

4720.0012 NEW SYSTEM CAPACITY REQUIREMENTS.

Subpart 1. **Requirements generally.** New water systems shall not commence operation until the commissioner approves plans and specifications as required in part 4720.0010 and approves documentation submitted under this part that demonstrates a system's technical, managerial, and financial capacities.

Subp. 2. **Technical capacity.** Technical capacity must be demonstrated by:

A. the system meeting the plan and specification requirements in part 4720.0010; and

B. the system employing or contracting with a water operator certified according to Minnesota Statutes, chapter 115, effective the first day of system operation.

Subp. 3. **Managerial capacity.** Managerial capacity must be demonstrated by:

A. the system providing the identification, location, and contact method for the system's owner, manager, or chief executive officer; and

B. the system employing or contracting with a water operator certified according to Minnesota Statutes, chapter 115, effective the first day of system operation.

Subp. 4. **Financial capacity.** Financial capacity must be demonstrated by the water system's owner, chief financial officer, or chief executive officer certifying that responsible individuals in the system have reviewed the potential and actual costs of operating and maintaining a public water system and the system has the financial capability to meet the following actual and potential costs:

A. Actual costs to be considered include:

- (1) construction and other capital costs;
- (2) operator training and salary costs;
- (3) current treatment costs;
- (4) routine maintenance and equipment-replacement costs; and
- (5) the costs of compliance with state rules and federal regulations.

B. Potential costs to be considered include:

- (1) the costs of compliance with proposed regulations of the Environmental Protection Agency;
- (2) the costs of treatment or remediation for contamination; and
- (3) the costs of emergency repairs.

Statutory Authority: *MS s 144.383*

History: *24 SR 301*

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