STATE OF MAINE
PUBLIC DRINKING WATER COMMISSION

2007 Annual Report

Year Ending June 30, 2007

ANNUAL REPORT
of the
MAINE PUBLIC DRINKING WATER COMMISSION

for the period ending
June 30, 2007

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Introduction

The Annual Report of the Maine Public Drinking Water Commission (MPDWC) has been prepared for the Commissioner of the Department of Health and Human Services pursuant to Title 22 MRSA Section 2660-C 4th. The purpose of the report is to provide the Commissioner with an understanding of the issues the MPDWC and the Maine Drinking Water Program (DWP) have dealt with during the last year and to outline the goals and work for the upcoming year. This report contains information about the DWP and its operations, with reports from the DWP Director and the Compliance and Enforcement, Field Inspection, Water Resources and Information Management Teams. Background information about the regulated water systems is also provided, along with the current fee structure in place and an explanation of the Drinking Water State Revolving Fund. Copies of this Annual Report are also submitted to the members of the Health and Human Services Committee of the Maine Legislature.

Enabling Legislation

Legislation relating to the MPDWC is found in Title 22 MRSA § 2660-B et seq. The statutes were first established in 1993(c.410) and have been modified five times since (1995.c.581: 1995.c.21: 1997.c.705: 2001.c.232 and 2003.c.601).

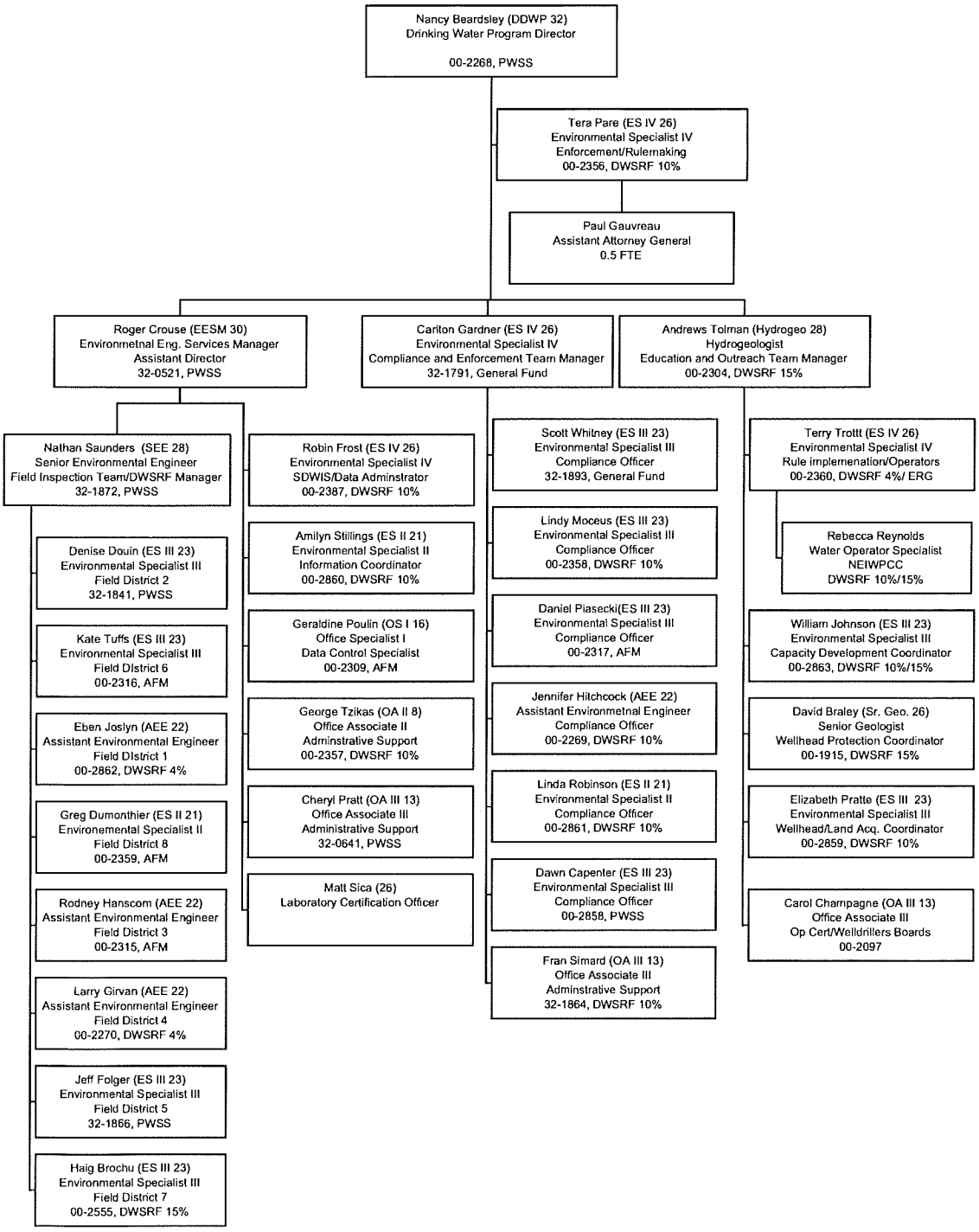
The legislation includes Definitions, Membership Requirements, Chair Responsibilities, Duties, Compensation, an annual work plan submission to the DHHS Commissioner and the Authority to impose an annual public water system operation fee.

Members of the Maine Public Drinking Water Commission

Name, Address, E-Mail	Seat # Expiration Date	*Statutory Provisions for Seat*
Nancy A. Beardsley Director, Drinking Water Program 11 State House, Station Augusta, ME. 04333-0011 287-5674 FAX 287-4172 E-mail: nancy.beardsley@maine.gov	Seat 1 Until Replaced	Commissioner of Health and Human Services or the Commissioner's designee
Kenneth A. Sonagere 483 West Auburn Road Auburn, ME 04210 782-6367 E-mail: trapper483@aol.com	Seat 2 August 31, 2007	Represent the water purveying community and be associated with a public water system serving a population of not more than 1,000.
Thomas J. Brennan, C.G. Nestle Waters North America – Poland Springs 123 Preservation Way Poland Spring, Maine 04274 998-6350 ext. 6350 FAX: 998-5181 E-mail: thomas.brennan@waters.nestle.com	Seat 3 August 31, 2009	Must represent the drinking water public
Robert N. MacKinnon, Jr. Yarmouth Water District, Superintendent PO Box 419, 14 Smith Street Yarmouth, ME 04096 846-5821 FAX 846-1240 E-mail: ywdbob@maine.rr.com	Seat 4 August 31, 2007	Represent the water purveying community and be associated with a public water system serving a population of at least 1001, but not more than 10,000.
Judith W. Kelley, **Chairperson** Chair 10 Ashley Terrace Rockport, ME 04856 236-8428 FAX 236-3701 E-mail: jwkelley@aquaamerica.com	Seat 5 August 31, 2009	Represent the water purveying community and be associated with a public water system serving a population greater than 10,000.
Allen York 221 Lakewood Road Madison, ME 04950 474-7353 E-mail: yonderhill@beeline-online.net	Seat 6 August 31, 2009	Must be a user of a transient, noncommunity water system
Harvey A. Chesley, Jr. 25 Hill Crest Drive Clinton, ME 04927 397-2141 FAX 397-5324 E-mail: ptchc@gwi.net	Seat 7 August 31, 2008	Must be a user of a nontransient, noncommunity water system
Vaughn Smith, **Vice Chairperson** 54 Pineledge Road Bangor, ME 04401-2031 262-1309 FAX 262-2062 Cell 852-0315 E-mail: vsmith54@verizon.net	Seat 8 August 31, 2007	Must represent the drinking water public

Drinking Water Program Organization Chart

DRINKING WATER PROGRAM, DIVISION OF ENVIRONMENTAL HEALTH, MAINE CDC
ORGANIZATIONAL CHART
July 20, 2007



Performance Review of the Drinking Water Program

The MPDWC gets regular updates from the DWP, and assesses the performance of this state agency. The Director and the staff of the program are performing extremely well, given the ongoing budget and staffing constraints. In addition, regulations and reporting requirements for drinking water systems continue to evolve and increase under the direction of the EPA, and the DWP continues to handle these increased responsibilities, although not without its challenges. Organizational changes made within the program this past year have improved service to Maine's water systems and allowed greater field work to insure the safety and reliability of our Maine water systems.

Current Fee Schedule

Alternative Funding Mechanism

The MPDWC sets a fee that is charged each year to every public water system in the state; this fee is based on the population served by the system. Small systems pay the minimum fee of $45. This fee system is called the Alternative Funding Mechanism (AFM).

Revenues derived from the collection of these fees are used to retain primacy, or maintaining state control of the DWP, including funding five DWP staff positions.

The fee is equal to the minimum fee plus the per capita rate, multiplied by the population capacity of the system, minus the exempt population.

Public Drinking Water Systems

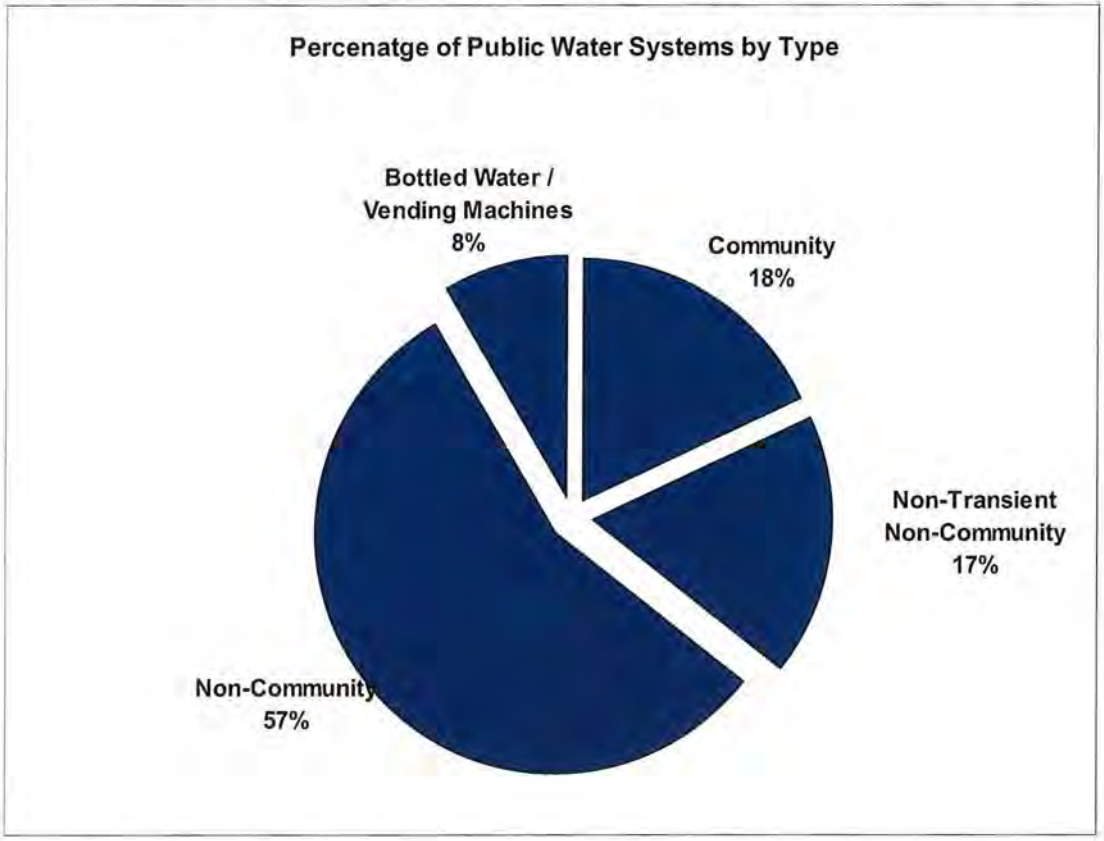
Per capita rate	$0.40
Minimum fee	$45.00
Maximum fee	$30,000.00
Minimum population	100

Bottled Water Fees

The MPDWC sets a fee each year for in-state bottled water companies based on gallons produced while out-of-state bottlers are charged a flat fee and water vending machine businesses are charged based on the number of machines.

Annual Bottled Water Fees		
Fee	Gallons per Year	# of Systems
$50	Small (up to 250,000 gallons)	18
$150	Medium (>250,000 to 20 Million gallons)	12
$2000	Large (>20 Million gallons)	3
$200	Out-of-State	96
$10	Per Water Vending Machine, Minimum $50 per vendor, Maximum $150	34 machines

Types of Public Water Systems Regulated by the DWP



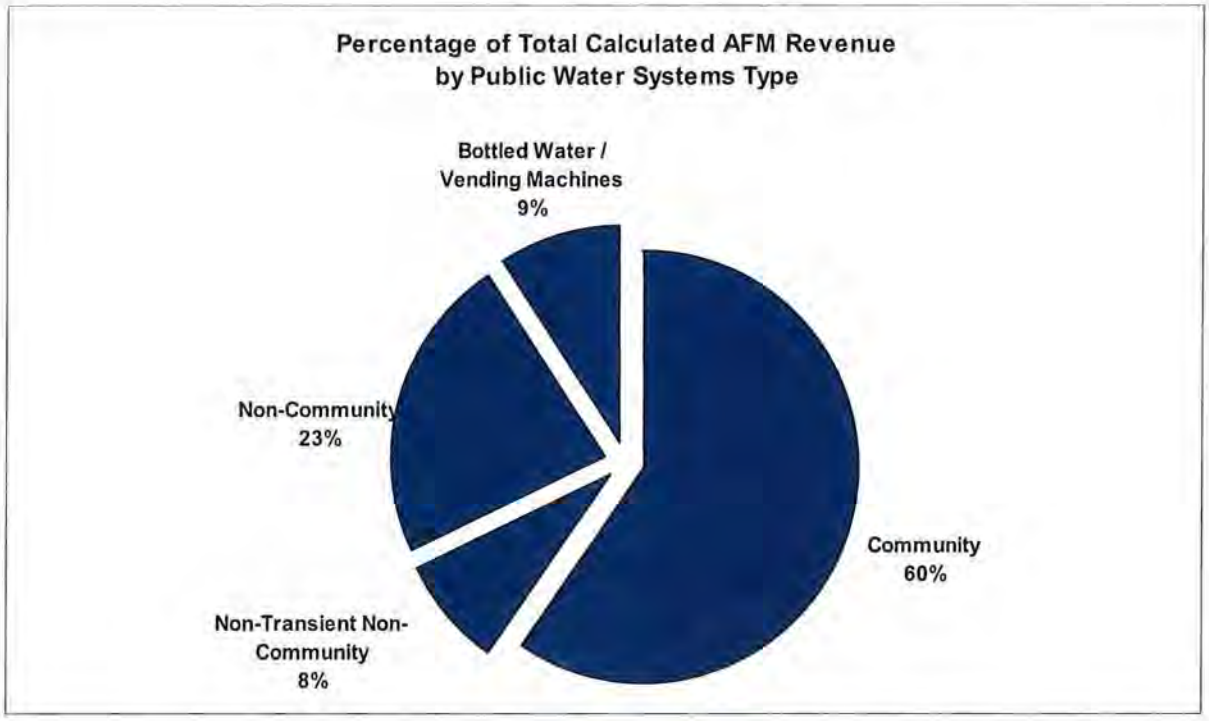
Fee Billings and Collections

State Fiscal Year 2007

Summary of AFM Fee BillingS

Data as of June 30, 2007

Types of PWS	Number of Public Water Systems	% of total Public Water Systems	Population Served	Calculated Revenue	% of Total Calculated Revenue
Community	388	18%	648,185	$ 187,087	60%
Non-Transient Non-Community	369	17%	69,102	$ 24,653	8%
Non-Community	1,183	56%	187,218	$ 72,380	23%
Bottled Water / Vending Machines	164	8%	N/A	$ 28,510	9%
Totals	2,104	100%	904,505	$ 309,631	100%



Drinking Water State Revolving Fund

The Drinking Water State Revolving Fund (DWSRF) provides financial assistance to public water systems in Maine for infrastructure improvements. In order to secure the annual DWSRF grant of approximately $8.5 million from the U. S. Environmental Protection Agency, the State of Maine must contribute a 20 percent state match. During the 2007 Legislative Session, the Legislature and Governor approved a general obligation bond package which included $3.4 million for the DWSRF. In June 2007 the voters approved the bond package. The $3.4 million will be used to provide State Match for the 2007 and 2008 DWSRF Grant.

In addition to funding construction projects, the DWSRF also funds many other activities approved by the U.S. Environmental Protection Agency including well head protection grants, technical assistance providers, operator training, land acquisition loans, source water protection resources and 17 staff positions at the Drinking Water Program.

DWP Program Accomplishments and Goals

Director's Report

Accomplishments 2007

- Perhaps the greatest accomplishment in the past year has been the significant progress made in the implementation of the new organizational and operational strategy. This progress can be directly attributed to the hard work and sacrifice of the DWP staff. The new strategy will provide staff ownership of public water systems, improved customer service, and a greater field presence.

- Secured the State Match necessary for the 2007 and 2008 Drinking Water State Revolving Fund.

- A significant amount of staff time was spent on providing testimony and other information during the 2007 Legislative Session.

- Maintained a strong, committed workforce

- Continued to foster strong relationships with EPA, state agencies, water utilities, water associations and non-profit agencies

- Maintained full compliance with all primacy requirements

- Staff participated on many state and national boards, commissions and workgroups

2008 Goals

- Continue to implement the Safe Drinking Water Act with an estimated 50 percent of the needed workforce. The DWP will continue to be creative and efficient. Additionally, the DWP will need to identify workload priorities.

- Implement changes that will help to reduce the number of Failure to Monitor violations.

- Secure match for the Drinking Water State Revolving Fund for the 2009 construction season.

- Work with the Legislature as needed on proposed legislation.

- Work with the Drinking Water Commission to secure adequate funding for the Drinking Water Program.

- Rewrite the Cross Connection and Bottled Water Rules.

- Prepare for the implementation of the Ground Water Rule.

- Work with the Department of Environmental Protection and public water systems on water withdrawal rules and ground and surface water protection rules.

- Maintain and promote good staff morale.

- Provide staff with the necessary resources and support so they can accomplish their work.

- Provide excellent customer service

- Maintain and foster strong alliances and working relationships.

- Strive for Continuous Program Improvement.

- Continue working within new organizational and operational structure and redirect as needed.

- Improve the Drinking Water Program's visibility.

- Continue to shape state and national drinking water policy.

Compliance and Enforcement Team

Accomplishments

The Compliance and Enforcement Team (CET) is made up of nine staff members. Two team members (a Compliance Officer and an Enforcement Specialist) are working with the 1,200+ transient water systems regulated by Maine. Four team members are working with the 800 community (CWS) and non-transient non-community water systems (NTCWS). The CET Team also includes one Enforcement and Rulemaking Coordinator, one support staff and the team leader.

The CET Team continues to create and update Standard Operating Procedures (SOP's). Each member has already completed an SOP for his or her area of rule expertise. Members of the CET team meet weekly to train other team members on new rule responsibilities.

The two staff handling the transient systems assumed those responsibilities in early May 2006.

The other four team members assumed the responsibilities for the Total Coliform Rule in September 2007.

Training on specific rules and regulations continued throughout fall 2006, winter, and spring 2007.

Training on the DWP's database SDWIS (State Drinking Water Information System) has continued throughout the year. A consultant was hired to conduct a full week of staff training, as well as training with individual staff.

CET staff fully assumed their new regional responsibilities in March 2007.

The CET staff continues to work with systems to insure compliance with all federal and state safe drinking water regulations.

Due to an increased demand for formal enforcement, Dawn Carpenter recently returned to enforcement on a full-time basis. Dawn will assist Tera Pare, Enforcement and Rulemaking Coordinator, with enforcement activities by issuing Notices of Non Compliance (NON) and Administrative Orders to non-community water systems. Dawn conducts on-site enforcement visits for many small water systems facing enforcement actions. These face-to-face meetings appear to have a great impact on the rate of returning systems to compliance. Dawn will continue as back-up to Linda Robinson for the Total Coliform Rule, as well as back-up to all compliance officers, on a calendar rotation.

Jennifer Hitchcock, Compliance Officer for 193 systems, also functions as the Surface Water Treatment Rule (SWTR) Specialist. Jennifer continues to work with systems utilizing surface

water in her area, while advising other compliance officers on specific SWTR issues. The number of public water systems using surface water that exceeded the Disinfection By-Products Rule's Maximum Contaminant Level (MCL), continues to increase, which triggers the need for more and more enforcement actions. Jennifer presented at several trainings on the proposed Stage 2 Disinfection By-Products Rule and the Long-Term 2 Enhanced Surface Water Treatment Rules, which were both finalized in early 2006. Jennifer has trained team members to perform annual water shed inspections, required for all systems with filtration avoidance.

Lindy Moceus, Compliance Officer for 210 systems, also functions as the Phase II/V Specialist. Lindy has been working with 63 community and non-transient, non-community public water systems with arsenic levels exceeding the MCL. Lindy presented at a national EPA arsenic conference during early fall, 2006. She also continues to work with EPA and the three pilot systems installed in Maine. Lindy works as a primary contact for EPA while we try to resolve elevated lead issues at a small apartment complex outside of Augusta.

Tera Pare, Enforcement and Rulemaking Coordinator is responsible for managing all formal enforcement and rulemaking activities for the Drinking Water Program. She is in regular communications with the Attorney General's Office concerning specific legal issues and enforcement cases. Tera drafts Administrative Orders for all community systems requiring formal enforcement action, when those systems failed to comply with the Notices of Non Compliance. Several community systems currently in enforcement exceed the DBP MCL, exceed the action level for lead, or exceed the MCL for arsenic. Tera will continue to work with those systems to meet compliance deadlines. Tera also updates EPA, Region I on public water systems listed in Significant Non-Compliance (SNC). Tera also works as the Drinking Water Program's point person for coordinating Freedom of Access Requests by tracking requests, timelines for responses, and compliance with Maine's Freedom of Access laws. In addition, Tera coordinates any proposed changes to the DWP's "Rules Relating to Drinking Water". She assures that new federal amendments are incorporated by reference and that all changes are consistent with state and federal laws. Tera conducts all formal rulemaking steps by securing state agency approval, advertising through the Secretary of State's Office, overseeing public hearings, and documenting any comments.

Linda Robinson is now acting as the sole compliance officer for all 1,177 transient water systems, which are subject to both the Total Coliform Rule and the Phase II/V Rule. Linda also continues to field questions from other staff and function as the specialist for the Total Coliform Rule. Linda fields many phone calls in the course of a day from public water systems seeking clarity or assistance with requirements for sampling, water quality, and treatment. Many often concern unsatisfactory recheck samples and boil water notices, which are frequently generated by unhappy water system owners and operators.

Amilyn Stillings moved to a new position within the Drinking Water Program. However, she graciously agreed to continue acting as the Lead and Copper Rule Specialist for the 194 water systems in her regional area. This extra work will continue until a new staff person starts on July 23, 2007. Ami continues to contact systems via phone, mail, and on-site visits in an effort to explain the complexities of the Lead and Copper Rule. She has worked tirelessly with water operators, system owners, and DWP staff to resolve elevated action levels of lead at a small apartment complex outside of Augusta.

Scott Whitney is the Compliance Officer for 159 water systems and continues to function as the Radionuclide and Consumer Confidence Report Rules specialist. He also handles rule enforcement for the 161 Bottle Water Companies, Water Vending Machines, and Bulk Water Transportation Permits throughout the state.

Lindy Moceus and Linda Robinson assumed the primary responsibility for the Drinking Water Program's annual calendar, which is mailed to all public water systems in Maine. Many owners and operators have commented on the useful information contained within the calendar. The Calendar is distributed to water operators and code enforcement officers throughout the state, as well. It is safe to say the calendar would not have happened without their efforts.

Fran Simard acts as CET's administrative support person. She e-mails weekly rechecks lists to staff and technical assistance providers. When the Health and Environmental Testing Lab (HETL) e-mails lists of rejected samples from its technicians, Fran is responsible for calling those systems to alert them that a new bottle is arriving shortly. Fran also assists Cheryl Pratte with the annual AFM fees, and assists George Tzikas with mail and phone duties. Fran records minutes at CET's weekly minutes and assist compliance officers with ordering supplies, scheduling transportation, or registering for a conference.

Goals

- Continue educating DWP staff and public water systems on drinking water rules;
- Continue to finalize and streamline regionalization efforts;
- Reduce the numbers of SNC's in 2007. EPA provides the DWP with a list of SNC's. In 2006, the list contained, for the first time, transients systems serving less than a population of 500. These additional systems add valuable research time to the SNC review process. In an effort to reduce SNC's, CET Staff has created a 3, 2, 1 policy for systems committing repeated "Failure to Monitor/Report" Violations. If a public water system fails to monitor for 3 consecutive months, 2 consecutive quarters or one annual test, then the DWP will target those systems for state enforcement action. Systems that miss 1 quarterly sample or 2 consecutive months will receive a phone call from staff, as well as a technical assistance visit;
- Improve compliance rates, with CET staff conducting more one-on-one interactions with the public water systems within their compliance districts. This effort will be accomplished by phone calls and on-site visits;
- Better understand and utilize the federal database system called SDWIS. This database can be a powerful information and enforcement tool. SDWIS has been under-utilized in the past, but with increased training, holds the potential for more efficient work;
- Improve communications with other state and municipal agencies that may have an interest in a regulated water system. Some of these agencies include the Maine Department of Environmental Protection (DEP), the Maine Division of Environmental Health's Health Inspection Program for Eating and Lodging Establishments, public safety for those systems holding a liquor licenses, Manufactured Housing Board, HETL, municipal code enforcement, day care and residential care licensing; and
- Work with private labs on submittal of water analysis by electronic format.

Rule Making

Accomplishments

Fluoridation Rules were changed and updated, effective October 17, 2006; and
The Rules Relating to the Licensure of Water System Operators were also updated, effective June 1, 2007.

Goals
Update the Rules Relating to Drinking Water. Maine needs to adopt several EPA regulations, including LT2 SWTR, Stage 2 DBP Rule, the Groundwater Rule, as well as new analytical and construction methods.
Set up a Stakeholders meeting to initiate the process to update the Cross-Connection Regulations

Field Inspection Team

Accomplishments
The DWP restructuring of 2006 has noticeably improved our field coverage of public water systems by increasing the number of field inspectors from six to eight.

This year the Field Inspection Team has focused on each inspector learning a new skill set, either New System Approval or Sanitary Survey, so that all eight inspectors become skilled in both areas. Excellent progress has been made and several related policies and procedures were improved.

Progress was made toward balancing workloads in DWP districts.

274 Sanitary Surveys (with associated work to complete)
172 Rechecks
89 Construction meetings and inspections
21 Boil Water Orders issued
195 other site visits

There were 16, 2006 DWSRF projects started during State Fiscal 2006 on the following community systems:

Port Clyde
Passamaquoddy
Bath
Ashland
Eagle Lake (2)
Winter Harbor
Biddeford & Saco (2)
Sugarloaf (2)
Calais (3)
Woodman's Trailer Park
Auburn

These projects involve: new sources or source modification, new storage facilities, new treatment or treatment modifications, and major transmission and distribution main work.

In addition to these projects, there are about 15 DWSRF projects from previous years that are still being worked on.

Goals
Continuing to develop both New Well Approval and Sanitary Survey Skills in all eight Field Inspectors.
Working to maintain the necessary Sanitary Survey frequencies.
Continuing to work with EPA to implement PDAs for Sanitary Surveys.
Using GPS units to identify the location of key PWS infrastructure.

Water Resources Team

Security

During 2006 the DWP disseminated more *Public Water System Emergency Response Plan Handbooks* (*Handbooks*). The *Handbooks* were produced by the DWP's Security Committee with EPA security grant money. Each *Handbook* serves as a resource compendium for vulnerability assessment and emergency response planning. Twenty-seven *Handbooks* were delivered to non-transient, non-community water systems, mostly schools, and 16 were delivered to community water systems. Maine Rural Water Association personnel and DWP Field Services staff were instrumental in getting the *Handbooks* delivered to recipients. The *Handbook* will be reviewed and updated in 2007 prior to a new printing with revisions.

Through a competitive contract, the DWP hired Woodard & Curran engineers in late 2005 to work on updating the DWP's emergency response plan (ERP). By early summer of 2006 the ERP was finished and incorporated as a constituent component in the ME CDC's master emergency plan. The ERP was successfully tested as a tabletop exercise with the DWP incident management team (IMT). During the DWP annual retreat, Woodard & Curran personnel introduced and practiced the ERP with DWP personnel. In late 2006 Woodard & Curran began facilitating tabletop exercises around the state. DWP personnel attended each event. Four tabletop exercises were conducted in the last quarter of 2006. The DWP developed a second contract with Woodard & Curran for a pandemic influenza plan component to add to the ERP and to incorporate into the ME CDC's pandemic flu plan.

Department of Homeland Security and FEMA regulations require that organizations eligible for homeland security funding or FEMA reimbursement dollars must have staff persons certified in incident command system (ICS) and national incident management system (NIMS) training. During 2006 DWP staff took online FEMA ICS and NIMS training courses. Upon completion of the courses, trainees took online exams for certification. Virtually all of the staff became certified in ICS and NIMS, many at the intermediate levels as well as the required base levels.

The DWP hired the Maine Association of Broadcasters (MAB) through a sole-source contract to produce and broadcast four public service announcements devoted to drinking water security. As a not-for-profit organization, MAB can most inexpensively produce the announcements and maximize the DWP's limited financial resources to deliver the message on the importance of safeguarding drinking water sources and facilities. The contract was signed in late 2006 with radio and TV announcements being produced and broadcast in 2007.

Water Operators

As of December 31, 2006, the 777 PWS required to be operated by a licensed operator had a 98.7 percent compliance rate. This is a 2.7 percent increase from the previous year, which exceeds the national average.

The Program administers the EPA Operator Expense Reimbursement Grant (ERG) with the goal to increase operator availability. Examination preparatory classes continued to be funded through the (ERG). Classes for all levels of treatment and up to Class III distribution as well as ten continuing education courses for a total off 51 locations were funded. These training classes will continue until the end of the ERG funding in 2008.

The Board of Licensure of Water System Operators met five times in 2006 and held three examination sessions. A primary issue of concern was the 58% average pass rate from the 364 exams given. Maine's pass rate is very close to the national average. To address this issue, in 2007, the Board plans on an in depth review of pass rates and the Drinking Water Program (DWP) will expand available self-study materials. The Board is also concerned over the future availability of qualified professionals and the recruitment of new operators. Staff will reach out to professional organizations and educators to promote the water industry.

The "Rules Relating to the Licensure of Water System Operators" was reviewed for adoption in 2007. Major changes include a point system that includes modern technologies and new relevancy guidance for license renewal.

The Operator Certification Program plans several improvements for 2007. The new database Safe Water Operator Certification System (SWOCS) will improve the licensing and renewal process for the water operators. The DWP continues to work with training providers to expand relevant topics to increase professionalism and maintain public health.

Capacity Development

The goal of Capacity Development is to assist public water systems in maintaining and improving their technical, financial and managerial operations. Several activities routinely occur under Capacity Development as defined program activities. These include capacity reviews, capacity grants and issuing general operations permits. Capacity Development set-aside money has also been used to underwrite trustee training sessions offered by Maine Rural Water Association (MRWA).

Capacity Development reviews are generally conducted for public water systems receiving drinking water state revolving loan fund (DWSRF) loans. On occasion, public water systems that are seriously dysfunctional may get a capacity review to analyze their operations and suggest or mandate improvements. The aim of the reviews for DWSRF applicants is to assure that the loan recipients possess adequate technical, financial and managerial (TFM) ability (capacity) to comply with current and future SDWA regulations and to manage the loan repayment. During 2006 five capacity reviews were conducted for DWSRF loan applicants. All passed the capacity review and were judged to possess sufficient capacity to receive loans. No other capacity reviews were conducted.

Capacity Development Grants are made available to systems to maintain or improve TFM capacity. Grants are available on a reimbursement basis for 50% of project costs to a maximum

reimbursement amount of $10,000. Systems typically use the grant money for engineering studies, facilities' analysis and capital improvement plans, vulnerability assessments, emergency response plans, management reviews, organizational structure reviews and analyses, disinfection byproducts mitigation studies, hydraulic modeling studies, or other studies that will help a system maintain or improve TFM capacity. In 2006 four systems were reimbursed for completed projects and 12 projects are ongoing.

The 1996 Amendments to the SDWA require that all new community and non-transient, non-community water systems (CWS and NTNC) that come into being after October 1, 1999 must receive a general operations permit (GOP) before serving water. Issuing the GOPs in a timely manner is an on-going problem. The DWP intends to transition the permitting process from being entirely under Capacity Development to a shared responsibility between Field Inspection and Capacity Development. Field Inspectors will assess capacity through a specific question set recorded in electronic sanitary surveys. Those systems deemed as lacking capacity and in need of assistance will be referred to capacity development for assistance in completing the permitting process. This transition is expected to occur in 2007. In the interim, permitting has remained under Capacity Development. During 2006 four systems completed the permitting process and were issued GOPs. Thirty-eight other systems are in various stages of securing GOPs.

In November of 2004 Maine Drinking Water Rules enacted a rule change requiring existing CWSs and NTNCs changing ownership to notify the DWP and undergo a capacity analysis for the purposes of securing a GOP. The goal of issuing GOPs for changes of ownership was to assure the DWP that new owners of systems are fully aware of their responsibilities as operators of public water systems and to demonstrate their capability of meeting the TFM capacity requirements. After the rule implementation the DWP discovered that many more community and non-transient, non-community water systems change ownership than was anticipated. The burden to permit such systems was too great for the DWP staff to handle. It is anticipated that in 2007 the rule changes will be repealed.

For several years the DWP has partnered with the MRWA to provide Trustee Training to water system trustees and other overseers and managers of public water systems. Superintendents and office staff have also attended the training sessions. The trainings have covered topics that are likely to confront public water system management boards. In 2006 four 2 ½ hour sessions were presented to trustees with sessions held in Madawaska, Brewer, Edgecomb and York. The Capacity Development Coordinator worked closely with MRWA to develop the training sessions.

Environmental Review

Environmental reviews are one of the first steps in obtaining federal funds through the Drinking Water State Revolving Fund, DWSRF. The interagency review assures that the project will not adversely affect natural, cultural or historical features of the surrounding community. To assure that all agencies and interested parties have had opportunity to comment on the project, Terry Trott reviews the project plans and correspondence with agencies in order to determine any actions necessary to minimize or mitigate the project's impact. Seven environmental reviews were completed in 2006.

Work will continue to balance the improvement of the human environment through safe and adequate water systems with the protection of natural, historical and cultural features.

Public Water Supply Protection

Community water supply sources designated as a protected natural resource

Maine is fortunate to have high-quality water sources to provide clean and safe drinking water for our people. Normally, water systems that use lakes and streams as water sources are required to filter drinking water. On rare occasions, a water system that has exceptionally high water quality and is able to manage land uses around their water sources to protect water quality may hold a 'filtration waiver'. Maine leads the country in the number of public water systems with filtration waivers. This saves Maine people millions of dollars a year (a filtration plant for one of these systems could cost $30-50 million to build, and even more to operate).

New residential and commercial development in rural areas has increased risks to many drinking water supplies across Maine. This development has replaced working forests, farmland and recreation areas that provide water supply protection. In the last five years, more than 3% of the land in water supply protection areas has been developed, increasing the risk of polluted runoff. Small public water systems, like nursing homes and mobile home parks, have very limited ability to protect their water supplies, and are often overlooked as suppliers of safe drinking water. Even the largest systems, with active water supply protection programs, face challenges in maintaining water quality and availability.

Our biggest gap is the inability to manage development in public water supply protection areas to keep risks at an acceptable level. Neither state agency activities nor state and local decisions about private development consistently recognize the potential effect of development on public water supplies. Since most decisions about development are made without considering water supplies, it's not surprising that there are unintended consequences like clean up costs.

The protection of public drinking water sources is strongly influenced by Maine laws, regulations and policies. In 2005, the Maine CDC's Drinking Water Program (DWP) led an interagency review of these laws. This evaluation (Resolve 029), after approval by the Legislature, was the subject of a public discussion in 2006. Citizens representing a variety of governmental, land use, water resource, and development interests met four times this fall. They agreed that the primary risk to public water systems is unmanaged development in areas contributing water to their wells and intakes. Public water systems have limited tools to manage land use, and drinking water supply protection is not a consideration in many state and local decisions.

This past session, the Legislature passed Chapter 353, An Act to Implement the Recommendations of the Drinking Water Program for Public Water Supply Protection. The bill had three major components:

All state agencies will consider the impact of their actions and decisions on public water supplies.

The DWP and other state agencies will work with public water systems and land trusts to conserve land that contributes water to public water supplies in sustainable forestry, farming, and low-intensity recreational uses.
The shoreland zone of 47 lakes providing drinking water will be subject to Natural Resource Protection Act (NRPA) permit review for erosion and sedimentation and water quality protection standards. This requirement will also apply to 11 river and stream shore zones for ½ mile upstream of where the public water system withdraws water, and to a critical protection area for 321 community public water systems' wells (usually a 300-foot circle).
Providing state-level review of development close to water supplies will not, by itself, solve all these problems, However, it will help us make sure we manage the risks to our public health in a way that makes sense for both landowners and people who drink the water. We will be working with DEP in developing review standards for new development over the next few months. NRPA review (see box) for Public Water Systems will address both surface water and groundwater supplies.

We plan to incorporate these principles into permit by rule standards, the simplest form of NRPA permitting, for most residential development. Permit by rule is intended to streamline the application development and review time, and allow well-designed projects to move forward without delay.

Although there are many existing laws that provide protection to water quality and quantity, none are targeted at protecting public water supplies. The DEP has become very good at cleaning up problems that threaten water supplies, but has little ability to reduce risks before they become major problems. In many cases, the State steps in and cleans up the results of poor individual, local, or state decisions at significant cost. The DEP Oil Spill Cleanup Fund, derived from a fee on oil and gasoline transport, has borne a large share of these costs, as has the Uncontrolled Sites Fund.

The surface water NRPA review will look for:
Optimal placement of buildings, septic system, and pavement to minimize runoff;
Well-designed and easily carried out erosion and sedimentation control methods;
Secure heating oil storage with inspectable piping;
Maintenance of the shoreland buffer and adherence to all setbacks from the water; and
Secondary containment of hazardous materials for marinas, boatyards and other water dependant businesses. Spill Prevention Containment and Countermeasure Plans, and provision for inspection.

The groundwater NRPA review will look for:
Buildings and other development to be a maximum distance from the well, given the lot configuration;
Residential use, or commercial with no hazardous chemical use;
Waste disposal/septic systems in compliance with current standards;
Secondary containment, Spill Prevention Containment and Countermeasure Plans, and provision for inspection for hazardous materials; and
Secure heating oil storage with inspectable piping, as far from the well as feasible.

Examples discussed during the project include
Rumford ($600,000 to remediate two leaking residential heating oil tanks to protect a municipal supply),

Windham CITGO gasoline overfill ($2,000,000 in Portland Water District costs, abandonment of two highly productive wells, and more than $1,000,000 in investigation and clean-up costs), and
Lisbon Maine Electronics solvent disposal ($2,680,000 so far in remediation and treatment costs to maintain the quality of the public water supply).

All three of these examples show how expensive it is to clean up after bad land use decisions. We hope, with the help of this new law, to make better decisions that save us all money while ensuring that we all have enough clean water.

Well Drillers and Pump Installers

The Well Driller's Board continues to be very active with consumer complaints, unlicensed practice, and examination of new well drillers. The Board conducted a rule revision this past year. They also continue to work closely with the DWP on the installation of proposed public water supply wells without prior approval.

Education and Outreach

The DWP continues to administer Wellhead Protection Grants and Land Acquisition Loans. Wellhead Protection Grant awards totaled $60,550 for projects including removing hazardous matter from wellhead protection areas, wellhead protection area signage and fencing, establishing educational programs and other valuable projects. Over $585,000 was awarded for three Land Acquisition Loans for drinking water source protection.

Four editions of the quarterly newsletter, the Service Connection were distributed to a mailing list of more than 5,000. The newsletter and the DWP website continue to be an important channel for information on the DWP, rules and other timely subjects. New pages on the DWP website have highlighted rule changes, fluoride information, source protection lawmaking and information water operator licensure.

The DWP has taken advantage of many outreach opportunities including the Maine Water Conference, Maine Municipal Association Annual Conference, New England Water Works Association Annual Conference and the Maine Water Utilities Association Annual Trade Show to promote safe drinking water and network with public and private stakeholder groups.

Information Management Team

With the reorganization of the Drinking Water Program in 2006, the Information Management Team (IMT) was created to provide better control and oversight of the large amounts of information that the DWP receives and generates. This includes electronic data in our central database as well as the paper files. Additionally, the IMT oversees the DWP's finances.

Long Term Goals
The following are some of the Information Management Team's long-term goals:

- Develop a streamlined process for brining new public water systems into the Drinking Water Program.
- Develop a quality control and quality assurance process for all data in the DWP's central database and filing system.

- Properly train staff on the use of the Safe Drinking Water Information System (SDWIS) database and other applications.
- Phase out and or replacement of obsolete software packages standardizing around SDWIS and MS Access.
- Improve the data transfer process between the DWP and the Health and Environmental Testing Laboratory.
- Establish a method of the electronic data transfer from all private laboratories.
- Replacement of the current paper filing storage with electronic file storage.
- Balance expenditure and income needs of the DWP. Seek out additional sources of funding.

Accomplishments

The following are some of the accomplishments of the Information Management Team in State Fiscal Year 2007.

- Robin Frost was permanently hired as the Drinking Water Program's SDWIS Administrator in December 2006.
- Amilyn Stilling joined the Information Management Team as the Information Coordinator. Ami was previously working for the DWP as a compliance officer. In this new position Ami will oversee the new water systems approval process which will include making sure all new water systems are aware of and met all initial requirements.
- Worked with the Field Inspection and Compliance and Enforcement Teams to develop a process for brining new systems into the DWP. Refinement of this process will continue for some time.
- Contracted with Global Environmental Consulting, Inc. (GEC) to provide assistance with SDWIS implementation and other database support. Having GEC on-site has greatly increased the DWP knowledge of how to properly use SDWIS. This has reduced the amount of rework that has been done in the past.
- Renewed the contract with GEC to extend through June 30, 2009.
- Worked closely with the Health and Environmental Testing Laboratory (HETL) to identify data transfer problems and solutions. Currently the data transfer from HETL to the DWP is working better than it has in years.
- Began the development process of replacing the current data transfer process between the DWP and HETL. This needs to be done in order to upgrade SDWIS to the next version. This will also make the data transfer process less labor intensive and less likely to have errors.
- Made the first small step in to creating an electronic filing system by using a high speed scanner to electronically store a copy of all correspondence from the DWP.
- Developed a QA/QC process for the hand entry of private lab results.

2008 Goals

- Using a new software package from GEC, the DWP will require all private labs to submit their test results electronically.
- Work with HETL to develop and implement a new data transfer process.
- Work with the Office of Information Technology (OIT) to move our SDWIS database to a new oracle server.

- Provide support for the Field Inspection Team in the implementation of the Electronic Sanitary Survey and the use of GPS units.
- Refine the New System Approval Process with Amilyn overseeing the process.
- Complete the transition of the AFM billing from Visual FoxPro to MS Access.
- Make additional steps forward in electronic filing.

Annual Staff Retreat and Annual Staff Merit Award

The annual staff retreat was held in July, 2007 at Camden Hills State Park on Penobscot Bay in Camden. Sessions included information about radon and radon testing, security, interaction with the Attorney General's office, and an overview of the 11th Civil Support Team Mobile Unit. An announcement and presentation of the Annual Staff Merit Award was also made. This award, given annually by the MPDWC, recognizes an employee of the Drinking Water Program who has made a significant contribution in the past year to the goals and mission of the program. Nominations are solicited and received from the drinking water "community" in Maine, including the DWP staff, other Maine water industry associations, and public water systems.

This year, the Commission was pleased to present the award to Robin Frost, the Program's SDWIS Administrator. Robin is recognized for her hard work in taking over these duties from Bob Peterson during a difficult time for him. Robin's long days and hard work have kept the program's technology resources intact. Her good humor and can-do attitude while getting all this work done has also contributed to a successful reorganization of the program, improvement in its day-to day functioning, and overall staff morale.

Special mention was given to program employees Lindy Moceus and Amilyn Stillings to recognize their efforts with the difficult situation at the Lakehurst Acres water system this past year. Due to high levels of lead in the drinking water, these two spent many extra hours researching and making treatment recommendations to improve water quality for the residents, and truly worked "together for safe drinking water."

MPDWC Objectives for the Coming Year

The Maine Public Drinking Water Commission will continue to support and guide the Drinking Water Program, as needed, and to continue to prudently oversee the alternative funding mechanism established to fund a portion of the program's budget. However, staffing and funding will continue to be large, and growing, issues for the program. To that, the Commission in the upcoming year will:

- Continue to work toward greater state general funding to support needed positions, through meetings with administration and/or legislation
- Continue to work toward state general funding of the state match for the federal grant for the Drinking Water State Revolving fund
- Continue to support and work for the appropriate bonding for the state match of the Drinking Water State Revolving Fund, if not available through the state general fund
- Be a resource and an advocate for the DWP, its director and it staff
- Be knowledgeable of changing state attitudes and rules regarding the use and planning for Maine's water resources, and participate as needed in shaping new policy

Acknowledgements

A big "thank-you" goes out to one of our Commissions, Dick Berry. Mr. Berry has served on the Commission for many years, he was Chairman for 1999-2006, and luckily, we will benefit from his continued service as a Commissioner. Dick has been a leader in the promotion of the excellence of the Drinking Water Program, and his knowledge of both drinking water systems and the political process is a unique combination that is invaluable.

The Drinking Water Commission would like to acknowledge the hard work and dedication of all employees of the Drinking Water Program. As water issues continue to escalate nationally, statewide and locally, the stretched staff of this program quietly and efficiently do everything they can to protect the safety and reliability of Maine's over 2,100 water systems.

Position / Expense Category	Actual FY2001	Actual FY2002	Actual FY2003	Actual FY2004	Actual FY2005	Actual FY2006	Estimate FY2007	Estimate FY2008	Estimate FY2009	Estimate FY2010	Estimate FY2011	Estimate FY2012
Assistant Engineer							51,452	48,312	51,452	54,796	58,358	62,151
Environmental Specialist III							39,270	39,270	41,823	44,541	47,436	50,520
Environmental Specialist III							40,951	40,951	41,770	42,605	43,457	44,327
Office Specialist I							32,876	32,876	35,013	37,289	39,712	42,294
Environmental Specialist III							33,384	33,384	34,052	34,733	35,427	36,136
Total Salaries	146,151	158,449	165,227	187,789	157,846	184,015	197,933	194,793	204,109	213,964	224,392	235,427
Fringe Benefits	66,346	70,384	83,172	96,685	86,644	106,748	112,822	111,032	116,342	121,960	127,903	134,194
Travel	13,062	8,673	9,004	9,209	2,374	16,420	9,334	15,400	15,400	15,862	16,338	16,828
Training	1,146	25	-	775	702	1,200	892	7,700	7,700	7,931	8,169	8,414
Office Equipment/Computers	6,592	10,286	9,131	4,683	19,319	6,044	6,500	6,775	6,775	6,978	7,188	7,403
Office Space (Rent, Utilities, MIS)	21,383	11,297	15,896	21,640	21,235	12,591	14,000	16,000	16,000	16,480	16,974	17,484
Supplies	1,346	50	424	5,160	4,911	3,498	4,523	2,500	2,500	2,575	2,652	2,732
Information Technology		2,073	-	973	-	40		16,680	16,680	17,180	17,696	18,227
Indirect Cost	2,020	2,033	2,607	2,138	2,306	2,350	2,265	2,596	2,699	2,821	2,949	3,085
Total Expenses	**258,047**	**263,270**	**285,463**	**329,052**	**295,338**	**332,907**	**348,269**	**373,476**	**388,205**	**405,751**	**424,261**	**443,793**
Other Sources												
AFM Fees Collected	202,845	262,766	285,785	327,305	302,820	289,694	315,644	395,000	395,000	395,000	395,000	395,000
Total Revenues	**202,845**	**262,766**	**285,785**	**327,305**	**302,820**	**289,694**	**315,644**	**395,000**	**395,000**	**395,000**	**395,000**	**395,000**
	234,766	179,564	179,061	179,382	177,635	159,951	116,737	69,381	90,906	97,701	86,950	57,689
Annual Surplus / (Deficit)	(55,202)	(504)	322	(1,747)	7,483	(43,213)	(47,356)	21,524	6,795	(10,751)	(29,261)	(48,793)
AFM Carryover	179,564	179,061	179,382	177,635	185,118	116,737	69,381	90,906	97,701	86,950	57,689	8,896