

# Wellhead Protection Plan Implementation Audit

## DRINKING WATER PROTECTION

### Background

The audit program was created for the purpose of enforcing Minnesota Rules, part 4720.5560, regarding the implementation of approved wellhead protection plans. The purpose of an audit is to:

- Determine if a Public Water Supplier (PWS) is fulfilling rule requirements and is implementing measures contained in their wellhead protection plan;
- Provide technical assistance to PWSs to achieve substantial implementation of their wellhead protection plan; and
- Help the Minnesota Department of Health (MDH) determine any course of deficiencies and outstanding issues that need to be addressed for a PWS and assess the efficiency of the wellhead protection program.

### Audit Process

The audit process involves three phases:

#### Phase 1: Data collection

The PWS will receive an audit notification letter from MDH. The Source Water Protection (SWP) Compliance lead will review any previously submitted plan evaluations and/or data submitted to MDH by the PWS and determine if they have satisfactorily passed the audit.

- If submitted plan evaluation(s) and/or data documents substantial implementation, the PWS will advance to Phase 3, and a notice of determination letter will be sent to the PWS.
- If submitted plan evaluation(s) and/or data does not document substantial implementation, SWP Compliance will continue to collect data internally, pre-populate a questionnaire, and send it to the PWS.

The MDH/Minnesota Rural Water Association (MRWA) technical assistance planner (TAP) will provide assistance to the PWS to review and complete the questionnaire.

#### Phase 2: Review

SWP Compliance and/or Audit Review Team will evaluate the documentation included in the questionnaire (data collected in Phase 1) for quality, relevance, completeness, and will determine if the PWS has substantially implemented 75% of the measures in their wellhead protection plan.

#### Phase 3: Results

- If it is determined that the PWS has substantially implemented 75% of the measures in their wellhead protection plan, SWP Compliance will send a Notice of Determination stating that the PWS has satisfactorily passed the audit; or

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- If it is determined that the PWS has not substantially implemented 75% of the measures in their wellhead protection plan, the data will be submitted to the Audit Review Team to review the documentation and/or discrepancies. If the Audit Review Team determines that substantial implementation has not been met, a Notice of Determination - Deficiencies letter will be issued to the PWS advising them of the findings and granted a specified timeframe to comply with the letter.

**If a PWS fails to comply with the terms of the Notice of Determination - Deficiencies, the PWS will receive a Notice of Violation and, if applicable, additional administrative action.**

*Note: The audit is finalized after all three phases are complete.*

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*To obtain this information in a different format, call: 651-201-4700. Printed on recycled paper.*

## Audit Process Flow Chart



### Data Collection (Phase 1)

**1a:** Audit notification letter is sent to the PWS.

**1b:** SWP Compliance reviews plan evaluations and/or data previously submitted to MDH by the PWS.

- If submitted plan evaluation(s) and/or data documents substantial implementation, the PWS will advance to Results (Phase 3a).
- If previously submitted plan evaluation(s) and/or data does not document substantial implementation, SWP Compliance will continue to collect data internally, pre-populate a questionnaire, and send it to the PWS.

**1c:** The TAP will provide assistance to the PWS to review and complete the questionnaire. Relevant documentation (data) for each measure in a wellhead protection plan is provided by the PWS (if necessary, collected by SWP Compliance during an onsite visit at the PWS's location) to demonstrate that the specific measures have been implemented.



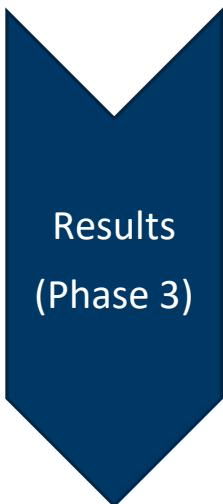
### Review (Phase 2)

**2a: SWP Compliance Review**

- SWP Compliance will evaluate the documentation received with the pre-populated questionnaire and will determine if the PWS has substantially implemented 75% of their wellhead protection plan measures.
  - If yes, go to Results (Phase 3a).
  - If no and/or if there are discrepancies in the submitted documentation, the documentation will be submitted to the Audit Review Team.

**2b: Audit Review Team**

- The Audit Review Team will evaluate the documentation and/or discrepancies and will determine if the PWS has substantially implemented 75% of their wellhead protection plan measures.
  - If yes, go to Results (Phase 3a).
  - If no, go to Results (Phase 3b).



### Results (Phase 3)

**3a. Notice of Determination - Passed:** A letter will be sent to the PWS stating that they have satisfactorily passed the audit and will continue to implement their wellhead protection plan, as required by the wellhead protection rule.

**3b. Notice of Determination - Deficiencies:** A letter will be sent to the PWS stating that they have not passed the audit and will be required to satisfactorily address the audit deficiencies within the specified timeframe. If the PWS satisfactorily addresses the audit deficiencies, a letter will be sent to the PWS (Phase 3a). If the PWS fails to comply, a Notice of Violation (NOV) letter (Phase 3c) will be sent to the PWS. The TAP will provide technical assistance to the PWS.

**3c. Notice of Determination - Enforcement:** A NOV letter will be sent to the PWS stating that they will be required to satisfactorily address the audit deficiencies and will be granted a specified timeframe to address the deficiencies. If the PWS fails to comply with the NOV, additional administrative action will be enforced.