

State of Wyoming

Department of Health

Minimum Water Quality Standards For the Conveyance of Property



Chapter 1

PURPOSE AND BACKGROUND

Section 1. Purpose. The purpose of these standards is not to substitute for the Safe Drinking Water Act or its associated regulations, nor to guarantee absolute safety of a private water supply, but to establish minimum water quality criteria to be used in the conveyance of private property, which derives domestic water from a non-public or “small” water supply. With these standards as guidance, conveyees of such property should have assurance that the water supply is potable at the time of conveyance or take measures to assure treatment of the water to make it potable prior to or concurrent with transfer of the property.

Section 2. Authority. The specific statutory authority is W.S. 35-1-229(b).

Section 3. Definition. A small water supply is defined as any water supply with not more than nine (9) service connections which are, or may be, used for human consumption.

STATEMENT OF REASONS

In order to provide transfer of residential property, whose residences are not or will not be connected to public water supplies, with knowledge about the quality of water supplies, before the purchase is complete, the Department of Health has prepared regulations authorized under W.S. 35-1-229(b), Section 1, as amended.

Chapter 2

TESTS AND STANDARDS

Section 1. Minimum Testing Requirements.

- (a) For purposes of meeting the requirements of W.S. 35-1-229(b), the following tests shall be conducted. The listed analytic levels are the standards for the water source to be suitable for human consumption:

<u>Test</u>	<u>Standard</u>
Total Coliform:	negative/100 milliliters
Total dissolved solids:	<=1500 mg/L
Sulfates:	<=750 mg/L
Nitrate + Nitrite as N:	<=10 mg/L

- (b) Tests should be conducted within 90 days prior to conveyance of the property. Tap water samples should be collected by a public authority (sanitarian or other county or state health department official). In case arrangements cannot be made with a public official, then the conveyee may collect, or arrange for collection of the sample by a documented third party. When the sample is not collected by a public authority, appropriate containers and instructions for collection should be obtained from the laboratory performing the test. Under no circumstances may the conveyor or their representatives collect the water sample.
- (c) Tests may be conducted by a laboratory certified by EPA for the analytes included in these rules and the costs of such tests is to be borne by the parties as stated in the legislation. The four tests listed above are the minimum requirement for transfer of property covered by the legislation. Copies of the analysis report shall be mailed to the conveyee and his/her agent, the lender, if there is one involved in the conveyance, and the State Health Department Epidemiologist. Lists of EPA approved laboratories may be obtained from the Department of Environmental Quality, Agriculture Department Extension Offices, the State Public Health Laboratory, and County Public Health Offices. Imposition of the requirement for EPA certification will become effective 1 July 1997.
- (d) In addition, consideration must be given for the following as either party in the transaction may deem appropriate:

Appendix A

Minimum water quality standards

Used for the conveyance of private property connected to a private supply.

<u>Analyte</u>	<u>WYO MCL</u>	<u>EPA MCL</u>	<u>Det. Limit</u>	<u>Units</u>
Calcium			1	mg/L
Magnesium			1	mg/L
Sodium			3	mg/L
Hardness				mg/L
Total Alkalinity				mg/L
Chloride	(250)	(250)		
Sulfates	750	deferred	3.00	mg/L
Nitrates/Nitrites	10	10	0.05	mg/L
Fluoride	(2)	2		mg/L
Conductivity				umhos/cm
pH	(6.5 - 8.5)	6.5 – 8.5		pH units
TDS	1500	500		mg/L
Iron	(0.3)	0.3		mg/L
Manganese	(0.05)	0.05		mg/L
Lead, 1 st	(0.015)	TT/0.015	0.002	mg/L
Copper, 1 st	(1.3)	TT/1.3	0.1	mg/L
Lead, 2 nd	(0.015)	TT/0.015	0.002	mg/L
Copper, 2 nd	(1.3)	TT/1.3	0.1	mg/L
Zinc	(5)	5		mg/L
Corrosivity	(Non-Cor.)	Non-Cor.		LI Units
Total Coliform	Negative	Negative		/100 ml

Division 2. Powers & Duties

35-1-229. Rules and regulations.

(b) The department of health shall promulgate rules and regulations to set standards for the chemical, bacteriological, physical or radiological content of a small water supply and shall be applicable only when a legal interest in real property to which the small water supply is appurtenant is conveyed from one (1) party to another or when a conveyance is reasonably anticipated and when such standards are required by a lender. As used in this subsection, "small water supply" means any water supply with not more than nine (9) service connections, which is currently used for human consumption or for which plans exist for its future use for human consumption. The cost of any testing to determine the chemical, bacteriological, physical or radiological content of a small water supply shall be borne by the parties.