

**SYNOPSIS**  
**Proposed Amendments to the Rules for Safe Drinking Water,**  
**Chapter 391-3-5**

The proposed amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, would amend Rule 391-3-5-.04 to update the title of the rule and incorporate additional requirements as required by federal amendments to the Safe Drinking Water Act regarding asset management plans.

**Purpose:** EPD proposes to amend Rule 391-3-5-.04 to ensure consistency with the American Water Infrastructure Act (AWIA) Section 2012, which requires state drinking water programs to include appropriate asset management plan requirements. The proposed amendments will implement the Federal requirements and the guidelines for asset management plans will be further specified in Appendix C of the Minimum Standards for Public Water Systems.

**Main Features:** The proposed amendments include an update to the title of the rule, removing the word “Amended,” and the addition of requirements in paragraph (11) for asset management plans. The language requires specific drinking water facilities that serve 3,300 or greater to include an asset management plan when obtaining a new permit, a permit renewal, or a change in ownership. Facilities that meet these requirements will need to submit asset management plans beginning January 1, 2024.

**RULES FOR WATER QUALITY CONTROL, CHAPTER 391-3-5**

**391-3-5-.04, “Approval Required. Amended”** is being amended to revise the title of the rule to “Approval Required” and to add paragraph (11) to address asset management plan requirements.

**STATEMENT OF RATIONALE**  
**Proposed Amendments to the Rules for Safe Drinking Water,**  
**Chapter 391-3-5**

The amendments to the Rules for Safe Drinking Water, Chapter 391-3-5-.04, are proposed to ensure consistency with AWIA Section 2012, which amended the federal Safe Drinking Water Act to require states to encourage asset management plans. The amendments would require specific types of public water systems, Community Water Systems and Non-Transient Non-Community Water Systems that serve a population 3,300 or greater to submit an asset management plan for any new permit, permit renewal, or change in ownership on or after January 1, 2024.

As asset management plan is designed to address the long-term sustainability of a public water system's utility assets, helps systems make better decisions about when to repair, replace or rehabilitate specific assets, and encourages the development of a long-term funding strategy to ensure the required level of service is delivered in perpetuity. In conjunction with the proposed rule amendments, EPD has also prepared a guidance for public water system regarding the preparation and implementation of asset management plans. This guidance is included as Appendix C to EPD's Minimum Standards for Public Water Systems.