

# To Certify or Not to Certify!

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That is the question that needs to be answered by water systems when developing a Drinking Water Protection Plan (DWPP), also known as a Source Water Protection Plan (SWPP) or Wellhead Protection Plan (WHPP), state certification needs to be considered, since certification is voluntary. A source water protection plan can enhance the operation of any drinking water system by: the development of protection measures to protect the drinking water supply from potential contamination sources; increasing awareness about the delineated source water protection area; and, fostering partnerships with other responsible management authorities.

*Regardless if your system chooses to obtain a certified SWPP, the beneficial goal of the program is for systems to implement source water protective measures as a result of a plan, with or without certification.*

Since certification is voluntary there are details to consider when deciding to certify or not certify the plan. For certification purposes only, surface water is defined as creeks, rivers, lakes, ponds, reservoirs. Groundwater is defined as wells and springs.

Plans developed for groundwater sources can be certified under Oregon Administrative Rule (OAR) 340-40-140 to 210. If the system has a combination of groundwater and surface water, only the groundwater component of the plan can be certified. There are no OAR's in place which allow the Department of Environmental Quality (DEQ) to certify a plan developed for a surface water source. For more information DEQ's web site address is: <http://www.deq.state.or.us/wq/dwp/dwphome.htm>

## A system with a certified plan can receive:

- Monitoring waivers for Synthetic Organic Compounds (SOC's) and Volatile Organic Compounds (VOC's);
- If the system serves 10,000 people or more, or has more than 3,000 connections, it can receive Department of Land Conservation and Development (DLCD) recognition of the source water protection area as a

significant natural resource under Goal 5. Meaning that, as land use comprehensive plans are updated, they will need to recognize any DLCD recognized source water protection area(s) within their jurisdiction as a protected natural resource;

- In the rating and ranking of "Letters of Interest" submitted to the Safe Drinking Water Revolving Loan Fund (SDWRLF) infrastructure projects, the Department of Human Services – Drinking Water Program allows 15 points for a system with a state certified SWPP or 10 points for a system with a delineated drinking water protection area and local implementation team. Refer to the following web site for more information:  
<http://www.dhs.state.or.us/publichealth/dwp/docs/srlf/srlfguidelines.pdf>
- The SDWRLF also offers loan financing for Source Water Protection. Applicants with a certified plan in place can receive 10 points or applicants with only a Source Water Protection team in place can receive 5 points in the rating and ranking of the projects submitted for funding. More information about this loan can be found on the DHS-DWP web site at the following address:  
<http://www.dhs.state.or.us/publichealth/dwp/index.cfm>

## Plans being submitted for certification require development of a local source water protection team. The team involvement must show that:

- All residents/business within the source water protection area have been notified about the development of the plan, which includes (at a minimum):
  1. Publication of a notice in the local newspaper announcing the intent to develop a SWPP and a description of the process for developing and participating in the development of the plan;
  2. Formation of a local team by the council of board of directors from interested persons, special interest groups, responsible management authorities, federal, state or other local authorities and establish team operating rules, decision making procedures and defines

- the roles and responsibilities of the team and it's members;
- 3. All meetings of the local team should be advertised in the local newspaper, flyers, or mailings;
- 4. Documentation of the steps taken to provide opportunity for special interest groups to participate; and,
- 5. Documentation of local hearing(s) and procedures used in the development of the plan.

- The contingency plan elements are still appropriate; and,
- All signatories (RMS's) agree to recertify the plan by signing the re-certification request letter.

If the plan cannot meet the conditions above, a new plan must be developed and submitted for certification, which includes a new public hearing and notification process.

**A SWPP can loose certification if:**

- The signatories do not submit the plan for re-certification within 6 months of the re-certification date;
- DEQ determines that a signatory of the plan has not adhered to and implemented the existing certified plan; and,
- Any Responsible Management Authority, that is a signatory of the original plan, has the ability to withdraw from participation in the certification process. If this happens, DEQ shall determine if the plan is still certifiable without the participation of the withdrawing RMA.

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If multiple responsible management authorities (RMA's) exist within the delineated source water protection area, each RMA must sign-off on the plan before it can be certified. If the other RMA's will not sign-off, documentation of the attempts made to obtain their sign-off must be submitted with the plan for review. The Department of Environmental Quality will make a determination if the plan can still be certified.

Once a plan is submitted for certification, the OAR's allow the Department of Environmental Quality (DEQ) 60 days to send a written acknowledgement of the receipt of the plan and to provide an estimated timeline for review. After certification, DEQ will provide a written certification completion to all signatories of the plan.

**Once certification is attained it lasts for five years. Re-certification can take place if the following conditions apply:**

- The source water protection area boundary is the same;
- There have not been any new water sources added to the system, water usage has not changed significantly, or the population served by the system has not increased enough to require a more complex delineation of the SWPA;
- An updated potential contaminant source (PCS) inventory is completed and submitted, which shows that no new PCS's or types of PCS's are in the source water protection area, which are not already addressed in the plan;
- The BMP's in the previous/existing plan are still appropriate and being implemented;