

Drinking Water System Definitions and Oversight

This document is for general information purposes only and is not a complete reference regarding county and state agency oversight of drinking water systems. This document was prepared by Central Coast Regional Water Quality Control Board staff to identify the various types/sizes of drinking water systems and their respective drinking water program oversight throughout the Central Coast Region with an emphasis on water systems reliant on groundwater. If you have any questions or comments regarding this document, please contact Matthew Keeling at matt.keeling@waterboards.ca.gov, or (805) 549-3685.

Specific questions regarding county and state level oversight of drinking water systems should be directed to the California Department of Public Health (CDPH) Drinking Water Program or county level drinking water programs.

The following link is to the CDPH Drinking Water Program website:

<http://www.cdph.ca.gov/programs/Pages/DWP.aspx>

Links to county level drinking water program websites for counties within the Central Coast Region are available on the Central Coast Ambient Monitoring Program – Groundwater Assessment and Protection website (link below) under “Related/Useful Links.”

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/gap/index.shtml

Private Domestic Wells and Local Small Water Systems

Neither the California Health and Safety Code or Title 22 of the California Code of Regulations defines domestic wells or drinking water systems with two to four (2-4) service connections. The California Department of Public Health (CDPH) and various county environmental health agencies throughout the state generally define domestic wells as wells serving up to four (4) service connections. However, some local health agencies define a domestic well as serving an individual residence (single connection) and “local small (or shared) water systems” as having two to four (2–4) service connections.

The State Water Resources Control Board, Groundwater Ambient Monitoring and Assessment (GAMA) Program defines an individual well serving a single residential connection as a “private domestic well.” The Central Coast Water Board also follows this convention.

Water systems with five (5) or more service connections are defined below via excerpts from the California Health and Safety Code and Code of Regulations.

Drinking Water System Oversight

“Public Water Systems” are regulated by the California Department of Public Health (CDPH). CDPH has delegated primacy (oversight) to the local health officers of 31 of the 55 counties in the state to regulated “small [public] water systems.” In the Central Coast Region, Santa Cruz, Monterey, San Luis Obispo and Santa Barbara Counties are local primacy agencies (LPAs) for

“small water systems,” whereas, Santa Clara, San Benito, San Mateo, Kern and Ventura Counties are not.¹

For additional information regarding “small water system” oversight and LPA information, go to the following CDPH Drinking Water Program “Small Water System Support” website:

<http://www.cdph.ca.gov/certlic/drinkingwater/Pages/Smallwatersystems.aspx>

Pursuant to Title 22 section 64211 (see below), “State Small Water System” permitting and oversight is conducted at the county level by the local health officer (i.e., by the county health department). Private domestic wells and local small water systems are also regulated to varying degrees at the county level by the local health officer.

(Note: see excerpted statutes and regulations below for primacy delegation and water system definitions)

Legal Definitions for Drinking Water Systems

The following drinking water system definitions are taken directly from the California Health and Safety Code and Title 22 of the California Code of Regulations as noted via CDPH’s compilation documents for drinking water related statutes and regulations. The following links are to the statute and regulation compilation documents.

California Health and Safety Code:

<http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/DWstatutes-2012-01-01a.pdf>

Title 22, California Code of Regulations:

<http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/dwregulations-2012-06-21c.pdf>

HEALTH AND SAFETY CODE

DIVISION 104. ENVIRONMENTAL HEALTH

PART 12. DRINKING WATER

CHAPTER 4. CALIFORNIA SAFE DRINKING WATER ACT

Article 1. Pure and Safe Drinking Water

§116275. Definitions.²

¹ The Central Coast Region encompasses all of Santa Cruz, San Benito, Monterey, San Luis Obispo and Santa Barbara Counties, the southern third of Santa Clara County, and small portions of San Mateo, Kings and Ventura Counties.

² Note: the Title 22 definitions of a “public water system” and “community water system” are consistent with the Federal Safe Drinking Water Act definition of a public water system;

<http://water.epa.gov/infrastructure/drinkingwater/pws/pwsdef2.cfm>

(h) “**Public water system**” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

- (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
- (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
- (3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

(i) “**Community water system**” means a public water system which serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents.

(n) “**State small water system**” means a system for the provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year.

(j) “**Noncommunity water system**” means a public water system that is not a community water system.

(k) “**Nontransient noncommunity water system**” means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

(o) “**Transient noncommunity water system**” means a noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year.

(aa) “**Small community water system**” means a community water system that serves no more than 3,300 service connections or a yearlong population of no more than 10,000 persons.

§116395. County evaluation of small public water systems.

(b) For purposes of this section, “**small public water system**” means a system with 200 connections or less, and is one of the following:

- (1) A community water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents.
- (2) A state small water system.
- (3) A noncommunity water system such as a school, labor camp, institution, or place of employment, as designated by the department.

**TITLE 22 CODE OF REGULATIONS
DIVISION 4. ENVIRONMENTAL HEALTH
Chapter 14. Water Permits**

Article 3. State Small Water Systems

§64211. Permit Requirement.

(a) No person shall operate a state small water system unless a permit to operate the system has been issued by the local health officer.

§64214. Service Connection Limitation.

No state small water system shall add additional service connections to the system such that the total number of service connections served by the system exceeds 14 before the water system has applied for and received a permit to operate as a public water system from the Department.

Article 4. Local Primacy Delegation

§64251. Definitions.

(a) For the purpose of this Article the following definitions shall apply:

- (1) **“Small Water System”** means a community water system except those serving 200 or more service connections, or any noncommunity or nontransient noncommunity water system.
- (2) **“Primacy Delegation Agreement”** means the document, issued by the department and signed by the local health officer, delegating primacy to a local health officer.
- (3) **“Routine Inspection”** means an on-site review of a small water system which includes, but is not limited to, inspections of system operations, operation and maintenance records, system facilities and equipment.
- (4) **“Sanitary Survey”** means an on-site review of a small water system which includes, in addition to the elements of a routine inspection, an evaluation of the watershed for surface water sources and vulnerability assessments for groundwater sources.

CHAPTER 15. DOMESTIC WATER QUALITY AND MONITORING REGULATIONS

Article 1. Definitions

§64400.10. Community Water System.

“Community water system” means a public water system which serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents.

§64400.80. Nontransient-noncommunity Water System.

“Nontransient-noncommunity water system” means a public water system that is not a community water system and that regularly serves at least the same 25 persons over 6 months per year.

§64401.85. Transient-noncommunity Water System.

“Transient-noncommunity water system” means a public water system that is not a community water system or a nontransient-noncommunity water system.

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