Changes to the Arkansas Dept. of Health's
Rules & Regulations Pertaining to Public Water Systems
2011**

Proposed deletion: ~~strikethrough~~.

Proposed addition: underlined.

1.) To update a legal references contained within the regulation to the latest edition of Arkansas Code Annotated.

VII OPERATION (page 13)

D. License

The owner of any community public water system, non-transient non-community public water system, or any other non-community public water system which utilizes a surface water or surface water influenced source shall utilize water operators duly licensed under the provisions of Act 333 of 1957, as amended, and such Rules and Regulations as may be adopted under the provisions of Act 333 of 1957 as amended. (See Arkansas Codes Annotated, § 17-51-101 et seq Title 17, Sections 101–106, and Sections 201-205.) The owner shall place the direct supervision of the water system under an available Water Operator(s) in Responsible Charge holding a valid license equal to or greater than the classification of the treatment facility and/or distribution facility.

2.) To comply with Act 179 of 2011 concerning the required fluoridation of public water systems serving a population of 5000 and above.

VII OPERATION (page 14)

F. Fluoridation

1. Application

In accordance with Act 197 of 2011 (§ 20-7-136) , the owner of a public water system that produces and treats raw water and that directly or through a consecutive system or systems supplies five thousand (5,000) persons or more shall implement a fluoridation program so as to maintain an optimum fluoride concentration in the water. For such systems and for any public water system that controls the fluoride concentration, the optimum concentration shall be 0.7 milligrams per liter with a control range of 0.6 milligrams per liter to 1.2 milligrams per liter.

2. Equipment, testing and reporting

A public water system that controls the fluoride concentration shall comply with the applicable sections of this regulation. In addition, such public water systems shall comply with the fluoride equipment, record keeping, testing, reporting and related requirements identified as a "must" for Community Public Water Systems contained in Sections II, III, and IV of *Engineering and Administrative Recommendations for Water Fluoridation*, 1995, Centers for Disease Control and Prevention, except that entry point rather than distribution system monitoring shall be utilized for measuring the fluoride

concentration. Other exceptions on a case-by-case basis may be allowed but only as specified in writing by the Arkansas Department of Health.

3. Compliance

Pursuant to § 20-7-136 (d) and (e), implementation of a fluoridation program is not required: 1) until funds sufficient to pay capital start-up costs for fluoridation equipment for the system have become available from any source other than tax revenue or service revenue collected by the water system or the entity which owns or controls it; or 2) for a water system in this state that receives its water from a community in another state until a substantially similar fluoridation program is enacted in the other state. Reasonable items for fluoridation start-up include those indispensable to the proper and safe addition and handling of fluoride compounds such as piping, feeder, chemical storage, safety, testing and related equipment and facilities.

- G. Approved Chemicals, Materials, Equipment, and Processes
- ~~G.~~ H. Emergency Planning
- ~~H.~~ I. Long Range Planning
- ~~I.~~ J. New Systems/Modifications of Existing Systems