ODW Program Guidance During COVID-19

May 1, 2020

From: Dwayne Roadcap, Director, Office of Drinking Water (ODW)

To: ODW staff and stakeholders

Document Revision History Log

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<tr>
<td>Initial</td>
<td>April 1, 2020</td>
<td>Initial Program Guidance</td>
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<tr>
<td>1st Revision</td>
<td>May 1, 2020</td>
<td>Added link to Virginia Department of Health guidance on COVID-19 (page 1). Updated the “Monitoring and Reporting Requirements” beginning on page 2. Edits direct staff about data entry into the Safe Drinking Water Information System (SDWIS). No other changes made and there is no impact to the regulated community.</td>
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Drinking water is essential during the COVID-19 pandemic. Public water systems (“waterworks”) have a heightened responsibility to protect public health. Unsafe drinking water can lead to serious illnesses. Citizens need drinking water for life and other critical needs, such as handwashing during the COVID-19 pandemic. Waterworks owners and operators must continue normal operation and maintenance to the extent possible to ensure required sampling and safety of drinking water supplies.

The well-being of our employees, stakeholders, waterworks staff, and the public is our top priority while making sure drinking water is safe and complies with applicable laws and regulations. ODW is taking precautionary steps to protect delivery of drinking water consistent with Governor Northam’s measures to combat COVID-19 and the Virginia Department of Health guidelines for Schools, Workplaces, and Community Locations.

ODW has temporarily suspended all routine field work to allow the Virginia Department of Health to reduce COVID-19 exposure risks to staff and others; develop exposure mitigation plans; and prioritize monitoring and inspections to the extent possible. ODW will resume routine fieldwork, in whole or in part, after evaluating exposure risk scenarios and the status of
COVID-19 spread. ODW will provide updates on resumption of fieldwork after evaluating response plans and priorities. ODW staff will provide essential services and technical assistance to the extent possible over the phone, teleconferencing, video-conferencing and other remote methods of communication. Only in rare and emergency situations will staff provide on-site, in-person assistance until further notice.

**Customer Service and Office Hours:**

ODW offices will continue to provide emergency on-site services at waterworks when necessary. Technical assistance, permitting, data collection (water quality results), reporting, compliance determination, and other primary functions remain normal during this time, albeit provided via telephone or video-conferencing.

Offices will remain open for business and customer service remains a top priority. Staff will receive and help customers who schedule an appointment in advance. Walk-in appointments may be limited or not possible to ensure social distancing of 6-feet. Please visit [http://www.vdh.virginia.gov/drinking-water/](http://www.vdh.virginia.gov/drinking-water/) for more updates and announcements. Staff will cancel all non-essential travel and meetings and ensure that no more than 10 persons attend any essential meeting, with the availability of maintaining 6-foot social distancing during the meeting.

The Culpeper Field Office, at the direction of the local government, closed its building to the general public on March 25, 2020, but staff remain available at the usual contact numbers and by email. Access to the Southeast Virginia Field Office, which is located in the same building as the Norfolk Department of Public Health, is also restricted to Virginia Department of Health employees only. Visit [http://www.vdh.virginia.gov/drinking-water/contact-us/](http://www.vdh.virginia.gov/drinking-water/contact-us/) for office and staff contact information for any field office.

**Monitoring and Reporting Requirements:**

Waterworks owners must monitor water quality and report results to ODW in accordance with sampling schedules while ensuring the health and safety of themselves, operators, and others. Waterworks experiencing difficulties collecting, submitting, or reporting water quality data, or waterworks that suspend operations, must inform the respective field office as soon as possible. If a waterworks cannot sample because of impacted operations related to the COVID-19 pandemic, then ODW will exercise enforcement discretion. See [guidance from EPA](http://www.epa.gov) dated March 26, 2020, for more information.

If a waterworks provides sufficient documentation that it has closed permanently, then staff will follow standard procedures for inactivating the system. If a waterworks closes temporarily or is operating at diminished capacity, then ODW will continue to regulate the system as a waterworks. ODW will exercise appropriate enforcement discretion for violations due to
missed sampling events. All waterworks with monitoring and reporting violations will receive a notification to implement start up procedures if inactivity lasted more than two months.

When staff determine that a waterworks is temporarily closed due to reasons related to the COVID-19 pandemic, staff will add a “COVID” water system indicator in SDWIS with a value of “YES”, and a Begin Date marking the start of the closure. For waterworks that are temporarily closed and an alleged violation of monitoring and sampling requirements results from the closure, staff will enter into SDWIS that the violation is “Rejected” with a Reason Code of “COVID”. Tableau queries can be used to find all waterworks with the COVD indicator of “YES”. Upon re-opening the facility and collecting startup samples, ODW expects regular monitoring to commence and for staff to annotate the re-open date as the End Date on the “COVD” indicator (changing the indicator to “NO”). Do not delete the COVD indicator.

If worker shortages and laboratory capacity problems develop, then compliance monitoring to protect against microbial pathogens is the highest priority. Additional priorities include nitrate/nitrite and lead and copper monitoring, followed by contaminants for which the system has been non-compliant. Compliance monitoring for these parameters assures the safety of our drinking water supplies against acute health risks.

Waterworks owners should identify and use alternative laboratories to satisfy monitoring and reporting requirements. Waterworks must notify ODW via labadmin@vdh.virginia.gov for any problem with compliance monitoring based on a closed laboratory with no adequate back-up lab available. Waterworks owners should also report monitoring or other compliance issues through labadmin@vdh.virginia.gov.

**Sanitary Surveys and Routine Inspections:**

Sanitary surveys are a vital part of ODW’s mission and ensure Virginians have access to an adequate supply of affordable, safe drinking water that meets federal and state drinking water standards. Federal laws and regulations require sanitary surveys to ensure compliance with the Groundwater Rule and the Surface Water Treatment Rules.

Sanitary surveys, which ODW must complete every 3 years for community waterworks and every 5 years for non-community waterworks, address eight essential elements: (1) source(s); (2) treatment; (3) distribution system; (4) finished water storage; (5) pumps, pumping facilities, and controls; (6) monitoring & reporting, and data verification; (7) management & operations; and (8) operator compliance. Some waterworks may not have one or more of the elements (e.g., a particular waterworks may not provide treatment, or no licensed operator is required).

ODW ensures consistency, uniformity, and completeness of sanitary surveys through designated templates. These template forms include a Part I (background information) and a
Part II (field notes and observations). The forms capture necessary information to evaluate the eight essential elements. Staff completes Part I in the office, prior to going to the field to make the site visit, and includes information gathered from the files and ODW databases. The information collected includes general information about the waterworks ownership, permit status, compliance history, monitoring history, status of monitoring plans and administrative requirements, source water assessment status, and source water protection plan status (community waterworks only). This part also includes reviews of prior sanitary survey reports to confirm corrective actions taken from the former inspection.

Under normal conditions, staff completes Part II of the sanitary survey at the waterworks (the water treatment plant and other facilities), with observations about the physical condition and status of equipment, process performance and control, facility status, source evaluation, and management/operator assessment. The person making the site visit may supplement written observations by taking pictures or performing field tests. Staff note items of concern and describe visual observations.

The routine completion of Part I and Part II are changed as described herein until further notice. Staff will implement new procedures as part of an “Enhanced Remote Surveillance” evaluation to reduce potential COVID-19 exposure between staff and waterworks owners and employees. If a sanitary survey or other in-person fieldwork becomes necessary for any reason, then staff should focus on significant deficiencies during the onsite, in-person inspection to limit the time and interaction required with the waterworks personnel.

An enhanced remote surveillance inspection does not replace an in-person field visit. A desktop or “upfront” review, coupled with a telephone or video interview, does not satisfy the requirement in 40 CFR § 142.16 (b)(3) for the sanitary survey to be “an onsite review of the water source, facilities, equipment, operation, maintenance, and monitoring compliance of a [waterworks].” Staff must still schedule an in-person, on-site field inspection as soon as it is possible to do. To date, EPA has not waived the onsite review requirement for sanitary surveys that become due while this guidance is in effect.

Enhanced Remote Surveillance Procedures:

For any field visit or sanitary survey that is due (beginning April 1, 2020), ODW will take the following actions for enhanced remote surveillance:

- Complete the “upfront” (Part I) portion of the sanitary survey. Staff must review the most recent sanitary survey for each of the 8 required essential elements and identify the status of all comments and action items from the prior sanitary survey. Review the correspondence file, monitoring plans, sample records, Consumer Confidence Report (CCR) status, Notices of Alleged Violation (NOAVs), public notification (PN) status, and
overall compliance status as normal preparation for a sanitary survey. Based on this review, staff should create a list of discussion topics and talking points.

- Call the waterworks and discuss the previous onsite field visit (e.g., comments and concerns, actions required, updates documented in the previous report, sampling schedules, NOAVs, status of any PN requirements, and other compliance schedules). Staff should always ask the operator to substantiate answers to questions provided over the phone. Staff must compare observations and requirements noted in the records from the prior sanitary survey to the information received over the phone and not verified by an onsite, in-person inspection.

- If available, use video conference meetings (Google hangouts / FaceTime calls / Zoom / other platforms) to conduct a face-to-face meeting and share real time views of waterworks (treatment facilities, instrumentation, reports, etc.) for inspections. If available, collect photos and review with the operator during the video conference/call.

- Email the sections of the sanitary survey report that were completed upfront to the waterworks and document the communication with the waterworks.

- If necessary to address significant deficiencies that were identified during the video conference/call, which cannot be resolved or verified, then schedule an onsite visit. Follow procedures to minimize risks to staff and waterworks personnel. Limit in-person interaction as much as possible by maintaining 6-foot separation distance at all times and, to the extent possible, avoid touching surfaces and equipment (i.e., unlocking doors, opening lids, checking equipment and instrumentation). If available, requested, or deemed necessary, staff may need to wear personal protective equipment.

**Financial and Construction Assistance, Capacity Development and Training Programs:**

Staff in the Financial and Construction Assistance, Capacity Development, and Training Programs are all working remotely, with limited and brief visits to the office to trade work that does not lend itself to off-site management. Staff has already contacted assigned project owners, instructing them to submit all documents electronically (e.g., pay requests, bid documents, project specifications to verify compliance with program requirements). Staff will handle all other program documentation on a case-by-case basis.

ODW has temporarily suspended all construction and assistance site visits until further notice and participation in progress meetings is limited to the phone or other telephonic applications. Staff is available to answer questions and support loan recipients, grant recipients and waterworks staff with questions or problems they may have. If the project owner submits a final disbursement request, then staff will arrange special coordination with the loan recipient and consulting engineer. Prior to final payment, staff must confirm construction completion by an in-person inspection and project evaluation.

All in-person trainings have been canceled or postponed until further notice. The training staff will continue to work with all training vendors to establish training on a future
date, if possible, or evaluate training via video-conference or other means. Staff is working on delivery of training via online technology to the extent possible. Outreach and marketing of these courses will continue using the same email and online platforms.