

Summary of New Water Use Data Reporting and PWS Minimum Sizing Requirements – 2018 Revisions to Utah Code 19-4 (House Bill 303)

Annual Water Use Data Reporting by All Community Water Systems Serving 500 or More Persons

Water Use Data to Be Collected:	Reporting Frequency:	Report Data to:	Reporting Due:
1. Peak Day Source Demand 2. Average Annual Demand 3. Number of Equivalent Residential Connections for Retail Service [<i>Total Number of ERC's</i>] 4. Quantity of Non-revenue Water	Annual	Division of Water Rights (DWRi)	Annually as specified by DWRi (i.e., 3/1/2019 for 2018 water use data)

Reporting of at Least Three Years of Water Use Data Community Water Systems Serving More than 3,300 Persons

Water Use Data to Be Reported:	Data Term:	Report Data to:	3-Year Water Use Data Due:	DDW Sets System-Specific Sizing Standards by:
1. Peak Day Source Demand 2. Average Annual Demand 3. Total Number of ERC's 4. Quantity of Non-revenue Water	At Least 3 Most-Recent Years (or Engineering Study)	DWRi*	3/1/2019	Not specified; assumed to be soon after DDW receipt of acceptable data

Community Water Systems Serving 500 to 3,300 Persons

Water Use Data to Be Reported:	Data Term:	Report Data to:	Data Due:	DDW Sets System-Specific Sizing Standards by:
1. Peak Day Source Demand 2. Average Annual Demand 3. Total Number of ERC's 4. Quantity of Non-revenue Water	At Least 3 Most-Recent Years (can be met by annual reporting to DWRi)	DWRi*	3/1/2023	10/1/2023

*In addition to annual reporting to DWRi, CWS's may submit multiple years of water use data directly to DDW to expedite the establishment of new sizing requirements.

Community Water Systems Serving Fewer than 500 Persons

DDW Director to establish a schedule to transition from state-wide source and storage sizing standards to system-specific standards

Non-Community Water Systems

DDW Director to establish minimum source and storage sizing standards - no water use reporting or deadlines given for water systems

Wholesale Water Suppliers

A wholesale water supplier is exempt from the new sizing requirements if the water supplier meets **both** of the following:

1. Serves a total population of more than 10,000 persons; and
2. The wholesale population is 75% or more of the total population served

Key Interpretations and Implementation Strategies by DDW for the 2018 Revisions to Utah Code 19-4

1. **Utah Administrative Code R309-500-4(1) and R309-500-7** A CWS must **comply with plan review requirements**, i.e., submission of plans and specifications for public drinking water projects for DDW review DDW’s plan review requirement applies to the review and approval of **drinking water infrastructure** owned and operated by public drinking water systems. The review and approval of **subdivision plats** are handled by local authorities (not by DDW).
2. **19-4-114(1)(a)** **Substantial addition to or alteration** is defined below:
 - a. Projects that add 10% or more equivalent residential connections (ERCs) or population to existing conditions are considered “substantial addition.”
 - b. Projects that result in a decrease in a water system’s source, storage and distribution capacities are considered “substantial alteration,” for example, decreasing well pump capacity, demolishing an existing tank, etc.
 - c. Projects that increase a water system’s source, storage and distribution capacities are NOT considered “substantial addition or alteration,” for example, adding a new source or a new storage tank, upgrading existing undersized piping, etc.
3. **Utah Code 19-4-114(1)(a)**
 - a. If a CWS >3,300 submits plans for substantial addition or alteration and **also submits** “the information necessary to establish the system-specific sizing standards,” DDW will establish the system-specific sizing requirements and complete the plan review based on the new system-specific sizing requirement.
 - b. **Before 3/1/2019**, if a CWS >3,300 submits plans for substantial addition or alteration **without** submitting “information necessary to establish the system-specific sizing standards”— DDW will proceed completing the plan review based on the current statewide sizing standards, and include a disclaimer paragraph in the Plan Approvals and/or Operating Permits to address possible impact to PWS when system-specific sizing standards are in place in the future.
 - c. **After 3/1/2019 and until 3 years of data is on record with DWRi**, if a CWS >3,300 submits plans for substantial addition or alteration **without** submitting “information necessary to establish the system-specific sizing standards” or having the required data on record with DWRi—
 - i. DDW will notify the CWS that the **plans for substantial addition or alteration** are incomplete and the review cannot be completed without the required “information necessary to establish the system-specific sizing standards.”
 - ii. If a CWS proceeds with construction of **unapproved projects**, DDW will issue a 50-point significant deficiency to the water system.
 - d. If a CWS >3,300 submits plans for a substantial addition or alteration and does not have at least 3 years of actual water use data for setting system-specific sizing requirements, per 19-4-114(1)(b), in lieu of 3 years of water use data per 19-4-104(6)(a), **the CWS may submit either an acceptable engineering study or a minimum of three years of acceptable historical water use data.**