



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) citation	12VAC5-600
Regulation title	Waterworks Operation Fee Regulations
Action title	Amend regulations to update the definition of a waterworks to more closely match the corresponding federal definition.
Final agency action date	August 7, 2014
Document preparation date	July 7, 2014

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

To maintain primacy (primary enforcement responsibility) to enforce the federal *Safe Drinking Water Act* in Virginia, the Environmental Protection Agency requires the Virginia Department of Health to adopt state regulations that do not differ materially from the corresponding federal regulations (40 *Code of Federal Regulations* § 142.10). The 2014 General Assembly (CHAP0333) revised the definition of a waterworks in §§ 32.1-167 and 32.1-169 of the *Code of Virginia* to more closely match the corresponding federal definition of a public water system. The amended regulations incorporate those changes, while also serving to clarify the criteria to determine if a water supply is to be regulated by the Virginia Department of Health as a waterworks.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On August 7, 2014, the State Health Commissioner, vested with the authority of the State Board of Health pursuant to § 32.1-20 of the *Code of Virginia*, adopted final amendments to the *Waterworks Operation Fee Regulations*.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This amendment will have no impact on the institution of the family or family stability.