ARKANSAS
DRINKING WATER UPDATE

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Public Water System Service Fees to Increase

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During the 92nd General Assembly of the Arkansas Legislature, House Bill 1737 was introduced to raise Public Water System Service Fees from $0.30 per meter per month to $0.40 per meter per month. This bill was the result of the Arkansas Department of Health seeking support for the safe drinking water program in order to cope with upcoming challenges and increasing costs to the program. HB 1737 left unchanged the minimum bill of $125 per year for non-community public water systems and small public water systems and $250 for non-transient non-community public water systems. House Bill 1737 was passed by both Houses and signed into law by the Governor. House Bill 1737 became Act 788 on April 8, 2019.

Act 788 will become effective 90 days following the end of the legislative session. The new fee rate of $0.40 per meter per month will become effective for the month of August and thereafter. The month of July will be before the law becomes effective and will be at the old rate of $0.30 per meter per month. This change in fee rate will also necessitate the updating of the Arkansas Department of Health's Rules and Regulations Pertaining to Public Water Systems.

The public water system's service fees were last adjusted 12 years ago in 2007. Since that time, the toll of inflation and increases in the monitoring burden of the federal Safe Drinking Water Act have rendered this funding source inadequate to meet ongoing costs and upcoming challenges. This increase will enable the Arkansas Department of Health to incorporate the upcoming challenges that include: a perchlorate rule due to be proposed during 2019, a revised lead and copper rule due to be proposed during 2019, and enables the Public Health Laboratory to develop analytical capabilities for cyanotoxins and polyfluoralkyl substances (PFAS). Also, the future Unregulated Contaminant Monitoring Rule 5 (UCMR5) will be more expensive due to recent federal changes that will include many smaller water systems. Changes in the unregulated contaminant monitoring rules are expected to double the cost of these rules in the future. UCMR5 is scheduled to begin sampling during 2023. Currently, the Arkansas Department of Health is fulfilling the monitoring requirements of UCMR4.

Since 2007 when the fees were set at the $0.30 rate, the drinking water program has had to absorb increased costs that included the cost of inflation, additional sampling technicians to meet an increased monitoring burden, and a more expensive unregulated contaminant monitoring rule (UCMR4)

The Engineering Section is appreciative of the goodwill among the regulated community and appreciates those that may have spoken up for the program. In Arkansas, one of the great strengths of the program is the utilization of the Arkansas Department of Health's Public Health Laboratory for determining the health and safety of drinking water supplies. Use of the Public Health Laboratory also enables better response to water quality issues that may arise. It is routine for water systems in Arkansas to show 99+% compliance with Safe Drinking Water Act monitoring requirements.

The Engineering Section will mail out a notice to all regulated public water systems informing them of the new rate, effective date, and the changes to fee collection. Also, public water system service fee bills will be adjusted and be correct when those bills are sent out during the summer.

If you have any questions about the changes in the fees, please email your questions to jeffery.stone@arkansas.gov

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