



FLUORIDATION
50-State Survey

State Laws and Regulations Addressing Fluoridation in Water

Community water fluoridation is recommended by nearly all health organizations, including the American Dental Association, American Academy of Pediatrics, U.S. Public Health Service, and World Health Organization. Many studies have illustrated the benefits of a fluoridated community water supply, particularly in preventing tooth decay. According to the Centers for Disease Control and Prevention, community water fluoridation is a cost-effective, efficient way to deliver fluoride to all members of a community. Because of its effectiveness at reducing dental caries, water fluoridation is known as one of the ten great public health achievements of the 20th century. This resource provides a summary of the laws and regulations regarding water fluoridation in each U.S. state and select jurisdictions.

AL	<p>Statute: Ala. Code § 22-23-21 Notification of fluoridation status of water supply required</p>	<p>“(a) A public water system, as defined in Section 22-23-31, Code of Alabama 1975, that proposes to initiate any permanent change in the fluoridation status of its water supply, including, but not limited to, discontinuing the fluoridation of the water supply or reducing the level of fluoride from an optimal level as defined by the Centers for Disease Control and Prevention (CDC), shall provide written notice to the State Health Officer no fewer than 90 days before initiating the change. Notice shall include the proposed date of the change, reasons for the change, and all communities affected by the change. (b) A public water system that fails to meet the notification requirements of subsection (a) shall resume the fluoridation of its water supply to its previous level until proper notice is provided to the State Health Officer. (c) The notification requirements of subsection (a) do not apply to a temporary discontinuance of fluoridation that is caused by equipment failure, maintenance, or replacement; temporary chemical supply shortages; placing water sources offline; or other similar unavoidable circumstances.”</p>
	<p>Regulation: Ala. Admin. Code r. 335-7, Appendix C, Health Effect and</p>	<p>“(19) Fluoride Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth, before they erupt from the gums.”</p>

	<p>Required Language for Specific Contaminants; Ala. Admin. Code r. 335-7-2-21, Public Notification.</p>	<p>(94) Fluoride (SMCL) This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/l. Dental fluorosis, in its moderate or severe forms, may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water. Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem. For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP." See AL ADC 335-7, App. C.</p>
<p>AK</p>	<p>Statute: No Statute</p>	<p>No Statute</p>
	<p>Regulation: Alaska Admin. Code 18 § 80.315(6-8) Inorganic chemical sampling requirements</p>	<p>“(6) the owner of a public water system that adds fluoride shall ensure that monitoring and sampling for fluoride occurs at the entry point of the distribution system each day that water is served to the public, except that if the public water system is a fill-and-draw system, the owner shall ensure that monitoring and sampling occur each day that fluoride is added to the water when making water; the owner shall ensure the reporting of the results of sampling done under this paragraph monthly to the department; (7) with respect to the requirements for taking confirmation samples as set out in 40 CFR. 141.23(f), the department will delete results of obvious sampling errors; (8) for 40 CFR. 141.23(g), the department will, if it determines that increased monitoring serves the interests of public health, require more frequent monitoring than that specified in 40 CFR. 141.23(b), and in (2) – (6) of this subsection, or require confirmation samples for positive or negative results.”</p>
<p>AZ</p>	<p>Statute: No Statute</p>	<p>No Statute</p>
	<p>Regulation: No Regulation</p>	<p>No Regulation</p>

<p>AR</p>	<p>Statute: Ark. Code Ann. § 20-7-136 Statewide fluoridation program - Definition</p>	<p>“(a) As used in this section, “water system” means a facility including without limitation a parent system, consecutive system, or other system that holds, treats, and supplies water directly or through a consecutive system or consecutive systems to five thousand (5,000) persons or more. (b) The company, corporation, municipality, county, government agency, or other entity that owns or controls a water system shall control the quantity of fluoride in the water so as to maintain a fluoride content established by the Department of Health. (c) The State Board of Health shall adopt rules relating to the fluoridation of water systems that shall include without limitation: (1) Permissible concentrations of fluoride to be maintained by a water system; and (2) Requirements and procedures for maintaining permissible concentrations of fluoride including without limitation: (A) Necessary equipment; (B) Recordkeeping; (C) Reporting; and (D) Testing. (d)(1) A water system required to fluoridate under this section is not required to comply with the requirements of this section until funds sufficient to pay capital start-up costs for fluoridation equipment for the system have become available from any source other than tax revenue or service revenue regularly collected by the company, corporation, municipality, county, or other government agency that owns or controls the water system. (2) A licensed civil engineer recognized or employed by the department who is familiar with the design, construction, operation, and maintenance of fluoridation systems shall determine for the department whether the capital start-up costs claimed under subdivision (d)(1) of this section are reasonable. (e) A water system for a city in this state that receives its water supply from a community in another state is not required to comply with this section until a substantially similar fluoridation program is enacted for the water system of the community in the other state.”</p>
	<p>Regulations: Ark. Admin. Code 007.18.2-VII. Public Water Systems: Operations</p>	<p>“VII. OPERATION: Every owner must operate the water supply, including water treatment plant and distribution system, so as to meet the standards set forth in the National Primary Drinking Water Regulations, and take every reasonable precaution to protect the water from contamination. Every owner of a surface water system must operate the treatment facility within the operating criteria specified at the time of approval by the Arkansas Department of Health, or as specified in writing to the owner by the Arkansas Department of Health at any time following the approval. (See also Section XXI.) A. Monitoring For purposes of determining compliance with the National Drinking Water Regulations, the Arkansas Department of Health Laboratory will be used unless otherwise approved by the Arkansas Department of Health. The Arkansas Department of Health may, by using a published policy, signed by the Director of the Department, and approved by the U.S. Environmental Protection Agency, utilize any discretion allowed in the National Primary Drinking Water Regulations for monitoring requirements or for Maximum Contaminant Level or Treatment Technique compliance. B. Records. The owner shall make such suitable analyses and keep such records of operation as required by the Arkansas Department of Health. True and accurate reports of such analyses and operational records for each month shall be submitted to the Arkansas Department of Health by the tenth day of the following month. (See also Section XVII.) Unless a longer record retention period is specified elsewhere or required by the National Primary Drinking Water Regulations, all records including analyses results, reports, forms, charts, daily logs, and electronic files shall be retained for a minimum of three (3) years and shall be made available for review if requested. C. Responsibility. Every owner or their agents shall be responsible for compliance with these Rules and shall submit samples of water to the Arkansas Department of Health Laboratory whenever requested by the Arkansas Department of Health. Such samples must be representative of the water in the system and must not be tampered with in any manner which may affect the analytical results. D. License. The owner of any community public water system, non-transient non-community public water system, or any other non-community public water system which utilizes a surface water or surface water influenced source shall utilize water operators duly licensed under the provisions of Act 333 of 1957, as amended, and such Rules as may be adopted under the provisions of Act 333 of 1957 as amended. (See Arkansas Code Annotated Section 17-51-101 et seq.) The owner shall place the direct supervision of the water system under an available Water Operator(s) in Responsible Charge holding a valid</p>

license equal to or greater than the classification of the treatment facility and/or distribution facility. E. Cross-Connection Program. The owner shall institute a routine cross-connection program to locate and eliminate cross-connections. The program shall include routine inspections of commercial and industrial establishments and the routine maintenance of a listing of locations of cross-connection control devices. Each program shall include the mandatory testing of backflow prevention devices by certified testers, on a frequency approved by the Arkansas Department of Health. F. Fluoridation 1. Application. In accordance with Act 197 of 2011 (Section 20-7-136), the owner of a public water system that produces and treats raw water and that directly or through a consecutive system or systems supplies five thousand (5,000) persons or more shall implement a fluoridation program so as to maintain an optimum fluoride concentration in the water. For such systems and for any public water system that controls the fluoride concentration, the optimum concentration shall be 0.7 milligrams per liter with a control range of 0.6 milligrams per liter to 1.2 milligrams per liter. 2. Equipment, testing and reporting. A public water system that controls the fluoride concentration shall comply with the applicable sections of this rule. In addition, such public water systems shall comply with the fluoride equipment, record keeping, testing, reporting and related requirements identified as a "must" for Community Public Water Systems contained in Sections II, III, and IV of Engineering and Administrative Recommendations for Water Fluoridation, 1995, Centers for Disease Control and Prevention, except that entry point rather than distribution system monitoring shall be utilized for measuring the fluoride concentration. Other exceptions on a case-by-case basis may be allowed but only as specified in writing by the Arkansas Department of Health. 3. Compliance. Pursuant to Section 20-7-136 (d) and (e), implementation of a fluoridation program is not required: 1) until funds sufficient to pay capital start-up costs for fluoridation equipment for the system have become available from any source other than tax revenue or service revenue collected by the water system or the entity which owns or controls it; or 2) for a water system in this state that receives its water from a community in another state until a substantially similar fluoridation program is enacted in the other state. Reasonable items for fluoridation start-up include those indispensable to the proper and safe addition and handling of fluoride compounds such as piping, feeder, chemical storage, safety, testing and related equipment and facilities. G. Approved Chemicals, Materials, Equipment, and Processes. All chemicals added to the water and all materials in contact with in-process or treated water shall be certified as being in compliance with ANSI/NSF Standards 60 and 61, as applicable. In addition, all products required to be "lead free" as determined through Section 1417 of the Safe Drinking Water Act (42 U.S.C. 300g-6) shall be certified as being in compliance with NSF/ANSI 372 or Annex G of NSF/ANSI 61. Certification shall be made by an independent agency. Self-certification by the manufacturer will not be accepted. All unit processes, equipment, chemicals and appurtenances shall be in accordance with the latest edition of the applicable AWWA standards, and approved by the Arkansas Department of Health. For treatment facilities utilized for treating water solely for bottled water or very small water systems, at its discretion, the Department may allow certification with the equivalent U.S. Food and Drug Administration food contact or food additive standard or other ANSI/NSF drinking water standards in lieu of certification with the appropriate ANSI/NSF 60/61 and AWWA standards. H. Emergency Planning. Each Community Public Water System and each Non-Transient Non-Community Public Water System shall have a written emergency plan. The emergency plan shall include, at a minimum, names and telephone numbers of responsible utility personnel, procedures to be followed in the event of loss of electricity, source, treatment, storage, or distribution facilities, and procedures to be followed in the event of a loss of distribution system pressure or a known or suspected introduction of contaminants into the distribution system, as approved by the Arkansas Department of Health. I. Long Range Planning. Each Community Public Water System and each Non-Transient Non-Community Public water system shall have a written long-range plan. The long-range plan shall address, at a minimum, projected needs for source, treatment, storage and distribution for a planning period of at least ten years, and shall demonstrate the system's technical, financial, and managerial capacity to comply with the requirements of the Safe Drinking Water Act. J. New Systems/Modification of Existing Systems. Prior to the startup of a new public water system or specified extensions or modifications of existing systems, the

		<p>Owner shall notify the Department of Health that the system is in full compliance with the approved plans, specifications, and special conditions imposed by the Department, and obtain written approval from the Department to initiate use of the new system or modifications. The Department shall issue written approval or disapproval within five working days of the receipt of the certification. If the Department fails to issue an approval or disapproval within five working days following the Department's receipt of the certification, use of the project may be initiated. The Department may grant verbal interim approvals in emergency or critical situations.”</p>
<p>CA</p>	<p>Statute: Cal. Code Regs. Health & Safety, § 116409 Legislative findings, declarations and intent ; Cal. Code Regs. Health & Safety § 116415 Exemptions from fluoridation requirement; Enforcement of regulations; Remedies for noncompliance; Funding; Costs; Cal. Code Regs. Health & Safety § 116410 Systems requiring fluoridation; Regulations; Schedule; Costs; Exemption</p>	<p>“The Legislature finds and declares all of the following: (a) Promotion of the public health of Californians of all ages by protection and maintenance of dental health through the fluoridation of drinking water is a paramount issue of statewide concern. (b) It is the intent of the Legislature in enacting this article to preempt local government regulations, ordinances, and initiatives that prohibit or restrict the fluoridation of drinking water by public water systems with 10,000 or more service connections, without regard to whether the public water system might otherwise be exempt from Section 116410 or the requirements of this section, pursuant to Section 116415. (c) It is further the intent of the Legislature in establishing this article to decrease the burden the Medi-Cal and the Denti-Cal programs place upon the state’s limited funds.” Cal. Code Regs. Health & Safety, § 116409</p> <p>“(a) (1) A public water system is not required to fluoridate pursuant to Section 116410, or the regulations adopted thereunder by the department, in any of the following situations: (A) If the public water system is listed on the schedule to implement a fluoridation program pursuant to paragraph (4) of subdivision (b) of Section 116410 and funds are not offered pursuant to a binding contractual offer to the public water system sufficient to pay the capital and associated costs from any outside source. As used in this section, “outside source” means a source other than the system’s ratepayers, shareholders, local taxpayers, bondholders, or any fees or charges levied by the water system. (B) If the public water system has been offered pursuant to a binding contractual offer the capital and associated funds necessary for fluoridation as set forth in subparagraph (A) and has completed the installation of a fluoridation system, however, in any given fiscal year (July 1–June 30, inclusive) funding is not available to the public water system sufficient to pay the noncapital operation and maintenance costs described in subdivision (g) from any outside source other than the system’s ratepayers, shareholders, local taxpayers, bondholders, or any fees or charges levied by the water system. A binding contractual offer to provide funds for 12 months, without regard to fiscal year, of noncapital operation and maintenance costs shall render a water system unqualified for an exemption under this subparagraph for that year. (C) If the funding provided by an outside source for capital and associated costs is depleted prior to completion of the installation of a fluoridation system and funds sufficient to complete the installation have not been offered pursuant to a binding contractual offer to the public water system by an outside source. In the event of a disagreement between the public water system and an outside funding source about the reasonableness of additional capital and associated costs, in order to qualify for an exemption under this subparagraph the costs overruns must be found to be reasonable by a registered civil engineer recognized or employed by the department who is familiar with the design, construction, operation, and maintenance of fluoridation systems. (2) Each year the department shall prepare and distribute a list of those water systems that do not qualify for exemption under this section from the fluoridation requirements of Section 116410. This list shall include water systems that have been offered, have received, or are expected to receive, sufficient funding for capital and associated costs so as to not qualify for exemption under subparagraph (A) of paragraph (1), and have either (A) been offered or have received, or anticipate receiving, sufficient noncapital maintenance and operation funding pursuant to subdivision (g), or (B) have not yet completed the installation of a fluoridation system, so that they do not qualify for exemption under subparagraph (B) of paragraph (1). (3) Any water system that has been offered pursuant to a binding contractual offer the funds necessary for</p>

fluoridation as set forth in subparagraph (A) of paragraph (1), and is not included in the list pursuant to paragraph (2), may elect to exercise the option not to fluoridate during the following fiscal year pursuant to subparagraph (B) of paragraph (1) by so notifying the department by certified mail on or before June 1. (4) The permit issued by the department for a public water system that is scheduled to implement fluoridation pursuant to paragraph (4) of subdivision (b) of Section 116410 shall specify whether it is required to fluoridate pursuant to Section 116410, or whether it has been granted an exemption pursuant to either subparagraph (A) or subparagraph (B) of paragraph (1). (b) The department shall enforce Section 116410 and this section, and all regulations adopted pursuant to these sections, unless delegated pursuant to a local primary agreement. (c) If the owner or operator of any public water system subject to Section 116410 fails, or refuses, to comply with any regulations adopted pursuant to Section 116410, or any order of the department implementing these regulations, the Attorney General shall, upon the request of the department, institute mandamus proceedings, or other appropriate proceedings, in order to compel compliance with the order, rule, or regulation. This remedy shall be in addition to all other authorized remedies or sanctions. (d) Neither this section nor Section 116410 shall supersede subdivision (b) of Section 116410. (e) The department shall seek all sources of funding for enforcement of the standards and capital cost requirements established pursuant to this section and Section 116410, including, but not limited to, all of the following: (1) Federal block grants. (2) Donations from private foundations. Expenditures from governmental sources shall be subject to specific appropriation by the Legislature for these purposes. (f) A public water system with less than 10,000 service connections may elect to comply with the standards, compliance requirements, and regulations for fluoridation established pursuant to this section and Section 116410. (g) Costs, other than capital costs, incurred in complying with this section and Section 116410, including regulations adopted pursuant to those sections, may be paid from federal grants, or donations from private foundations, for these purposes. Each public water system that will incur costs, other than capitalization costs, as a result of compliance with this section and Section 116410, shall provide an estimate to the department of the anticipated total annual operations and maintenance costs related to fluoridation treatment by January 1 of each year. (h) A public water system subject to the jurisdiction of the Public Utilities Commission shall be entitled to recover from its customers all of its capital and associated costs, and all of its operation and maintenance expenses associated with compliance with this section and Section 116410. The Public Utilities Commission shall approve rate increases for an owner or operator of a public water system that is subject to its jurisdiction within 45 days of the filing of an application or an advice letter, in accordance with the commission's requirements, showing in reasonable detail the amount of additional revenue required to recover the foregoing capital and associated costs, and operation and maintenance expenses." [Cal. Code Regs. Health & Safety § 116415](#)

"(a) Each public water system with at least 10,000 service connections and with a natural level of fluorides that is less than the minimum established in the regulations adopted pursuant to this section shall be fluoridated in order to promote the public health of Californians of all ages through the protection and maintenance of dental health, a paramount issue of statewide concern. The department shall adopt regulations pursuant to Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code, requiring the fluoridation of public water systems. By July 1, 1996, and at 10-year intervals thereafter, each public water system with at least 10,000 service connections shall provide to the department an estimate of the total capital costs to install fluoridation treatment. The regulations adopted by the department shall take effect on January 1, 1997. Capital costs estimates are no longer required after installation of the fluoridation treatment equipment. (b) The regulations shall include, but not be limited to, the following: (1) Minimum and maximum permissible concentrations of fluoride to be maintained by fluoridation of public water systems. (2) The requirements and procedures for maintaining proper concentrations of fluoride, including equipment, testing, recordkeeping, and reporting. (3) Requirements for the addition of fluorides to public water systems in which the natural level of fluorides is less than the minimum level established in the regulations. (4) A schedule for the fluoridation of public water systems with at least 10,000 service connections, based on the

	<p>lowest capital cost per connection for each system. (c) The purpose of the schedule established pursuant to paragraph (4) of subdivision (b) is not to mandate the order in which public water systems receiving funding from private sources must fluoridate their water. Available funds may be offered to any system on the schedule. (d) The estimates provided to the department pursuant to subdivision (a) of this section and subdivision (g) of Section 116415 of the total capital and associated costs and noncapital operation and maintenance costs related to fluoridation treatments and the similar estimates provided to those sources offering to provide the funds set forth in paragraph (1) of subdivision (a) of Section 116415 shall be reasonable, as determined by the department. A registered civil engineer recognized or employed by the department who is familiar with the design, construction, operation, and maintenance of fluoridations systems shall determine for the department whether the costs are reasonable. (e) As used in this section and Section 116415, “costs” means only those costs that require an actual expenditure of funds or resources, and do not include costs that are intangible or speculative, including, but not limited to, opportunity or indemnification costs. (f) Any public water system with multiple water sources, when funding is not received to fluoridate all sources, is exempt from maintaining otherwise required fluoridations levels in areas receiving any nonfluoridated water. The exemption shall be in effect only until the public water system receives funding to fluoridate the entire water system and the treatment facilities are installed and operational.” Cal. Code Regs. Health & Safety § 116410</p>
<p>Regulation: Cal. Code Regs. 22 § 64433 System Requirements and Exemptions; Cal. Code Regs. 22 § 64433.2 Optimal Fluoride Levels; Cal. Code Regs. 22 § 64433.3 Monitoring and Compliance - Fluoride Levels; Cal. Code Regs. 22 § 64433.5 Fluoridation System; Cal. Code Regs. 22 § 64433.7 Recordkeeping, Reporting, and Notification for Water Systems Fluoridating; Cal. Code Regs. 22 § 64433.8 Fluoridation System Operations Contingency Plan.</p>	<p>“(a) Any public water system with 10,000 service connections or more that does not have a fluoridation system shall install such a system pursuant to the requirements in this article if the State Board identifies a source of sufficient funds not excluded by Health and Safety Code section 116415 to cover capital and any associated costs necessary to install such a system. Installation shall be completed within two years of the date the funds are received by the water system; the water system may apply to the State Board for an extension of the deadline. Following installation, if the State Board identifies a source of sufficient funds not excluded by Health and Safety Code section 116415 to cover the noncapital operations and maintenance costs for the period of a year or more, the system shall fluoridate within three months of receiving the funds and shall continue fluoridating so long as such funds are received. (b) Any public water system with 10,000 service connections or more that has a fluoridation system but ceased fluoridating prior to December 31, 1995 shall fluoridate the drinking water if its fluoridation system is determined to be capable of fluoridating the drinking water in compliance with Section 64433.2, based on a State Board review, and the State Board identifies a source of sufficient funds not excluded by Health and Safety Code section 116415 to cover the noncapital operations and maintenance costs for the period of a year or more. Such a system shall fluoridate within one month of receiving the funds and shall continue fluoridating so long as such funds are received. (c) Any public water system required to install a fluoridation system pursuant to subsection (a) or required to fluoridate pursuant to subsection (b) shall annually submit an estimate of anticipated fluoridation operations and maintenance costs for the next fiscal year (July 1 through June 30) to the State Board by the January 1 preceding that fiscal year. (d) Any public water system with 10,000 service connections or more that has naturally-occurring fluoride and cannot demonstrate that it maintains an average annual fluoride level that is equal to or greater than the low level specified in the temperature-appropriate “control range” in Table 64433.2-A shall be subject to subsections (a) and (b). (e) Any public water system which achieves 10,000 service connections or more subsequent to July 1, 1996, that does not have a fluoridation system, or that has naturally-occurring fluoride and meets the criteria in subsection (d) shall provide an estimate to the State Board of capital and any associated costs necessary to install a fluoridation system within one year of achieving at least 10,000 service connections: (f) Any public water system with 10,000 service connections or more shall be exempted from fluoridation in either of the following cases: (1) The water system does not receive sufficient funds from a source identified by the State Board and not excluded by Health and Safety Code section 116415 to cover the capital and associated costs needed to install a fluoridation system; or (2) The water</p>

system received sufficient capital funds from a source identified by the State Board and not excluded by Health and Safety Code section 116415 and subsequently installed a fluoridation system or the water system meets the criteria in subsection (b), and the water system did not receive sufficient funds from a source identified by the State Board and not excluded by Health and Safety Code section 116415 to cover the noncapital operation and maintenance costs to fluoridate. The water system shall be exempted for any fiscal year (July 1 through June 30) for which it does not receive the funds for noncapital operation and maintenance costs.” 22 CA ADC [§ 64433](#).

“(a) If a water system has a single fluoridation system which treats all the water distributed to consumers, the supplier shall collect a daily sample for fluoride analysis, pursuant to [Section 64415\(b\)](#), either in the distribution system or at the entry point. If a water system does not fluoridate all its water and/or has more than one fluoridation system, the supplier shall collect one sample daily in the distribution system and rotate the sample sites in order to be representative of the water throughout the distribution system according to a monitoring plan the State Board has determined to be representative. For water systems fluoridating as of January 1, 1997, the plan shall be submitted by July 1, 1998. For all others, the plan shall be submitted prior to initiating fluoridation treatment. A water system shall monitor only when it is operating its fluoridation system. (b) If more than 20 percent of the daily fluoride samples collected in a month by a water system pursuant to subsection (a) fall outside the control range of optimal levels as determined by temperature for that system pursuant to [Section 64433.2](#), the system shall be out of compliance with [Section 64433.2](#). (c) At least once a month, any water supplier with an operating fluoridation system shall divide one sample and have one portion analyzed for fluoride by water system personnel and the other portion analyzed pursuant to [Section 64415\(a\)](#). (d) Any water system with an operating fluoridation system shall sample the raw source waters annually and analyze for fluoride pursuant to [Section 64415\(a\)](#); samples collected pursuant to [Section 64432\(c\)\(1\)](#) may be used toward satisfying this requirement. All raw source water samples collected under this subsection are subject to compliance with the fluoride MCL in Table 64431-A. (e) If any sample result obtained pursuant to subsection (a) does not fall within the temperature-appropriate fluoride level control range in Table 64433.2-A, the water supplier shall take action as detailed in the water system's approved fluoridation system operations contingency plan as specified in [section 64433.8](#).” 22 CA ADC [§ 64433.3](#).

“Each fluoridation system installed or modified after January 1, 1997, shall meet the following criteria, as a minimum: (a) Operate only when a flow of water is detected. If the water system serves less than 200 service connections, a secondary flow-based control device shall be provided as back-up protection; (b) Provide flow measuring and recording equipment for the fluoride addition; (c) Provide design and reliability features to maintain the level of fluoride within the temperature-appropriate control range 95 per cent of the time; (d) Provide for containment of spills; and (e) Provide alarm features for fluoride chemical feed and fluoride spills.” 22 CA ADC [§ 64433.5](#).

“(a) By the tenth day of each month following the month being reported, each water supplier fluoridating its water supply shall send operational reports to the State Board, which include the following: (1) The fluoride compounds used and the calculated fluoride dose in mg/L; (2) Information on any interruptions in the fluoridation treatment which may have occurred during the month including the duration of the interruptions, an explanation of causes, and what corrective actions were taken to insure that fluoridation treatment was resumed in a timely manner; (3) The results of the daily monitoring for fluoride in the water distribution system, reported in terms of daily results, and ranges and the number of samples collected; and (4) The results of monthly split sample(s) analyzed pursuant to [Section 64433.3\(c\)](#). (b) For water systems that fluoridated the previous fiscal year (July 1 through June 30), the water supplier shall report the operations and maintenance costs for that year to the State Board by August 1. (c) Whenever a water system initiates fluoridation, suspends fluoridation for more than ninety days, or reinitiates fluoridation after a suspension of more than ninety days, the water supplier shall notify the consumers, local health

		<p>departments, pharmacists, dentists, and physicians in the area served by the water system, regarding the status of the fluoridation treatment. If a water system with more than one fluoridation system suspends the use of one or more of its fluoridation systems, but the level of fluoride being served to the consumers is in conformance with Table 64433.2-A, no notification shall be required. (d) If a fluoride overfeed exceeding 10.0 mg/L occurs, the water system shall notify the State Board by the end of the business day of the occurrence or within 24 hours if the State Board office is closed. (e) If the level of fluoride in the distribution system is found to be less than the control range in Table 64433.2-A in two or more samples in a month, the water system shall notify the State Board within three business days of the second occurrence. If the level of fluoride in the distribution system is found to be 0.1 mg/L or more above the control range up to 10.0 mg/L, the water supplier shall notify the State Board within three business days of the occurrence.” 22 CA ADC § 64433.7.</p> <p>“(a) Water systems fluoridating as of July 1, 1996 shall submit a fluoridation system operations contingency plan by July 1, 1998. All other water systems shall submit the plan at least three months before initiating fluoridation treatment. All fluoridating water systems shall operate in accordance with a fluoridation system operations contingency plan determined by the State Board to include the elements in subsection (b). (b) A fluoridation system operation contingency plan shall include, but not be limited to, the following elements: (1) Actions to be implemented by the water supplier in the event that the fluoride level in a distribution system sample is found to be less than the control range in Table 64433.2-A, 0.1 mg/L above the control range up to a fluoride level of 2.0 mg/L, from 2.1 to a level of 4.0 mg/L, from 4.1 to a level of 10.0 mg/L, or above a level of 10.0 mg/L. (2) The procedure for shutting down the fluoridation equipment if there is a fluoride overfeed and the need to do so is identified by the State Board and/or the water supplier; (3) The procedure for investigating the cause of an underfeed or overfeed; (4) A list of water system, county health department, and State Board personnel with day and evening phone numbers to be notified by the end of the business day of the occurrence or within 24 hours if the State Board office is closed in the event of an overfeed exceeding 10.0 mg/L; and (5) The procedure for notifying the public if instructed to do so by the State Board in the event of a fluoride underfeed extending for more than three months or a fluoride overfeed exceeding 10.0 mg/L.” 22 CA ADC § 64433.8.</p>
CO	<p>Statute: Colo. Rev. Stat. § 25-21.5-102 Legislative declaration</p>	<p>“(1) The general assembly hereby finds and declares that: (a) Statewide, students miss seven million eight hundred thousand school hours each year due to oral pain. Nationwide, workers miss one hundred sixty-four million work hours each year due to dental issues. (b) Forty percent of children in kindergarten and fifty-five percent of children in third grade have a history of dental decay. (c) Children in low-income schools have twice as much untreated tooth decay and are twice as likely to have a history of cavities than children who are not in low-income schools. (d) Among children, ninety percent of dental decay is in the pits and fissures of posterior permanent teeth. (e) Children who have received dental sealants in a school-based program have, for a period of up to five years, sixty percent fewer new decayed pit and fissure surfaces in their posterior permanent teeth than children who have not received an application of dental sealants. (f) Fluoride is nature's cavity fighter. Fluoride occurs naturally in almost all water sources. Since 1948, scientific research has shown that community water fluoridation can reduce the incidence of dental cavities. (g) Community water fluoridation is the process of adjusting the level of fluoride found naturally in water to a level recommended to protect against dental decay. The centers for disease control named community water fluoridation as one of ten great public health achievements of the twentieth century. (h) Water fluoridation is safe and provides the most cost-effective means to prevent tooth decay for persons of all ages and socioeconomic backgrounds. (i) Water fluoridation is one of the most researched and cost-effective oral health interventions available, as the average cost of one dental filling can fund a lifetime of fluoridation, which is known to prevent eighteen to forty percent of cavities in both children and adults. (2) The general assembly further finds that improving access to oral health care services and fluoridated water for all Coloradans, particularly low-income Coloradans, will reduce the burden of oral disease. Therefore, the Colorado</p>

		<p>oral health program dedicates itself to improving access to oral health care services by working with community stakeholders, professional organizations, and direct recipients of oral health care to remove barriers to access to oral health care. (3) The purpose of this article is to promote the public health and welfare of Coloradans by providing a grant program to: (a) Provide oral health services, including sealants, to school children; and (b) Assist communities in attaining optimal levels of fluoride in drinking water provided by community water systems as a means of preventing dental decay.”</p>
	<p>Regulations: Colo. Code Regs. § 1002-11:11.19 Primary Drinking Water Regulations; Colo. Code Regs. § 1003-2: 100.42 Water and Wastewater Facility Operators Certification Requirements</p>	<p>“11.19(1) Applicability and Definitions (a) For all community and non-transient, non-community water systems, the supplier must comply with the requirements specified in this rule. (i) For non-transient, non-community water systems, the supplier is required to comply with the sampling requirements for fluoride but is not required to comply with the fluoride MCL unless the Department determines that complying with the MCL is necessary to protect public health. (ii) For transient, non-community water systems, the supplier may be required to comply with the fluoride MCL if the Department determines that complying with the MCL is necessary to protect public health. (b) For the purpose of this rule, “INORGANIC CHEMICALS” means all the chemicals listed in Table 11.19-I...Drinking water containing more than 4 mg/L of fluoride (the Colorado Department of Public Health and Environment’s drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/L of fluoride, but we’re required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/L because of this cosmetic dental problem. For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.” Colo. Code Regs. § 1002-11:11.19</p> <p>“Subsection 100.4.2(j). The Board intends that any water system utilizing fluoridation have a minimum classification of “C”, hence the designation of chlorination as a companion process to fluoridation has been deleted.” Colo. Code Regs. § 1003-2: 100.42</p>
<p>CT</p>	<p>Statutes: Conn. Gen. Stat. § 19a-38 Water company to add fluoride to water supply</p>	<p>“A water company, as defined in section 25-32a, shall add a measured amount of fluoride to the water supply of any water system that it owns and operates and that serves twenty thousand or more persons so as to maintain an average monthly fluoride content that is not more or less than 0.15 of a milligram per liter different than the United States Department of Health and Human Services’ most recent recommendation for optimal fluoride levels in drinking water to prevent tooth decay.”</p>
	<p>Regulations: Conn. Agencies Regs. § 19-13-B102 Standards for quality of public drinking water</p>	<p>“(D) Special notice of exceedance of the SMCL for fluoride. A system that exceeds the fluoride SMCL of 2.0 mg/l, but does not exceed the SMCL of 4.1 mg/l for fluoride, shall provide public notice to persons served as soon as practical, but not later than 12 months from the day the system learns of the fluoride level. The notice shall be repeated annually for as long as the fluoride level remains between 2.0 mg/l and 4.1 mg/l. If the notice is posted, it shall remain in place for as long as the fluoride level remains between 2.0 mg/l and 4.1 mg/l, but in no case for less than 7 calendar days. The notice shall follow the requirements for a tier 3 notice as specified in subdivision (3) of this subsection and shall contain at a minimum the language required in 40 CFR 141.208(c), as amended from time to time.” Conn. Agencies Regs. § 19-13-B102</p>

DE	Statutes: Del. Code Ann. Health and Safety. 16 § 124 Fluoridation of a water supply	<p>“(a) In order to protect the dental health of all citizens, especially children, the Department of Health and Social Services shall promulgate rules to provide for the addition of fluoride to all municipal water supplies by the owners or official custodians thereof. Such rules shall provide for the addition of fluoride to the water supplies so as to maintain a fluoride content of not less than that currently specified by the Department’s regulations. (1) By November 15, 1998, each municipal water system shall provide to the Department an estimate of the total capital costs to install the required fluoridation treatment and additional operating costs for the ongoing operation for fluoridation treatment. (2) Subsection (b) of this section shall not apply to those municipalities which are required to comply with the mandates of subsection (a) of this section. (b) The Division of Public Health shall not require any water supply to be fluoridated which has not been fluoridated before March 26, 1974, until approval of such fluoridation is first obtained in the following manner by the users of such water supply: (1) When the Division determines that it is in the best interest of the users of a given water supply that such supply shall be fluoridated, it shall notify the administrator, owner or person who controls the water supply and the local government which it serves. Within 60 days from the receipt of such notice, the governing body of the majority of people involved shall conduct a referendum among the people served by the water supply to determine whether or not such fluoridation shall take place. Prior to any such referendum the Division shall conduct an educational program in the community affected on the fluoridation process. The costs of the referendum shall be borne by the said governing body. (2) Notice of the referendum shall be by the publication of a formal notice embodying the notice received from the Division. Such notice shall be published at least 3 times in a newspaper of general circulation in the area served by the water supply, the last publication to be at least 3 days before the referendum. Such notice shall also include the time and place of voting for the various voting districts involved. (3) Eligible voters at such referendum shall be any natural person who uses the water supply daily and who is 18 years of age or older. Each such person shall be entitled to 1 vote. (4) If the area serviced by the water supply has an established local government such government shall conduct the referendum. If 2 or more towns or municipalities are served by the water supply, the referendum shall be conducted simultaneously in each town or municipality by the governing body of that town or municipality. If the governing body is a county and not a town or municipality, the county shall be responsible for all costs of the referendum. The Department of Elections shall conduct the referendum. The referendum shall be by secret ballot and the choice for each voter shall be “For Fluoridation” and “Against Fluoridation.” The water supply shall not be fluoridated if the majority of the ballots cast are against fluoridation. (5) After a referendum is held, the matter shall be deemed to have been conclusively decided for a period of 3 years from the date of the referendum. (6) This section shall apply to any municipality within this State that has held a referendum on the question of fluoridation within the last 3 years commencing from March 26, 1974. Those municipalities that have voted not to fluoridate shall not be required to do so, except as provided by this section.”</p>
	Regulations: 16-4000 Del. Admin. Code §4462-9.0 Inorganic and Organic Chemical Requirements; 16-4000 Del. Admin. Code §4462-6.0 Consumer Confidence Reports	<p>“9.1 Inorganic Chemical Requirements 9.1.1 PMCLs AND SMCLs: The following are the inorganic PMCLs and SMCLs (mg/L - milligrams per liter). Compliance is determined pursuant to subsection 9.1.2 through 9.1.13. 9.1.1.1 Table of PMCLs.” 16-4000 Del. Admin. Code §4462-9.0</p> <p>“6.1 Purpose and applicability: 6.1.1 This section establishes the minimum requirements for the content of annual reports that community water systems must deliver to their customers. These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner. 6.1.1.1 This section applies only to community water systems. 6.1.1.2 For purposes of this section, customers are defined as billing units or service connections to which water is delivered by a community water system. 6.1.1.3 For purposes of this section, detected means: at or above the levels prescribed by 40 CFR 141.23(a)(4) for inorganic contaminants, at or above the levels prescribed by 40 CFR 141.24(f)(7) for the contaminants listed in subsection</p>

		9.2.1.3, at or above the level prescribed by 40 CFR 141.24(h)(18) for the contaminants listed in subsection 9.2.1.1, and at or above the levels prescribed by 40 CFR 141.25(c) for radioactive contaminants.” 16 DE ADC § 4462-6.0
DC	Statute: No Statute	No Statute
	Regulations: No Regulation	No Regulation
FL	Statute: No Statute	No Statute
	Regulations: Fla. Admin. Code r. § 62-555.325 Fluoridation	(1) Fluoride levels in drinking water shall not exceed the primary maximum contaminant level under Rule 62-550.310, F.A.C., or the secondary maximum contaminant level under Rule 62-550.320, F.A.C. The recommended optimal fluoride concentration for fluoridated community water systems is 0.8 milligram per liter. The recommended fluoride control range for fluoridated community water systems is 0.7 to 1.3 milligrams per liter. (2) Equipment and Installation. (a) Fluoride chemicals shall be fed into drinking water proportional to flow. Where the flow rate is reasonably constant, this may be accomplished by electrically interconnecting fluoride metering pumps with well or service pumps or by otherwise designing fluoride metering pumps to operate only when well or service pumps operate. Automatic flow proportioning control of fluoride metering pumps shall be provided where the flow rate varies significantly (i.e., where the flow rate varies by more than 20 percent). (b) Fluoride metering pumps shall have antisiphon protection. (c) Tanks and containers holding fluorosilicic acid shall be vented only to the outside atmosphere. (d) Scales, loss-of-weight recorders, liquid-level indicators, or flow meters, as appropriate, shall be provided to accurately measure quantities of fluoride chemicals used. (e) At each drinking water treatment plant with fluoridation facilities, the supplier of water shall provide appropriate safety or protective equipment in accordance with Table 15.5 in Water Treatment Plant Design as incorporated into Rule 62-555.330, F.A.C. (f) Suppliers of water who fluoridate their water shall provide analytical equipment that uses the colorimetric or ion electrode method to measure the fluoride concentration in the treated water. (g) New or altered fluoridation facilities shall be designed and constructed in accordance with Section 4.7 and Part 5 in Recommended Standards for Water Works as incorporated into Rule 62-555.330, F.A.C., and in accordance with Water Fluoridation: A Manual for Engineers and Technicians as incorporated into Rule 62-555.330, F.A.C. (3) Quality Assurance and Reporting. (a) For each drinking water treatment plant fluoridating water, the supplier of water shall measure and record daily the quantity of fluoride chemical used, calculate and record daily the fluoride dose, and measure and record daily the fluoride concentration in the finished drinking water at the entry to the drinking water distribution system. The daily measurements of fluoride concentration in finished water may be performed by any authorized representative of the supplier of water but shall be performed using an appropriate method referenced in subsection 62-550.550(1), F.A.C. If the daily measurements of fluoride concentration in finished water are not performed by a laboratory certified by the Department of Health to perform fluoride analyses of drinking water, the supplier of water shall collect check samples and have them analyzed in accordance with paragraph (b) below. (b) For each public water system (PWS) fluoridating water and not using a certified laboratory to perform all daily measurements of fluoride concentration in the finished drinking water from each of the PWS's

		<p>treatment plants, the supplier of water shall collect two check samples per month from the PWS's distribution system. Each check sample shall be "split" into two samples, one which shall be analyzed by an authorized representative of the supplier of water and one which shall be analyzed by a laboratory of the Department of Health or a laboratory certified by the Department of Health to perform fluoride analyses of drinking water. (c) For each drinking water treatment plant fluoridating water, the supplier of water shall report the information required under paragraph (a) above and, if applicable, the results of the analyses required under paragraph (b) above to the Department of Health's Bureau of Dental Health within ten days after each month of operation using Form 62-555.900(5), Monthly Operation Report for PWSs Fluoridating Water, hereby adopted and incorporated by reference, effective August 28, 2003. Copies of this form are available from the Department of Environmental Protection, Drinking Water Section, M.S. 3520, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.(4) The Department of Health's Bureau of Dental Health is authorized to conduct inspections of fluoridation facilities at public water systems."</p>
<p>GA</p>	<p>Statute: GA. Code Ann. § 12-5-175</p>	<p>(a) The Board of Natural Resources shall have the power to require, by regulation, fluoridation of potable public water supplies in incorporated communities lying wholly within this state, provided that in no case should such fluoridation be required at a level greater than one part per million parts of water; provided, further, that any municipality or county and its water system can remove themselves from the terms of this part by referendum called by petition of 10 percent of the registered voters in such political subdivision who voted in the last general election. This applies to a referendum for or against fluoridation. (b) No incorporated municipality, county, or public or private water authority shall be required to comply with subsection (a) of this Code section unless the state has made available funds for the cost of the fluoridation equipment, the installation of such equipment, and the materials and chemicals required for six months of fluoridation of such potable public water supplies. (c) Any person who is deemed allergic to fluoridated water and who finds it necessary, upon the advice of a physician or upon approval by the Department of Public Health, to purchase a device to remove the fluoride from the water may treat the cost of the device as a tax-deductible medical expense.</p>
	<p>Regulations: Ga. Comp. R. & Regs. § 391-3-5-.16 Fluoridation; Ga. Comp. R. & Regs. § 391-3-5-.14 Operation; Ga. Comp. R. & Regs. § 511-5-2-.01 Fluoridation; Ga. Comp. R. & Regs. § 391-3-5-.18 Primary Maximum Contaminant Levels for Drinking Water; Ga. Comp. R. & Regs. § 391-3-21-</p>	<p>"All potable water supplies in incorporated communities and counties lying wholly within this State must be fluoridated in compliance with the Act." G.C.R. § 391-3-5-.16.</p> <p>(4) Fluoridation Requirements. The supplier of water of a fluoridated public water system shall daily sample and analyze the fluoride concentration of the drinking water. Daily records of the analytical results shall be kept on forms provided by the Division or on forms acceptable to the Division and a copy of the result submitted to the Division in accordance with Rule 391-3-5-.30.</p> <p>"(1) Efficacy of Fluoridation: (a) Dental decay is a disease of such magnitude that practically the entire population of Georgia suffers from it. No age group is immune and no social strata are exempt. Every major health organization in the state and nation advocates fluoridation of public water supplies as the most acceptable public health approach in reducing the tremendous backlog of this disease. The medical, dental and public health professions in Georgia have repeatedly endorsed and even urged fluoridation through resolutions that are on file in the Department of Public Health. (b) The Department strongly advocates community water fluoridation for preventing dental decay and for its beneficial effect on the general health of the public, and, in fulfilling its duty to the citizenry of the state, urges the immediate application of fluorides to all public water systems deficient in this element. (c) For the most effective results in Georgia, the optimal concentration of fluorides in the finished water should be maintained at 0.85 ppm. (0.85 of 1 part fluoride to one million parts of water) with a lower limit of 0.7 ppm. and an upper limit of 1.0 ppm. It is only through constantly maintaining the recommended average (0.85 ppm.) can the citizens expect maximum reduction in tooth decay. Studies have shown proportionately reduced benefits when the fluoride</p>

	<p>.03 Drinking Water Fluoridation Grant Program</p>	<p>concentration is maintained below the recommended average. (2) Plans and Specifications: (a) In order for a community to have the formal approval of the Department, the procedure must be carried out according to the Georgia Health Laws and Rules and Regulations. (b) Duplicate plans and specifications covering the proposed fluoridation installation or installations, including all appurtenant devices, structures, laboratory equipment, storage and handling facilities, together with a report describing the fluoride compound to be used and the procedures to be followed in controlling the application of the chemical agent, shall be prepared by a Registered Engineer. The plan, specifications and report shall be submitted by the owner of the public water supply to the Department for review and approval. (c) The Department will approve, disapprove or suggest changes or modifications to make the plan acceptable, and will encourage corrections in public water supplies which are deficient in other major health protective features." G.C.R. § 511-5-2-.01.</p> <p>"(1) Primary MCLs for Inorganics. INORGANICS - The maximum contaminant levels (MCLs) for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, mercury, nickel, selenium and thallium of this Rule apply to community water systems and non-transient, non-community water systems. The MCLs for fluoride in this Rule apply to community water systems. The MCLs for nitrate, nitrite, and total nitrate-nitrite of this Rule apply to all (CWS, NTNCWS, TNCWS) public water systems." § 391-3-5-.18</p> <p>"(1) Purpose. The purpose of this grant is to provide funds for the purchase of and installation of fluoridation feed equipment and fluoride chemicals.(2) Terms and Conditions. A contract is awarded to provide purchase and installation of fluoridation feed equipment and fluoride chemicals. The contract period is for one year from the time of signature of contract.(3) Eligible Recipients. Incorporated communities lying wholly within the State.(4) Criteria for Award. Contracts are awarded on the request from incorporated communities lying wholly within the State based on order of request or on an emergency basis.(5) Directions and Deadlines for Applying. Requests for information should be made to the EPD, Drinking Water Program, Fluoridation Grant, 205 Butler Street, TTE - 1362, Atlanta, Georgia 30334. There are no deadlines for applying." G.C.R. § 391-3-21-.03.</p>
<p>Guam</p>	<p>Statute:</p> <p>No Statute</p>	<p>No Statute</p>
	<p>Regulations:</p> <p>22 Guam R. & Regs. § 6126 Variance From the Maximum Contaminant Level for Fluoride (current through Lexis – Dec. 31, 2003); 22 Guam R. & Regs. § 6119 Public Notification</p>	<p>(a) The Federal Administrator, pursuant to § 1415(a)(1)(A) of the Safe Drinking Water Act, hereby identifies the following as the best technology, treatment techniques or other means generally available for achieving compliance with Maximum Contaminant Level for fluoride.(1) Activated alumina absorption centrally applied (2) Reverse osmosis, centrally applied. (b) The Administrator shall require a community water system to install and or use any treatment method identified in § 6126(a) as a condition for granting a variance unless the Administrator determines that such treatment method identified in § 6126(a) as a condition for granting a variance is not available and effective for fluoride control for the system. A treatment method shall not be considered to be "available and effective" for an individual system if the treatment method would not be technically appropriate and technically feasible for that system. If upon application by a system for a variance, the Administrator shall determine that none of the treatment methods identified in § 6126(a) are available and effective for the system, that system shall be entitled to a variance under the provision of Section 1415(a)(1)(A) of the Act. The Administrator's determination as to the availability and effectiveness of such treatment method shall be based upon studies by the system and other relevant information. If a system submits information to demonstrate that a treatment method is not available and effective for fluoride control for that system, the Administrator shall make a finding whether this information supports a decision that such treatment method is not available and effective for that system before requiring installation and/or use of such treatment method. (c) The</p>

		<p>Administrator shall issue a schedule of compliance that may require the system being granted the variance to examine the following treatment methods: (1) To determine the probability that any of these methods will significantly reduce the level of fluoride for that system, and (2) If such probability exists, to determine whether any listed method is technically feasible and economically reasonable, and that the fluoride reductions obtained will be commensurate with the costs incurred with the installation and use of treatment methods for that system: (A) Modification of lime softening (B) Alum coagulation (C) Electrodialysis (D) Anion exchange resins (E) Well field management (F) Alternate source (G) Regionalization (d) If the Administrator determines a treatment method identified in § 6126(c) or other treatment method is technically feasible, economically reasonable, and will achieve fluoride reductions commensurate with the costs incurred with the installation and/or use of such treatment method for the system the Administrator shall require the system to install and/or use that treatment method in connection with a compliance schedule issued. The Administrator's determination shall be based upon studies by the system and other relevant information.</p>
HI	Statute: HI. Rev. Stat. § 328D-1 Bottled Water; Definitions.	<p>“Fluoridated water” means bottled water containing fluoride. The label shall specify whether the fluoride is naturally occurring or added. Any water which meets this definition shall contain not less than 0.5 and not more than 1.0 milligrams per liter fluoride ion and otherwise comply with the Food and Drug Administration (FDA) quality standards in section 103.35(d)(2), Title 21 of the Code of Federal Regulations.</p>
	Regulations: Haw. Admin. Rules § 11-20-18 Public notice requirements; Haw. Admin. Rules § 11-25-2.50 Public water system operation and management	<p>“(h) Special notice for exceedance of the SMCL for fluoride.(1) Community water systems that exceed the fluoride secondary maximum contaminant level (SMCL) of 2 mg/l as specified in 40 C.F.R. section 143.3 (determined by the last single sample taken in accordance with section 11-20-11), but do not exceed the maximum contaminant level (MCL) of 4 mg/l for fluoride (as specified in section 11-20-3), must provide the public notice in paragraph (3) to persons served. Public notice must be provided as soon as practical but no later than 12 months from the day the water system learns of the exceedance. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the director. The public water system must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the SMCL is exceeded, but in no case less than seven days (even if the exceedance is eliminated). On a case-by-case basis, the state may require an initial notice sooner than 12 months and repeat notices more frequently than annually.”</p> <p>“(a) This chapter applies to all community and nontransient noncommunity public water systems. (1) Each public water system covered by this chapter shall be under the responsible charge of an operator(s) holding a valid certification equal to or greater than the classification of the WTP or DS; (2) All operating personnel making daily process control or system integrity decisions about water quality or quantity that affect public health shall be certified; and (3) A designated certified operator shall be available for each shift. (b) This chapter applies to all WTPs in community and nontransient noncommunity public water systems and all WTPs serving surface water or ground water under the direct influence of surface water. All WTPs covered by this chapter shall be operated by certified WTP operators. Each WTP shall at all times be under the responsible charge of an operator holding a valid certification equal to or greater than the WTP classification. (c) All fluoridation facilities shall be operated by certified operators who have received board-approved fluoridation training. (d) Each DS shall at all times be under the responsible charge of an operator holding a valid certification equal to or greater than the DS classification.”</p>

ID	Statute: No Statute	No Statute
	Regulations: Id. Admin. Code § 58.01.08.552 Operating Criteria for Public Water Systems	<p>“05. Fluoridation. (12-1-92) a. Commercial sodium fluoride, sodium silico fluoride and hydrofluosilicic acid which conform to the applicable American Water Works Association (AWWA) Standards, incorporated by reference into these rules at Subsection 002.01, are acceptable. Use of other chemicals shall be specifically approved by the Department. (3-30-07) b. Fluoride compounds shall be stored in covered or unopened shipping containers. (3-30-07) c. Provisions shall be made to minimize the quantity of fluoride dust. Empty bags, drums, or barrels shall be disposed of in a manner that will minimize exposure to fluoride dusts. (3-30-07) d. Daily records of flow and amounts of fluoride added shall be kept. An analysis for fluoride in finished water shall be made at least weekly. Records of these analyses shall be kept by the supplier of water for five (5) years. (12-10-92)” IDAPA § 58.01.08.552(05.).</p>
IL	Statute: 415 Ill. Comp. Stat. 40/7a Fluoridation of water	<p>“§ 7a. In order to protect the dental health of all citizens, especially children, the owners or official custodians of public water supplies shall be in compliance with the recommendations on optimal fluoridation for community water levels as proposed and adopted by the U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention and the rules and regulations adopted by the Illinois Environmental Protection Agency and the Pollution Control Board.”</p>
	Regulations: 35 Ill. Adm. Code § 611.125 Fluoridation Requirement; 35 Ill. Adm. Code § 653.701 Fluoridation – Engineering Design Criteria; 35 Ill. Adm. Code § 653.702 Fluoridation Treatment Equipment Start-up; 35 Ill. Adm. Code § 653.703 Fluoride Sampling	<p>“All CWSs that are required to add fluoride to the water must maintain a fluoride ion concentration, reported as F, of 0.7 mg/l in its distribution system. BOARD NOTE: This is an additional State requirement.” 35 Ill. Adm. Code § 611.125</p> <p>a) Procedure for Submitting Plans and Specifications - Design documents for fluoridation shall be prepared and submitted in accordance with 35 Ill. Adm. Code 602. b) Basis of Design--Equipment shall have the capacity to maintain the fluoride content in the finished water between 0.9 and 1.2 mg/l. c) Selection of Chemical--Fluoride compounds shall meet requirements of Section 653.202 and the AWWA Standards. d) Chemical Feed Equipment--Feeders shall be accessible for repair and maintenance, protected against dust hazard and be accessible to the chemical storage area. 1) Weighing scales for measuring the daily amount of chemicals shall be provided for dry feeders. 2) Scales or a volumetric device shall be provided for determining the amount of solution fed. 3) Dust collection equipment and ventilation shall be provided where loading operations may create dust hazards. 4) Corrosion-resistant containers with non-corrodible covers and over-hanging edges shall be provided for solution feeders. Openings shall be constructed to prevent contamination. 5) A free chlorine residual of 10 mg/l shall be maintained in solutions prepared from dry chemicals. This chlorine residual shall not replace the chlorination requirement of 35 Ill. Adm. Code 604.401. 6) Chlorine shall not be added to hydrofluosilicic acid solutions. 7) Corrosion-resistant parts shall be used in the pump headers when hydrofluosilicic acid is fed. e) Point of Application--The point of fluoride application shall be selected to provide uniform fluoride concentrations in the distribution system. Fluoride solutions shall not be applied ahead of ion exchange or lime softening processes. f) Operating Controls--Controls which eliminate any possible hazard of over-dosing shall be provided and operate feed equipment only when there is flow past the point of application. Automatic stop-start operation and proportional feeding shall be used. Separate equipment installations shall be used where fluoridation at a single point is not possible. g) Back-Siphonage Safeguards--Anti-siphon devices shall be provided for all make-up and dilution water lines and on the discharge side of the chemical feeder. An air gap or a siphon breaker in compliance with Section 653.801(d) on the downstream side of the last control valve in the water supply line serving the feeder shall be provided. h) Auxiliary Treatment--Water used for preparing batch solutions or used for dry feeders shall be softened</p>

		<p>or stabilized with polyphosphates if precipitation of fluoride compounds interferes with the accuracy of the fluoride feeding equipment. i) Safety Items--Rubber gloves and a dust mask shall be provided with each installation using dry chemicals. Rubber gloves, acid-resistant aprons and protective goggles shall be provided where hydrofluosilicic acid solutions are fed. j) Metering--Facilities shall be provided for metering the dilution water and the plant discharge to the distribution system. k) Testing Equipment--Testing equipment for fluoride ion concentration determination shall be provided and shall be: 1) a chlorimetric comparator, or 2) a specific ion electrode with expanded scale pH meter. l) Sampling Taps--Sampling taps shall be provided and located such that representative samples can be obtained from: 1) the raw water line before fluoride solution is added, and 2) after fluoride solution is added and has thoroughly mixed with the water being fluoridated.</p> <p>.</p> <p>"a) Operating personnel shall be provided instructions for the use of the fluoridation equipment. b) An Operating Permit shall be obtained prior to initiating operation of the fluoridation equipment. The Illinois Department of Public Health shall be notified as soon as fluoridation has been started. Current through rules published in the Illinois Register Volume 42, Issue 29, July 20, 2018." 35 Ill. Adm. Code § 653.702.</p> <p>"a) Samples shall be submitted monthly to the Illinois Environmental Protection Agency laboratory. b) Sample containers will be furnished by the Illinois Environmental Protection Agency." 35 Ill. Adm. Code § 653.703.</p>
IN	Statute: Ind. Code § 36-9-2-14 ; Waterworks	" Sec. 14 . A unit may regulate the furnishing of water to the public. A unit also may establish, maintain, and operate waterworks."
	Regulations: No Regulation	No Regulation
IA	Statute: No Statute	No Statute
	Regulations: Iowa Admin. Code § 567-42.1(455B) Public notification	"42.1(1) Applicability. Each owner or operator of a public water system must give notice for all violations of public drinking water rules and for other situations, as listed in this subrule. The term "violations" includes violations of, or failure to comply with, the maximum contaminant level, maximum residual disinfection level, treatment technique, monitoring requirements, and testing procedures in 567—Chapters 40 through 43. The term "other situations" includes all situations determined by the department to require a public notice, such as a waterborne disease outbreak or other waterborne emergency; exceedance of the nitrate MCL by noncommunity systems where granted permission by the department under 567—paragraph 41.3(1)"a"; exceedance of fluoride level over 2.0 mg/L; availability of unregulated contaminant monitoring data in accordance with CFR Title 40, Part 141.40, failure to meet the terms of a compliance schedule; exceedance of a health advisory as determined by the department; failure to comply with the public notification requirements, public education requirements, or consumer confidence report requirements; failure to meet the terms of an administrative or court order; failure to meet the data and other reporting requirements; failure to retain a certified operator in accordance with 567—subrule 43.1(5); and any other situation

		<p>where the department determines public notification is needed. Public notification is not required for ammonia monitoring conducted pursuant to 567—subrule 41.11(2).” ICA § 567-42.1.</p>
<p>KS</p>	<p>Statutes: Kan. Stat. Ann. § 19-3521a Chlorination and fluoridation of water supply of district, when; notice; election provisions; fluoridation standards; Kan. Stat. Ann. § 65-171m Public water supply systems; primary drinking water standards; rules and regulations, authority to adopt, scope; stringency of standards; requiring fluorides prohibited</p>	<p>“The governing body of any water district created and operating under the provisions of K.S.A. 19-3501 to 19-3521, and amendments thereto, may provide for the chlorination and fluoridation of the public water supply of such water district and such other processing of the public water supply in said district as the board may determine to be advisable for the purpose of improving the public water supply, except that before such public water supply shall be fluoridated: (a) The board shall publish a notice once each week for three (3) consecutive weeks in a newspaper of general circulation in the water district stating its intent to fluoridate such water supply and, if within ten (10) days after the last publication of such notice, a petition opposing the fluoridation of said water supply, signed by a number of qualified registered electors of the water district at least equal to five percent (5%) of the total number of votes cast in said water district at the last preceding general election for the office of secretary of state, is filed with the water district board of the water district, then the board shall not fluoridate said water supply unless and until the proposition to fluoridate said water supply is submitted to a vote of the electors of the district at a regular election of members of the board of the water district and a majority of those voting on the proposition shall have voted in favor thereof; or (b) the board may, if it so determines and publishes a notice of such determination as provided under (a) herein, submit the proposition to fluoridate said water to a vote of the electors of the district at a regular election of members of the board of the water district; or (c) upon a petition proposing the fluoridation of said water supply signed by a number of registered legal electors of the water district at least equal to five percent (5%) of the total number of votes cast in said water district at the last preceding general election for the office of secretary of state being filed with the water district board requesting that the proposition to fluoridate said water be submitted to a vote, the board shall publish a notice of the filing of such petition as provided under (a) herein and shall so submit the proposition to fluoridate said water to a vote of the electors of the district at a regular election of members of the board of the water district; and (d) the board shall be bound by the vote of the majority of those voting on the proposition at any election as herein provided. Such election shall be governed by the provisions of K.S.A. 19-3507 insofar as the same can be made applicable and the proposition shall be stated on the ballot in the following form: “Shall the governing body of water district No. ____ of _____ county fluoridate the public water supply of said water district?” Yes No If the board shall fluoridate the public water supply of said district it shall be in accordance with the recommendations and standards of the secretary of health and environment.” Kan. Stat. Ann. § 19-3521a</p> <p>“The secretary of health and environment shall adopt rules and regulations for the implementation of this act. In addition to procedural rules and regulations, the secretary may adopt rules and regulations providing for but not limited to: (a) Primary drinking water standards applicable to all public water supply systems in the state. The primary drinking water standards may (1) identify contaminants which may have an adverse effect on the health of persons; (2) specify for each contaminant either a maximum contaminant level that is acceptable in water for human consumption, if it is economically and technologically feasible to ascertain the level of such contaminant in water in public water supply systems; or the treatment techniques or methods which lead to a reduction of the level of the contaminant sufficient to protect the public health, if it is not economically or technologically feasible to ascertain the level of the contaminant in the water in the public water supply system; and (b) establish the requirements for adequate monitoring, maintenance of records and submission of reports, sampling and analysis of water, citing criteria and review and inspections to insure compliance with the contaminant levels or methods of treatment and to insure proper operation and maintenance of the public water supply system; and (c) the definition of different categories of public water supply systems such as community water supply systems and noncommunity water supply systems and may</p>

		<p>provide for varying requirements for monitoring, maintenance of records and reporting, sampling and analysis of water, citing criteria, and review and inspections based on numbers of persons served, source of supply whether surface or groundwater or other conditions as the secretary may determine to be in the interest of public health and welfare and economic benefits. The standards established under this section shall be at least as stringent as the national primary drinking water regulations adopted under public law 93-523. No primary drinking water standard or rule and regulation may require the addition of fluorides to public water supplies." Kan. Stat. Ann. § 65-171m</p>
	<p>Regulations: No Regulation</p>	<p>No Regulation</p>
<p>KY</p>	<p>Statutes: KY. Rev. Stat. Ann. § 211.190 Public health services to be provided by the cabinet</p>	<p>"The cabinet shall provide public health services including: . . . (11) Establishment, maintenance, monitoring, and enforcement of water fluoridation programs for the protection of dental health."</p>
	<p>Regulations: 902 KY. Admin. Regs. 115:010 Water fluoridation for the protection of dental health</p>	<p>"Section 1. Definitions. (1) "Cabinet" is defined by KRS 194A.005(1). (2) "Consecutive supply" means a supply that purchases its water from another water system. Section 2. Community Implementation. The population served by a water system includes its own population and the population served by its consecutive supplies. (1) A water system serving a community population of 3,000 or more, including consecutive supplies, shall adjust fluoride-deficient waters to protect the dental health of the people served by the supply. (2) A water system serving a population between 1,500 and 3,000 shall provide supplemental fluoridation only if adequate fluoride feed equipment is available from the cabinet, Department for Public Health. (3) Although not required to provide supplemental fluoridation, a water system serving a population of less than 1,500 that chooses to provide supplemental fluoridation shall do so only if: (a) Adequate fluoride feed equipment is available from the cabinet, Department for Public Health; and (b) There are competently trained or certified personnel at the water system. Section 3. Approval. A water system shall obtain the written approval of the cabinet before adding fluoride to a public water system, pursuant to Section 5 of this administrative regulation. Section 4. Equipment, Facilities, and Services. The equipment, facilities, and services shall meet the requirements set forth in this section. (1) Feeding. Feeding equipment with an accuracy within five (5) percent shall be provided to feed the optimal dosage of fluoride. (a) The rate of feed shall give a fluoride content operating tolerance range between six-tenths (0.6) ppm and one and two-tenths (1.2) ppm in the treated water, with an optimal concentration of seven-tenths (0.7) ppm. (b) The point of application shall be selected so that fluoride is evenly mixed with the water leaving the treatment plant. (2) Method of measurement. (a) Saturator tanks. If solution feed equipment is used, the water plant shall have a corrosion-resistant solution tank and an accurate means for weighing the stock chemical (fluoride) available. A metering device for measuring the water for the solution shall also be used. (b) Dry feed hoppers. Dry feed hoppers shall be mounted on scales. (c) Acid systems (H₂SiF₆). Scales shall be available to measure the weight loss each day or a volumetric method of measuring the amount of acid being used each day shall be used. (3) Protection of operator. Precautions shall be taken to protect the operators. Precautions shall include: (a) An approved respirator; (b) Approved rubber gloves; (c) An eye shield; (d) An apron; and (e) An exhaust or ventilation system for all fluoride feeding equipment. (4)</p>

		<p>Storage. Separate storage areas shall be used for all fluoride chemicals. (5) Laboratory facilities. Laboratory facilities shall be used for the determination of the fluoride content of the water by personnel in accordance with the current standards published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. (6) Samples. Raw water and plant tap water samples shall be examined at least once per day and the results shall be included on the monthly operation report submitted to the Energy and Environment Cabinet in accordance with 401 KAR 8:020. (a) Additional finished water samples shall be analyzed by a laboratory certified by the Energy and Environment Cabinet in accordance with 401 KAR 8:040 for fluoride determination, with the results being forwarded by the water system to the cabinet, Department for Public Health. (b) This sampling shall be at a rate of two (2) samples per month. (c) The first sample shall be collected from the plant tap during the first week of the month and the second sample collected from the distribution system, at a point of maximum retention, during the third week of the month. (7) Siphon breakers. Fluoride feeders shall be equipped with siphon breakers to prevent back siphonage of concentrated fluoride solution into the distribution system. (8) Notification of cabinet when fluoride begins. The cabinet shall be notified of the date on which fluoridation is to commence in order that a representative of the cabinet may be present to calibrate and check the fluoridation equipment and instruct the operating personnel concerning tests, records, operation, and safety precautions. (9) Notice when fluoride is interrupted. The owner or operator of the water plant shall immediately notify the cabinet of any interruption to the addition of fluoride to the water supply. Section 5. Procedure for Obtaining Approval. A system shall submit to the cabinet: (1) Detailed plans showing the method and point of application of fluoride and storage facilities for stock chemicals; (2) Information concerning technical supervision of the treatment process; (3) Information on the provisions for laboratory facilities; and (4) Evidence that the plant facilities and operation will provide for: (a) Control and supervision; (b) Safe operation and maintenance; (c) The keeping of operational records; and (d) Compliance with this administrative regulation and 401 KAR 8:010 through 401 KAR 8:700 relating to public water systems.”</p>
<p>LA</p>	<p>Statutes: LA. Stat. Ann. § 40:5:11 Water fluoridation program; LA. Stat. Ann. § 10.2 Water supply, Fluoride required; franchisee to operate, failure to comply, penalty.</p>	<p>A. The secretary of the Department of Health and Hospitals shall establish in the office of public health a fluoridation program for the purpose of protecting the dental health of the citizens of this state, and especially children, through the prevention of tooth decay. B. (1) Each public water system that has at least five thousand service connections and natural levels of fluoride that are outside the optimal range established in the rules and regulations adopted pursuant to this Section shall acquire, install, operate and maintain appropriate equipment and material in order to maintain the level of fluoride in its water system in the optimal range for the purpose of protecting the dental health of citizens of this state, as established in the rules and regulations adopted pursuant to this Section. (2) Each public water system with at least five thousand service connections that has fluoride levels outside the optimal range established in the rules and regulations adopted pursuant to this Section shall provide to the Department of Health and Hospitals no later than March 1, 2009, an estimate of the total capital costs to acquire and install fluoridation treatment equipment capable of maintaining fluoride levels within the optimal range for the purpose of protecting the dental health of citizens of this state, as established in the rules and regulations adopted pursuant to this Section. (3) No public water system shall be required to comply with Paragraph (1) of this Subsection unless sufficient funds have been identified by the state, whether by appropriation, capital outlay, grants or similar means or source of funds, as available to that system for the cost of acquiring and installing fluoridation equipment and the cost of material required to fluoridate said system for at least six months from the date of initial installation. (4) A public water system that has never used fluoridation to adjust fluoride levels in its water and whose water contains fluoride in amounts outside the range established in the rules and regulations adopted pursuant to this Section as optimal for the purpose of protecting the dental health of the citizenry shall be exempt from compliance with Paragraph (1) of</p>

		<p>this Subsection provided all of the following apply: (a) A petition requesting the exemption has been signed by at least fifteen percent of the registered voters who reside in the precincts served by said water system, as certified by the parish registrar of voters, and has been presented to the governing authority of each municipality or parish in whose jurisdiction the system provides service. (b) A local election has been called on the exemption after the petition has been received by each governing authority pursuant to Subparagraph (a) of this Paragraph. Participation in the election shall be limited to those precincts in which the water system provides service. The local election shall be called and conducted by the governing authority of each municipality in whose jurisdiction the water system provides service if all of the registered voters served by the water system reside wholly within the jurisdiction of one or more municipalities. However, the local election shall instead be called and conducted by the governing authority of each parish in whose jurisdiction the water system provides service if either of the following applies: (i) The water system also provides service to registered voters in unincorporated areas of one or more parishes. (ii) The water system was created or franchised by the parish or parishes. (c) Each local election pertaining to the exemption of said water system has been held in accordance with state and local law, and the certified results of each election show that a majority of the registered voters who cast a vote in said election approve exemption. (d) No election on the same question in the same jurisdiction took place in the four years immediately prior to the election in which the exemption was approved.</p> <p>(a) All potable water distributed through a public water system in the city shall be treated with fluoride by the operator and/or franchisee in accordance with the rules and regulations promulgated by the Louisiana Department of Public Health regarding the minimum and maximum recommended amounts in parts per million. (b) All persons, firms or corporations distributing water through a public water system operating within the corporate limits of the city shall install, operate and maintain the necessary equipment and facilities to add fluoride to treated water produced in accordance with the recommended methods and in the amounts approved by the Louisiana Department of Public Health or its successor agencies. (c) Any person, firm or corporation owning a franchise issued by the city to distribute water by means of a public water system who fails to comply with the requirements hereof shall be issued notice to comply with the provisions of this section within thirty (30) days from the date of receipt of notice. Notice shall be by certified mail. Return receipt requested addressed to the franchisee at the last address provided by the franchisee. (d) Any person, firm or corporation owning a franchise issued by the city to distribute water by means of a public water system and who fails to comply with the requirements hereof, shall be in default of the obligation of the franchise issued by the city and may be assessed a civil penalty of not more than one hundred dollars (\$100.00) per day for each day the violation continues and/or franchise may be revoked. (e) Notice to appear before the board of aldermen with the date and time fixed thereon shall be issued to the franchisee to show cause why the franchisee should not be assessed with civil penalties and/or why the franchise should not be revoked.</p>
	<p>Regulations: No Regulation</p>	<p>No Regulation</p>
<p>ME</p>	<p>Statutes: M.R.S.A. § 2651-B Fluoridation; M.R.S.A. § 2653</p>	<p>“No public water system may add any fluoride to its water supply without written approval of the department.” M.R.S.A. § 2651-B.</p> <p>“1. Requirement for authorization. No public water system may add any fluoride to any water supply without first having been authorized to do so by the affected single or multiple community water district served by it. Any public water system duly</p>

<p>Authorization of fluoridation; general provisions</p>	<p>authorized to add fluoride to any water supply shall do so within 9 months after being notified in accordance with this section. The municipal clerk shall, within 10 days after the vote, notify the public water system of the vote favoring or not favoring the addition of fluoride to the public water supply. 2. Form of question. Any time the issue of whether to fluoridate a public water supply is submitted to voters, the question shall be phrased as follows: "Shall fluoride be added to the public water supply for the intended purpose of reducing tooth decay?" 3. Prohibition. Whenever a single community water district has approved fluoridation, it may not again vote on the matter for a minimum period of 2 years from the date of installation of fluoride. Whenever a single community water district has disapproved fluoride, it may not vote again on the matter for a minimum period of 2 years. Whenever a multiple community water district has approved fluoridation, it may not vote again on the matter until the first general election after 2 years from the date of installation of fluoride. Whenever a multiple community water district disapproves fluoride, it may not vote again on the matter until the next general election.</p> <p>4. Authorization not required. The authorization required by subsection 1 shall not apply to any public water supply which receives or purchases less than 50% of its total annual water supply from another public water supply authorized to add fluoride to its water supply.." M.R.S.A. § 2653.</p>
<p>Regulations: ME Admin. Code 10-144 Ch. 231 § J Drinking Water</p>	<p>J. Fluoridation 1. Authorization : In those municipalities which have authorized the addition or discontinuation of fluoride to their water supply pursuant to 22 M.R.S. §2653, the municipal clerk shall inform the water system in writing of the municipality's authorization, within 10 days of the final tabulation by the Secretary of State, pursuant to 22 M.R.S. §2656(3). The water system shall inform the Department in writing within 7 days of the water system receiving such notice from the municipal clerk. 2. Optimum Level : The target level of fluoride for dental benefit is 0.7 milligrams per liter (mg/l) in drinking water in Maine. 3. Recommended Control Range : The recommended control range is 0.5 to 1.2 mg/l (parts per million) of the optimum level. The recommended control range helps maintain optimal fluoridation. 4. Monitoring : All public water systems that fluoridate must monitor and report the daily fluoride concentration at each application on days in which fluoride is added. The measurement at the fluoride application point should be performed by an accepted analytical method. Theoretical calculations have value as a quality control measure and can be substituted in the event of analytical method malfunction, not to exceed 10 days in a month. 5. Daily Analytical Measurement : Public water systems that measure for a daily analytical shall continuously monitor for fluoride ion concentration at each fluoride application point, unless the conditions of Section 4(J)(5)(b) are met. Automated continuous monitoring shall include or meet the following: a. Continuous monitors may adapt a specified fluoride testing methodology, provided the chemistry, precision and accuracy are equal to or greater than the original testing methodology. See Section 7(C)(3) for testing methodology requirements. Calibration shall be according to manufacturer's recommendations. b. Instrumentation providing for notification of water operator if fluoride concentration is outside of optimum range. c. Instrumentation providing for notification of water operator if there is a failure of the continuous monitoring. d. In lieu of continuous monitoring, a representative daily grab sample(s) may be collected from each fluoridation application point and analyzed daily for fluoride ion concentration. e. If the result of a fluoride analysis is outside the optimum range, the sampling and measurement shall be confirmed by re-sampling as soon as practicable. i. If the repeat sample is greater than 2.0 mg/l, the operator shall take appropriate action to correct the problem and inform the Department within 72 hours. ii. If the repeat sample is less than 0.5 mg/l, then the operator shall correct the problem and provide a note on the Monthly Operating Report, describing the problem and the corrective action. 6. Daily Analytical Samples : If the daily analytical measurements or substituted theoreticals are outside the optimum range (0.5 to 1.2 mg/l) for more than 10 days during the month, then the public water system shall notify the Department of the intended course of action, including technical assistance or increased monitoring to address quality assurance. a. In addition to the daily monitoring requirements, a monthly compliance sample of</p>

		<p>fluoridated water from the distribution system shall be submitted at least once each month to a laboratory certified to analyze fluoride. The Department may require additional testing, based on sample results and compliance history. a. If two consecutive monthly compliance samples are outside the optimum range of 0.5 to 1.2 mg/l, then the public water system shall report 4 weekly additional samples that are within the range of 0.5 to 1.2 mg/l. 7. Temporary Suspension of Fluoride : If a public water system suspends the addition of fluoride for more than 30 consecutive days, then the public water system must provide public notification as soon as practicable, or within 30 days, whichever is sooner, with appropriate public notification language. Modifications to the following text must be approved by the Drinking Water Program. 8. PUBLIC NOTIFICATION TEMPORARY FLUORIDATION SUSPENSION Dear User, The fluoridation adjustment in your community drinking water will be (or has been) temporarily suspended due to: (). Fluoridation is scheduled to be restored by the following date: (). 9. Compliance Sample Results: Based upon the analytical results from a certified laboratory, the following will be used to determine the necessary enforcement action. 10. Use of Consumer Confidence Report /Public Notification Language : Failure to Monitor: If a public water system fails to collect any compliance sample(s), the public water system must provide public notification of the failure to monitor or report in the annual Consumer Confidence Report. a. The following statement must be included in the public water system's annual Consumer Confidence Report: i. Fluoride Monitoring/Reporting Violations: The public water system must state the following: "In (identify reporting period), our water system failed to test and report monthly fluoride results to the State of Maine Drinking Water Program. Fluoride levels must be maintained between 0.5 to 1.2 mg/l, for those water systems that fluoridate the water. Since this violation, fluoride testing and monthly reporting have resumed on schedule. ii. Fluoride Compliance Samples Outside Optimum Range of 0.5 - 1.2 mg/l for 2 Consecutive Months: The public water system must state the following: "During (identify months out of range), our water system failed to report fluoride levels within the optimum range of 0.5 to 1.2 mg/l." b. Water systems that have temporarily taken their fluoridation off-line due to malfunctions or maintenance are not required to collect a compliance sample while fluoridation equipment is off-line.</p>
MD	Statute: No Statute	No Statute
	Regulations: No Regulation	No Regulation
MA	Statute: M.G.L.A. 111 § 5G Water supply; treatment facilities; M.G.L.A. 111 § 8C Fluoridation of public water supplies by local boards; advice of commissioner; election; discontinuance	<p>"The department may require by order a city, town, person or district maintaining a water supply to provide and operate such treatment facilities as are in its opinion necessary to insure the delivery of a safe water supply to all consumers. The supreme judicial or the superior court shall have jurisdiction in equity to enforce any such order. § 5G"</p> <p>"The department in taking cognizance of the dental health of the people in the commonwealth shall recommend such methods as in its opinion are advisable to reduce or limit the prevalence of dental caries and other dental diseases and defects. If the commissioner determines that the fluoride content of the public water supply for domestic use in any city, town or district is not at optimum level for sound dental health, he shall so notify the local board of health of his findings. Such board of health, after making such inquiry and other use of the consulting services of the department or elsewhere as it chooses, shall, if it considers doing so in the best interest of the inhabitants of the city, town or district within its jurisdiction, order the upward adjustment of the fluoride content of the water supply available for domestic use in that city, town or district. No such order shall be effective until ninety days after it has been published in a newspaper having a general circulation in such city or town, or until favorable</p>

		<p>vote has been taken in accordance with the provisions of this section, whichever occurs later. The provisions of this section shall not apply if two or more cities or towns are supplied water from the same source, if such supply to each city or town cannot be treated independently and if the majority of the boards of health representing such cities and towns have voted not to accept such recommendation; provided, however, that any such city or town desiring to adjust upward the fluoride content of the water consumed within its own jurisdiction may comply with the order by the installation of proper equipment that will comply therewith if it does not interfere with the water supply of said other cities or towns. In any city, town or district where the board of health has ordered the upward adjustment of the fluoride content of the water supply under the provisions of this section, upon petition of ten per cent of the registered voters of said city, town or district, filed in the office of the city or town clerk, as the case may be, within ninety days of the publication of such order, the following question shall be placed upon the official ballot to be used at the next regular city election or for the election of town officers at the next annual town meeting or at a biennial state election, whichever occurs first, but not earlier than sixty days following the date of filing the petition with the city or town clerk:— “Shall the public water supply for domestic use in (this city) (this town) be fluoridated?”, or in such district the following question shall be placed before the next annual meeting of the inhabitants of the district:— “Shall the public water supply for domestic use in this district be fluoridated?” If the majority of votes in answer to said question is in the negative, the water supply of such city, town or district shall not be fluoridated, and the fluoridation of such water supply shall not be ordered again by the board of health for a period of at least two years from the date of such vote.” M.G.L.A. 111 § 8C.</p>
	<p>Regulations: No Regulation</p>	<p>No Regulation</p>
<p>MI</p>	<p>Statutes: Mich. Comp. Laws Ann. § 333.12721 Adding fluoride to water</p>	<p>“Sec. 12721. (1) A state department, board, commission, or agency shall not order a county, city, township, village, or any combination thereof to add fluoride to water which is supplied to the public that may be consumed by human beings. (2) A county, city, township, village or any combination thereof which supplies water to the public may add fluoride to the water, in a manner and amount to be prescribed by the department, unless the addition of fluoride is rejected by an ordinance of the or by a majority of the electors of the county, city, township, village or any combination thereof.”</p>
	<p>Regulations: No Regulation</p>	<p>No Regulation</p>

MN	Statutes: Minn. Stat. § 144.145 Fluoridation of municipal water supplies	<p>“For the purpose of promoting public health through prevention of tooth decay, the person, firm, corporation, or municipality having jurisdiction over a municipal water supply, whether publicly or privately owned or operated, shall control the quantities of fluoride in the water so as to maintain a fluoride content prescribed by the state commissioner of health. In the manner provided by law, the state commissioner of health shall promulgate rules relating to the fluoridation of public water supplies which shall include, but not be limited to the following: (1) The means by which fluoride is controlled; (2) the methods of testing the fluoride content; and (3) the records to be kept relating to fluoridation. The state commissioner of health shall enforce the provisions of this section. In so doing the commissioner shall require the fluoridation of water in all municipal water supplies on or before January 1, 1970. The state commissioner of health shall not require the fluoridation of water in any municipal water supply where such water supply in the state of nature contains sufficient fluorides to conform with the rules of such commissioner.” § 144.145</p>
	Regulations: Minn. Admin Code 4720.0030 , Fluoridation	<p>“Subpart 1. APPLICATION. This part shall be applicable to all municipal water supplies, as required by Minnesota Statutes, section 144.145. Subp. 2. FLUORIDE CONTENT. The fluoride content of the water shall be controlled to maintain an average concentration of 0.7 milligrams per liter; the concentration shall be neither less than 0.5 milligrams per liter nor more than 0.9 milligrams per liter. Subp. 3. CHEMICAL FEEDER. The chemical feeder apparatus for introducing fluoride to the water supply shall conform to the standards of the commissioner of health. Subp. 4. TESTING. Equipment for the adequate and reliable testing of the fluoride content shall be furnished for each installation. The method of testing the fluoride content of the water shall be approved by the commissioner of health. Approval shall require either a photometric colorimetric procedure, preceded when necessary by distillation or other treatment to remove interfering materials, or a fluoride-specific electrode and an associated potential measuring device. Continuous monitoring systems shall be approved when they can be installed to monitor a representative portion of the entire supply. Subp. 5. SAMPLES COLLECTED DAILY. Samples shall be collected daily at a point(s) in the distribution system representative of the entire supply. Sampling point(s) shall be located downstream sufficiently distant from the point(s) at which fluoride is fed into the water supply to ensure that the distance traversed and the time elapsed since the introduction of the fluoride concentrate is adequate to allow its complete mixing with the water. At least once each three months, at a time designated by the commissioner of health, a duplicate of the usual daily sample(s) shall be collected in containers furnished by the commissioner of health and sent to the Department of Health for comparative analysis. Subp. 6. RECORDS OF FLUORIDATION. Daily records of water fluoridation plant operations shall be maintained by the owners, officials, or their representatives. These records shall show the amount of water pumped, amount of fluoride chemical fed, fluoride test results, and any other pertinent information required by the commissioner of health. A report of the operation of each water fluoridation plant shall be submitted monthly to the commissioner of health on forms furnished by them.” Minn. Admin Code 4720.0030</p>
MS	Statutes: No Statute	No Statute
	Regulations: Miss. Admin. Code 15-020-003	<p>“Subchapter 1 General Provisions. Rule 3.1.1 Coverage 1. This regulation shall only apply to community water systems (CWS) serving a population of at least two thousand (2,000). 2. Each CWS shall be required to acquire and install fluoridation treatment equipment capable of maintaining fluoride levels within the optimal range as defined in this regulation,</p>

<p>Fluoridation of Community Water Supplies; Adjusted Fluoridated Water System Requirements; Optimal Fluoridation Requirements</p>	<p>and shall comply with all requirements of this regulation for the purpose of protecting the dental health of the citizens of this State. No System shall be required to comply unless sufficient funds are identified by the Department, whether by appropriation, capital outlay, grants or similar means or source of funds, as available to that system for the cost of acquiring and installing fluoridation equipment, and the cost of material required to fluoridate said system for at least one year from the date of initial installation. 3. A CWS that changes treatment to include fluoridation shall maintain optimal fluoridation as specified by the Bureau of Public Water Supply. 4. Any CWS that fluoridates and wishes to discontinue community water fluoridation must provide a written request to the Director of the Bureau of Public Water Supply; comply with the Bureau of Public Water Supply policy for Discontinuation of Community Water Fluoridation for a Public Water Supply and receive written approval from the Director of the Bureau of Public Water Supply.</p> <p>Rule 3.1.2 Definitions. 1. Adjusted fluoridated water system shall mean a public water system that adjusts the fluoride concentration in the drinking water to the optimal level for consumption (within the recommended control range). 2. Community Water System (CWS) shall mean any water system serving piped water for human consumption to fifteen (15) or more individual service connections used year-round by consumers or regularly serving twenty-five (25) or more individual consumers year-round, including, but not limited to, any collection, pretreatment, treatment, storage and/or distribution facilities or equipment used primarily as part of, or in connection with such system, regardless of whether or not such components are under the ownership or control of the operator of such system. 3. Department shall mean the Mississippi State Department of Health. 4. Entry point shall mean a location following one or more finished (fluoridated) water sampling points but prior to the beginning of the distribution system of the public water system. 5. Natural fluoride content shall mean the concentration of fluoride in milligrams per liter (mg/L) that is present in the water source from naturally occurring fluoride sources. 6. Optimal fluoride level in Mississippi shall mean the amount of fluoride in water that is found naturally or adjusted should be within a recommended control range of 0.6-1.2 parts per million fluoride (ppm) with the optimal fluoride level being 0.7 ppm. 7. Parts per million shall mean a unit of measurement that is equivalent to 1 milligram per liter (mg/L) where the density of the liquid measured is 1.0 gram per cubic centimeter (the density of water is 1.0). 8. Public water system (CWS) means a system for the provision to the public of water for human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. 9. Raw water is defined as water that has not been treated or had fluoride injected into it by the CWS and that contains only naturally occurring levels of fluoride." Miss. Code Ann. § 41-26-6</p> <p>"Subchapter 2 Adjusted Fluoridated Water System Requirements. Rule 3.2.1 Testing. : A minimum number of samples shall be collected by designated CWS personnel based on the water supply's classification on different days each week at all entry points and analyzed for fluoride content. At least once each month at each entry point, designated CWS personnel shall divide (split) one sample (hereinafter referred to as the split sample) and have one portion analyzed for fluoride by designated CWS personnel and the other portion analyzed by the Department's laboratory or a private lab certified by the Department for fluoride testing." Miss. Code Ann. § 41-26-6 Rule 3.2.2 Verification. : Designated CWS personnel shall use water sample fluoride content results to compare with a calculated fluoride dosage to verify fluoridation program operation. The calculated dosage is defined as the calculated amount of fluoride that has been added to a water system. The calculation is based on the total amount of fluoride (weight) that was added to the water system and the total amount of water (volume) that was produced plus the naturally occurring fluoride at the source." Miss. Code Ann. § 41-26-6</p> <p>Subchapter 3 Optimal Fluoridation Requirements. Rule 3.3.1 Monitoring 1. The monthly average fluoride content of all water samples requested in Rule 3.2.1 shall have fluoride content within the optimal fluoride control range defined in Rule 3.1.2. 2. The designated CWS personnel shall collect no less than the minimum number of water samples per month based on water</p>
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		supply's classification from each entry point for analysis for fluoride and at least 90% of collected samples shall have fluoride content within the optimal fluoride control range defined in Rule 3.1.2. 3. The split sample result determined through analysis by designated CWS personnel shall agree with the result analyzed by the Department within a range of +/- 0.2 ppm in at least nine of 12 months during the calendar year. 4. Designated CWS personnel shall submit a report of the results of required water sample testing each month to the Department and shall include the type of fluoride chemical used. Miss. Code Ann. § 41-26-6 Rule 3.3.2 Quality Assurance 1. MSDH Bureau of Water Supply will assess each system's compliance with this policy on a monthly basis and send letters to the Responsible Official and Operator if the system is not compliant. 2. MSDH will prepare a compliance progress report on a monthly basis that will be made available to interested parties. 3. Each CWS that complies with the optimal fluoridation requirements during the calendar year to the satisfaction of the Department shall be recognized by the Department pursuant to its health promotion policies and guidelines. Miss. Code Ann. § 41-26-6 .
MO	Statutes: MO. Rev. Stat. § 640.135 Fluoride rules prohibited; MO. Rev. Stat. § 640.136 Notice required of intent to make modifications to fluoridation of water supply	“The department of natural resources shall not promulgate any rule or regulation to require or prohibit the addition of fluoride to drinking water.” “1. Any public water system, as defined in section 640.102 , or public water supply district, as defined in chapter 247, which intends to make modifications to fluoridation of its water supply shall notify the department of natural resources, the department of health and senior services, and its customers of its intentions at least ninety days prior to any vote on the matter. The public water system or public water supply district shall notify its customers via radio, television, newspaper, regular mail, electronic means, or any combination of notification methods to most effectively notify customers at least ninety days prior to any meeting at which the vote will occur. Any public water system or public water supply district that violates the notification requirements of this section shall return the fluoridation of its water supply to its previous level until proper notification is provided under the provisions of this section. 2. In the case of an investor-owned water system, the entity calling for the discussion of modifications to fluoridation shall be responsible for the provisions of this section.” MO. Rev. Stat. § 640.136
	Regulations: No Regulation	No Regulation
MT	Statutes: No Statute	No Statute
	Regulations: Mont. Admin. R. 17.38.230 Fluoridation	(1) Where fluoridation is practiced, laboratory analysis must be made at least once daily of the water after fluoridation to assure an average fluoride content of not over 1.5 ppm in the finished water, using a control range from 0.9 ppm lower limits to 1.5 ppm upper limit. (2) Proper records of the analyses must be kept on file and a copy forwarded to the department monthly. One sample of treated water must be submitted monthly to the department for analysis.

NE	<p>Statutes: Neb. Rev. Stat. § 71-3305 Political subdivision; fluoride added to water supply; exception; ordinance to prohibit addition of fluoride; ballot; vote; Neb. Rev. Stat. § 71-3306 Other entity; fluoride added to water supply; rules and regulations</p>	<p>(1) Except as otherwise provided in subsection (2) or (3) of this section, any city or village having a population of one thousand or more inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census shall add fluoride to the water supply for human consumption for such city or village as provided in the rules and regulations of the Department of Health and Human Services unless such water supply has sufficient amounts of naturally occurring fluoride as provided in such rules and regulations. (2) Subsection (1) of this section does not apply if the voters of the city or village adopted an ordinance, after April 18, 2008, but before June 1, 2010, to prohibit the addition of fluoride to such water supply. (3) If any city or village reaches a population of one thousand or more inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census after June 1, 2010, and is required to add fluoride to its water supply under subsection (1) of this section, the city or village may adopt an ordinance to prohibit the addition of fluoride to such water supply. The ordinance may be placed on the ballot by a majority vote of the governing body of the city or village or by initiative pursuant to sections 18-2501 to 18-2538. Such proposed ordinance shall be voted upon at the next statewide general election after the population of the city or village reaches one thousand or more inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census. (4) Any rural water district organized under sections 46-1001 to 46-1020 that supplies water for human consumption to any city or village which is required to add fluoride to such water supply under this section shall not be responsible for any costs, equipment, testing, or maintenance related to such fluoridation unless such district has agreed with the city or village to assume such responsibilities.</p> <p>“Any public or private entity not included in section 71-3305 which provides a water supply for human consumption and which is not required to add fluoride to such water supply may add fluoride to such water supply in the amount and manner prescribed by the rules and regulations of the Department of Health and Human Services.” Neb.Rev.St § 71-3306</p>
	<p>Regulations: 179 Neb. Admin. Code Ch.1 §003 Rules and Regulations Governing Fluoridation of Water Supplies; 179 Neb. Admin. Code Ch.1 §002 Application for Certification; Neb. Admin. R. & Regs. Tit. 179, Ch. 1, 179 Neb. Admin. Code Ch.1 §001 Certification</p>	<p>“003 OPERATION/ 003.01 The operation of the fluoridation program shall be such that the fluoride ion content of the water available to users, as prescribed by the State Department of Health, shall be in the range of 0.8 to 1.5 parts per million, the recommended optimal level being 1.0 to 1.3 parts per million. No fluoride compound need be added to the water supply if the fluoride ion content of the water available to users is already by nature at least 0.7 parts per million. 003.02 Records of all operations shall be kept, and a copy of each month’s records sent to the State Department of Health at the close of each month. These records shall include: 003.02A Identification of the fluoride compound used, its purity and fluoride content. 003.02B Amount of water treated. 003.02C Amount of fluoride compound used. 003.03D Fluoride content of water from distribution system. 003.02E Any irregularities of operations. Record sheets are available on request from the State Department of Health. 003.03 Samples representing water supplied to the water users shall be submitted to the Division of Laboratories of the State Department of Health or to another laboratory approved by the State Department of Health at least once each month for fluoride analysis. In the event the laboratory making analysis is other than the State Department of Health Laboratory, copies of the results of all such analyses shall be furnished the Department at the close of each month.” § 003</p> <p>002 APPLICATION FOR CERTIFICATION. The application for certificate shall be submitted in writing and shall:</p> <p>002.01 Describe the chemical feeding equipment to be used. 002.02 Describe the controls and equipment that will be used to check the final dosage. 002.03 Describe the facilities for protection of operator handling of fluoride compounds. 002.04 Describe the installation details. 002.05 Give the name of the person or persons who will be responsible for carrying out the program. 002.06 Identify the fluoride compound or compounds to be used. 002.07 State the minimum and maximum limits of fluoride ion, parts per million, to be maintained in the water supply. The application in the case of a municipality shall be signed by the Mayor, the Chairman of the governing body of the municipality, or an officer of a district, corporation, or</p>

		<p>company, and the superintendent of the water works. All other applications shall be signed by the person to be in responsible charge of the fluoridation system. § 002</p> <p>"001 CERTIFICATION. Before any municipality, district, political subdivision, corporation, company, person, or any other public or private entity shall add a fluoride compound to a water supply intended or maintained for human consumption for the purpose of the reduction of the incidence of dental decay or any other purpose, the officials or individuals in responsible charge shall have obtained in writing a certificate from the State Department of Health indicating their proficiency to do so pursuant to these rules and regulations." § 001</p>
<p>NV</p>	<p>Statutes: Nev. Rev. Stat. § 445A.015 Furnishing impure water for public use unlawful; concentration of fluoride in water; Nev. Rev. Stat. § 445A.025 Proposal to adjust concentration of fluoride in water: Receipt by governing body of county, city or town; notice to county clerk; Nev. Rev. Stat. § 445A.045 Adjustment of concentration of fluoride in water by supplier of water if proposal approved by voters; Nev. Rev. Stat. § 445A.055 Regulation of fluoridation in county whose population is 700,000 or more; financial support for enforcement;</p>	<p>"Every owner, agent, manager, operator or other person having charge of any waterworks furnishing water for public use who shall: 1. Knowingly permit any act or omit any duty or precaution by reason whereof the purity or healthfulness of the water supplied shall become impaired is guilty of a gross misdemeanor. 2. Fail to adjust the naturally occurring fluoride concentration of the water to levels recommended by public health authorities when there has been approval by a majority of the votes cast pursuant to NRS 445A.045, or who shall adjust such concentration if such approval has not been obtained, is guilty of a misdemeanor. The provisions of this subsection do not apply to purveyors of bottled water who label their containers to inform the purchaser that the naturally occurring fluoride concentration of the water has been adjusted to recommended levels." Nev. Rev. Stat. § 445A.015</p> <p>"Whenever the governing body of any city or town or the board of county commissioners receives a written proposal from a supplier of water, public health authorities or from any person or persons that the naturally occurring fluoride concentration of the water be adjusted to levels recommended by public health authorities, such governing body or board may, in its discretion, give notice of such proposal and the geographical area in which the water is distributed to the county clerk of each county in which any water so affected is distributed." Nev. Rev. Stat. § 445A.025</p> <p>"The supplier may proceed to put the proposal into effect only if a majority of all the votes cast upon the question were cast for the proposal." Nev. Rev. Stat. § 445A.045</p> <p>"1. The State Board of Health shall adopt regulations requiring the fluoridation of all water delivered for human consumption in a county whose population is 700,000 or more by a: (a) Public water system that serves a population of 100,000 or more; or (b) Water authority. 2. The regulations must include, without limitation: (a) The minimum and maximum permissible concentrations of fluoride to be maintained by such a public water system or a water authority, except that: (1) The minimum permissible concentration of fluoride must not be less than 0.7 parts per million; and (2) The maximum permissible concentration of fluoride must not exceed 1.2 parts per million; (b) The requirements and procedures for maintaining proper concentrations of fluoride, including any necessary equipment, testing, recordkeeping and reporting; (c) Requirements for the addition of fluoride to the water if the natural concentration of fluorides is lower than the minimum permissible concentration established pursuant to paragraph (a); and (d) Criteria pursuant to which the State Board of Health may exempt a public water system or water authority from the requirement of fluoridation upon the request of the public water system or water authority. 3. The State Board of Health shall not require the fluoridation of: (a) The wells of a public water system or water authority if: (1) The groundwater production of the public water system or water authority is less than 15 percent of the total average annual water production of the system or authority for the years in which drought conditions are not prevalent; and (2) The wells are part of a combined regional and local system for the distribution of water that is served by a fluoridated source. (b) A public water system or water authority: (1) During an emergency or period of routine maintenance, if the wells of the system or authority are exempt from fluoridation pursuant to paragraph (a) and the supplier of water determines that it is necessary to change the production of the system or authority from surface water to groundwater because of an emergency or for purposes</p>

<p>payment of initial costs for compliance</p>	<p>of routine maintenance; or (2) If the natural water supply of the system or authority contains fluoride in a concentration that is at least equal to the minimum permissible concentration established pursuant to paragraph (a) of subsection 2. 4. The State Board of Health may make an exception to the minimum permissible concentration of fluoride to be maintained in a public water system or water authority based on: (a) The climate of the regulated area; (b) The amount of processed water purchased by the residents of the regulated area; and (c) Any other factor that influences the amount of public water that is consumed by the residents of the regulated area. 5. The Division shall make reasonable efforts to secure any available sources of financial support, including, without limitation, grants from the Federal Government, for the enforcement of the standards established pursuant to this section and any related capital improvements. 6. A public water system or water authority may submit to the Division a claim for payment of the initial costs of the public water system or water authority to begin complying with the provisions of this section regardless of whether the public water system or water authority is required to comply with those provisions. The Administrator of the Division may approve such claims to the extent of legislative appropriations and any other money available for that purpose. Approved claims must be paid as other claims against the State are paid. The ongoing operational expenses of a public water system or water authority in complying with the provisions of this section are not compensable pursuant to this subsection. 7. As used in this section: (a) "Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services. (b) "Supplier of water" has the meaning ascribed to it in NRS 445A.845. (c) "Water authority" has the meaning ascribed to it in NRS 377B.040.</p>
<p>Regulations: Nev. Admin. Code § 445A.65975 "Fluoridation" defined ;Nev. Admin. Code § 445A.6682 Fluoridation.</p>	<p>"Fluoridation" means the process for the treatment of water pursuant to which a chemical is added to the water to increase the concentration of fluoride ions to an optimal level for reducing the incidence of dental caries." Nev. Admin. Code § 445A.65975 1. On or before March 1, 2000, all water delivered for human consumption in a county whose population is 400,000 or more by a: (a) Public water system that serves a population of 100,000 or more; or (b) Water authority, must be fluoridated. 2. In a county whose population is less than 400,000, all requests that fluoride be added to the water supply for the reduction of the incidence of dental caries must be referred to the health authority, who shall send the request to the board of health for consideration. In addition to any approval required pursuant to NRS 445A.025 to 445A.050, inclusive, the following must agree to a request to add fluoride to the water supply: (a) The public water system; (b) The county board of health; (c) The State Board of Health; (d) The local dental and medical society, or if there is none, the state dental and medical society; and (e) The local governing authority. --> If such approval is granted, the fluoridation of the water must be provided in accordance with the provisions of this section. 3. The State Board of Health will exempt a public water system or water authority from the requirement of fluoridation of the groundwater in its wells if the public water system or water authority submits documentation to the State Board of Health that demonstrates that its system for the production of groundwater: (a) Produces less than 15 percent of the total average annual water production of the public water system or water authority for the years in which drought conditions are not prevalent; and (b) Is part of a combined regional and local system for the distribution of water that is served by a fluoridated source. 4. A public water system or water authority that is required to fluoridate all water delivered for human consumption pursuant to subsection 1 shall: (a) Cease fluoridation of that water during an emergency related to fluoridation of the water; (b) Submit to the Division of Public and Behavioral Health within 30 days after the emergency occurs, a written notice describing the emergency and the length of time during which the public water system or water authority ceased fluoridation of the water; and (c) Resume fluoridation of the water when the emergency no longer exists. 5. A public water system or water authority that is required to fluoridate all water delivered for human consumption pursuant to subsection 1 may cease fluoridation of that water during a period of routine maintenance if the public water system or water authority:</p>

(a) Submits to the Division of Public and Behavioral Health within 30 days before the period of routine maintenance, a written notice describing the maintenance and the length of time during which the public water system or water authority will cease fluoridation of the water; and (b) Resumes fluoridation of the water when the maintenance is completed. 6. In addition to meeting the standards set forth in [NAC 445A.450](#) to [445A.492](#), inclusive, a public water system or water authority shall maintain in all water it delivers for human consumption: (a) A minimum concentration of fluoride that is not less than 0.7 ppm; and (b) A maximum concentration of fluoride that does not exceed 1.2 ppm. 7. The introduction of a chemical for fluoridation into the facilities of a public water system or water authority must be made: (a) Through accurate feeding equipment; and (b) In accordance with *Water Fluoridation: A Manual for Engineers and Technicians*. 8. The feeding equipment must be maintained in accordance with *Water Fluoridation: A Manual for Engineers and Technicians*. 9. The feeding equipment must be controlled in such a manner that fluoride is added to the facilities of the public water system or water authority only when those facilities and the related equipment for supplying water are functioning properly. Electrical power to the feeding equipment must be wired in conjunction with the pumping or flow control equipment of the public water system or water authority in such a manner that fluoride cannot be introduced into the supply of water when the water is not flowing. Pumps for feeding chemicals must be equipped with flow detectors which ensure that the injection of chemicals stops when the well or booster pumps stop. 10. Either gravimetric or volumetric dry-feed equipment or positive displacement liquid-feed equipment with an accuracy within 5 percent is required. When liquid-feed equipment is used, at least two solution tanks must be available for the preparation and storage of the fluoride solution. 11. A person who handles chemicals that are added to the water in the fluoridation process shall comply with the requirements relating to protective equipment set forth in section 5.3.4 of the *Recommended Standards for Water Works*. 12. Each public water system and water authority shall: (a) Maintain a kit which is approved by the health authority for testing the concentration of fluoride in water. (b) Adjust the concentration of fluoride if the natural concentration of fluoride in the water delivered for human consumption by the public water system or water authority is not within the permissible concentrations of fluoride set forth in subsection 6. (c) Take samples from one or more points in the distribution system that are approved by the health authority. (d) Test or monitor the concentration of fluoride daily after its introduction into the facilities of the public water system or water authority and maintain accurate records of the results of that testing or monitoring. (e) Report the results of the daily testing or monitoring to the health authority at least monthly and in accordance with any written instructions prescribed by the health authority. (f) Not less than once a week, have a properly certified laboratory verify the results of the testing or monitoring for at least 1 day using the methods approved in the *Standard Methods for the Examination of Water and Wastewater*. The health authority may take samples from points in the distribution system approved by it pursuant to paragraph (c) to test the samples for control purposes. (g) Follow any written instructions of the health authority for the sampling of water to which fluoride has been added. (h) Keep a record or copy of the results of the daily testing or monitoring on the premises of its facility or at a convenient location near the premises for the period specified in [40 C.F.R. § 141.33](#). The record or copy must be available for inspection by the health authority upon request. (i) In the fluoridation of water, only use fluoride that meets the requirements set forth in standards B701-94, B702-94 and B703-94 of the *American Water Works Association Standards*. (j) Notify the Division of Public and Behavioral Health as soon as possible, but not later than the end of the next business day, if: (1) The concentration of fluoride in the water that is delivered for human consumption does not meet the levels of concentration required by subsection 6; or (2) Any other event occurs that may affect the ability of the public water system or water authority to produce safe, potable water. (k) Comply with the provisions of: (1) This section; (2) The *Recommended Standards for Water Works*; (3) The *Standard Methods for the Examination of Water and Wastewater*; (4) *Water Fluoridation: A Manual for Engineers and Technicians*; and (5) Standards B701-94, B702-94 and B703-94 of the *American Water Works Association Standards*. --> If there is a conflict between any of the provisions described in this paragraph, the most stringent of those provisions prevails. 13. As used in this section:

		<p>(a) "Health authority" has the meaning ascribed to it in NAC 445A.66055, except that with regard to a county whose population is 400,000 or more, "health authority" means the officers and agents of the Division of Public and Behavioral Health.</p> <p>(b) "Water authority" has the meaning ascribed to it in NRS 377B.040.</p>
<p>NH</p>	<p>Statutes: N.H. Rev. Stat. § 31:17-a Referendum, Public Water Supplies; N.H. Rev. Stat. § 485:14-b Fluoride Statement Required</p>	<p>"Upon the written application of 10 percent of the registered voters in a town, presented to the selectmen or one of them at least 15 days before the day prescribed for an annual town meeting, the selectmen shall insert in their warrant for such meeting an article relative to the use of fluoride in the public water system for said town. If the town has an official ballot, the town clerk shall insert on such ballot the following question: "Shall fluoride be used in the public water system?" Beside this question shall be printed the word "yes" and the word "no" with the proper boxes for the voter to indicate his or her choice. If a majority of those voting in a water system that serves one municipality does not approve the use of fluoride in the public water system, no fluoride shall be introduced into the public water system for said town; or if fluoride has prior to said vote, been introduced, such use shall be discontinued until such time as the majority of those voting in the town approve the use of fluoride. After such popular referendum, the selectmen shall not insert an article relative to the use of fluoride in the public water system in the warrant nor shall such question be inserted on the official ballot for a minimum period of 3 years from the date of the last popular referendum and only upon written application at that time of not less than 10 percent of the registered voters of said town. The procedure for a referendum on the use of fluoride in a town that is part of public water system serving more than one municipality shall be the procedure in RSA 485:14-a."</p> <p>"I. If a public water supply is fluoridated, the following notice shall be posted in the water system's consumer confidence report: "Your public water supply is fluoridated. According to the Centers for Disease Control and Prevention, if your child under the age of 6 months is exclusively consuming infant formula reconstituted with fluoridated water, there may be an increased chance of dental fluorosis. Consult your child's health care provider for more information." II. The notice shall be located in the section of the consumer confidence report dedicated to water quality." N.H. Rev. Stat. § 485:14-b</p>
	<p>Regulations: N.H. Code Admin. R. Env. - Dw. 806.11 Fluoride SMCL; N.H. Code Admin. R. Env.-Dw. 811.16 Additional Information for Fluoridated Public Water Supplies</p>	<p>"For an exceedance of the secondary MCL for fluoride specified in Env-Dw 706.01(b), the statement shall read as follows: 'This is an alert about your drinking water and a cosmetic dental problem that might affect children under 9 years of age. At low levels, fluoride can help prevent cavities, but children drinking water more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/l. Dental fluorosis, in its moderate or severe forms, may result in brown staining and or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water. Drinking water containing more than 4 mg/l of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we are required to notify you when we discover that fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem. For more information, please call [name of water system contact] of [name of community water system] at [telephone number]. Some home water treatment units are also available to remove fluoride from drinking water. To</p>

		<p>learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP. Please share this information with all the other people who have children who drink this water, especially those who may not have received this notice directly (for example, people in apartments, schools, and daycares). You can do this by posting this notice in a public place or distributing copies by hand or mail."</p> <p>"The O/O of a PWS whose public water supply is fluoridated shall include the following statement in the CCR: 'Your public water supply is fluoridated. According to the Centers for Disease Control and Prevention, if your child under the age of 6 months is exclusively consuming infant formula reconstituted with fluoridated water, there may be an increased chance of dental fluorosis. Consult your child's health care provider for more information.'" N.H. Code Admin. R. Evm.-Dw. 811.16</p>
NJ	<p>Statutes: No Statute</p>	<p>No Statute</p>
	<p>Regulations: N.J. Admin. Code § 7:10-11.15 Miscellaneous treatment processes</p>	<p>(f) Regulations for fluoridation are as follows: 1. Fluoridation treatment units shall be capable of maintaining a finished water fluoride level between 0.8 and 1.2 mg/l at all points in the distribution system. 2. The following compounds may be used for fluoridation: i. Sodium fluoride; ii. Sodium fluorosilicate; or iii. Fluorosilicic acid. 3. Fluoridation chemicals shall be stored in their original unopened containers unless transferred to corrosion resistant covered storage containers. 4. Fluoridation feed equipment shall comply with applicable provisions of N.J.A.C. 7:10-11.12 and with the following: i. Solution feed equipment may be used to feed solutions of sodium fluoride or fluorosilicic acid. Use of sodium fluorosilicate slurries is prohibited. ii. Dry feed equipment may be of volumetric or gravimetric type. Gravimetric feeders shall be mounted on appropriately designed weighing scales. The dilution ratio for the fluoride solution shall be at least 12 gallons of water per pound of sodium fluoride or 60 gallons of water per pound of sodium fluorosilicate. (1) A detention period of at least five minutes is required for sodium fluoride solution and 15 minutes for sodium fluorosilicate solution. (2) The solution shall not be directly introduced into any pipe or conduit under negative pressure, and an antisiphon device shall be installed to prevent siphonage of the solution. iii. Floor surfaces adjacent to feeders shall have a smooth and impervious finish, and shall be sloped to adequate drains to permit hosing of the floor with water. iv. Waste liquids or sludge from fluoride solution tanks shall be disposed of in accordance with applicable State and Federal law and regulations. Appropriately designed dust control units shall be used in handling dry chemicals. Exhaust air from vacuum conveying equipment shall be filtered and discharged outdoors. Where chemical containers are manually emptied into the treatment unit, an exhaust fan with filter and suitable duct work to provide an air velocity of at least 200 feet per minute at the opening through which the chemical is being emptied shall be used. Such an exhaust fan is not required where containers are emptied in enclosures or through dust-tight connections. Crystalline or granular forms of the chemical may be used to reduce dust. v. Vapor shall be vented to the outdoors when fluorosilicic acid is handled. The acid shall not be handled in open vessels but shall be pumped through a closed system with an air inlet from the outside. vi. Equipment for use and handling of fluoridation compounds shall include the provision of rubber or neoprene gloves and, where dry fluoride chemicals are handled, U.S. Bureau of Mines approved dust respirators. Hand washing facilities shall be available. vii. Fluoridation storage and feed equipment shall be in rooms separate from other treatment units. Rooms in</p>

		which fluoridation compounds are stored and/or handled shall be secured against the entry of unauthorized persons. viii. A fluoride residual test kit shall be furnished for the routine testing of water samples for fluoride content.
NM	Statutes: N.M. Stat. Ann. § 74-1-13.1 Nontransient noncommunity public water systems; definition; testing and notice requirements	“A. The department of environment shall test nontransient noncommunity water systems for arsenic, fluoride and radionuclides and adopt rules for reporting and public notification for those contaminants comparable to reporting and notification requirements for community water systems. Money in the water conservation fund may be used to fulfill the requirements of this subsection. B. As used in this section: (1) “community water system” means a public water system that serves at least fifteen service connections used by year-round residents or regularly serves at least twenty-five year-round residents; and (2) “nontransient noncommunity water system” means a public water system that is not a community water system and that regularly serves at least twenty-five of the same persons over six months per year including but not limited to schools and factories.”
	Regulations: N.M. Code R. § 20.7.10.500 Monitoring Requirements	“A. Pursuant to NMSA 1978, 74-1-13.1 , the department shall test non-transient non-community water systems for arsenic, fluoride and radionuclides. The reporting and public notification requirements for non-transient non-community water systems for these contaminants shall be identical to those for community water systems as set forth in 40 CFR Subpart Q. B. Each supplier of water shall begin routine sampling in accordance with 40 CFR Part 141 within 90 days after providing water for human consumption. C. All public water systems shall conduct sampling at the rates set forth in 40 CFR Part 141 , Subpart C, except that non-transient non-community systems shall conduct coliform sampling at the same rates as like-sized community water systems in 40 CFR 141.21(a)(2) and except that consecutive systems shall sample as required in Subsection E of Section 500 of this part. The department may order a supplier of water, when necessary, to conduct more frequent sampling than is required under 40 CFR Part 141 . D. The department may order a public water system that uses two or more water sources to collect special purpose samples directly from the water sources, in addition to routine samples from sampling points as required under 40 CFR Part 141 . E. Consecutive systems shall collect samples for those contaminants for which monitoring is required in the distribution system. This includes measurement of disinfectant residuals and collection of samples for total coliform, lead and copper, and disinfection byproducts. F. All public water systems must have sample taps to collect water representative of each applicable facility at sampling points required under 40 CFR Part 141 . G. For systems subject to triggered monitoring under 40 CFR Part 141 ground water rule: for each total coliform positive sample collected from the distribution system, at least one ground water source sample must be collected from each ground water source that was in use at the time the total coliform-positive sample was collected.”
NY	Statutes: N.Y. Public Health § 1100-a Fluoridation	“1. Notwithstanding any contrary provision of law, rule, regulation or code, any county, city, town or village that owns both its public water system and the water supply for such system may by local law provide whether a fluoride compound shall be added to such public water supply. 2. Any county, wherein a public authority owns both its public water system and the water supply for such system, may by local law provide whether a fluoride compound shall be added to such public water supply. 3. No county, city, town or village, including a county wherein a public authority owns both its public water system and the

		<p>water supply for such system, that fluoridates a public water supply or causes a public water supply to be fluoridated, shall discontinue the addition of a fluoride compound to such public water supply unless it has first complied with the following requirements: (a) issue a notice to the public of the preliminary determination to discontinue fluoridation for comment, which shall include the justification for the proposed discontinuance, alternatives to fluoridation available, and a summary of consultations with health professionals and the department concerning the proposed discontinuance. Such notice may, but is not required to, include publication in local newspapers. "Consultations with health professionals" may include formal studies by hired professionals, informal consultations with local public health officials or other health professionals, or other consultations, provided that the nature of such consultations and the identity of such professionals shall be identified in the public notice. "Alternatives to fluoridation" may include formal alternatives provided by or at the expense of the county, city, town or village, or other alternatives available to the public. Any public comments received in response to such notice shall be addressed by the county, city, town or village in the ordinary course of business; and (b) provide the department at least ninety days prior written notice of the intent to discontinue and submit a plan for discontinuance that includes but is not limited to the notice that will be provided to the public, consistent with paragraph (a) of this subdivision, of the determination to discontinue fluoridation of the water supply, including the date of such discontinuance and alternatives to fluoridation, if any, that will be made available in the community, and that includes information as may be required under the Sanitary Code. 4. The commissioner is hereby authorized, within amounts appropriated therefor, to make grants to counties, cities, towns or villages that own their public water system and the water supply for such system, including a county wherein a public authority owns both its public water system and the water supply for such system, for the purpose of providing assistance towards the costs of installation, including but not limited to technical and administrative costs associated with planning, design and construction, and start-up of fluoridation systems, and replacing, repairing or upgrading of fluoridation equipment for such public water systems. Grant funding shall not be available for assistance towards the costs and expenses of operation of the fluoridation system, as determined by the department. The grant applications shall include such information as required by the commissioner. In making the grant awards, the commissioner shall consider the demonstrated need for installation of new fluoridation equipment or replacing, repairing or upgrading of existing fluoridation equipment, and such other criteria as determined by the commissioner. Grant awards shall be made on a competitive basis and be subject to such conditions as may be determined by the commissioner."</p>
	<p>Regulations: N.Y. Comp. Codes R. & Regs. Dep't of Health, § 5-1.24 Approval of fluoridation of public water systems</p>	<p>"Fluorine compounds shall not be added to a public water system until a written application has been submitted to, and written approval is granted by, the State."</p>

NC

Statutes:

No Statute

No Statute

Regulations:

[15A N.C. Admin. Code 18C.1406](#) Control of Fluoride Process; [15A N.C. Admin. Code 18C.1401](#) Policy; [15A N.C. Admin. Code 18C.1402](#) Formal Application; [15A N.C. Admin. Code 18C.1407](#) Approval May Be Rescinded

(a) Fluoride Levels. Fluoride levels shall not exceed the MCL set forth in Rule .1510 of this Subchapter. A supplier of water that is adding fluoride to the treated water shall maintain the following fluoride levels: (1) an operational control range for fluoride of 0.6 mg/l to 1.0 mg/l shall be established; (2) the monthly average of the daily measurements at the entry point to the distribution system shall be within the operational control range; and (3) 80 percent of the daily measurements at the entry point to the distribution system shall be within the operational control range. (b) A water treatment plant operator certified pursuant to 15A NCAC 18D shall conduct the necessary chemical analyses and supervise application of the fluoride. (c) Sample Location and Frequency. (1) Daily Monitoring. A supplier of water shall measure the fluoride concentration at least once per day at each entry point to the distribution system with fluoridated water. (2) Split Samples. One entry point sample collected pursuant to Subparagraph (c)(1) of this Rule shall be split equally on a monthly basis. One portion shall be analyzed by water system personnel and the other portion analyzed by the North Carolina State Laboratory for Public Health or another laboratory certified to analyze drinking water samples for fluoride by the North Carolina State Laboratory of Public Health. A supplier of water that has all fluoride samples under this Rule analyzed by a laboratory certified to analyze drinking water samples for fluoride by the North Carolina State Laboratory for Public Health shall not be required to conduct split sampling. (3) Distribution System Monitoring. The supplier of water of a public water system that has multiple entry points that are either not all fluoridated or the fluoride level at an entry point to the distribution system is not within the range set forth in Subparagraph (a)(1) of this Rule shall conduct sampling as follows: (A) measure the fluoride concentration in the distribution system at least two times per month; (B) one sample per month shall be a split sample and analyzed in accordance with Subparagraph (c)(2) of this Rule; (C) sample sites shall be rotated throughout the distribution system at monitoring locations approved for coliform compliance sampling; and (D) sample results shall be available for review by the Department upon request. (4) Annual Raw Water Sample. A supplier of water shall measure the fluoride concentration of the raw water at least annually by a laboratory certified to analyze fluoride in drinking water by the North Carolina State Laboratory of Public Health. (5) Discrepancies. A supplier of water shall compare the results of the split samples and shall consult with the North Carolina State Laboratory of Public Health to investigate and resolve all discrepancies greater than 15 percent within 30 days of receipt. (d) Analysis Methods. The fluoride content of water shall be determined in accordance with methods set forth in Rule .1508 of this Subchapter. (e) Monthly Reporting. Records of all fluoride analyses performed in accordance with Subparagraph (c)(1) of this Rule, shall be recorded on forms approved by the Department and submitted to the Department monthly. The forms shall specify the sample dates, times, locations, and results. Fluoride results performed by certified laboratories in accordance with Subparagraph (c)(1) of this Rule, shall be reported by the certified laboratory electronically in a format prescribed by the Department. (f) Reporting Exceedances. Any fluoride result above the MCL set forth in Rule .1510 of this Subchapter shall be reported to the Department as soon as possible, but in all cases within 24 hours after receipt of the analysis. (g) Fluoride Products. All fluoridation products used by a public water system shall meet the requirements of Rule .1537 of this Subchapter. (h) Discontinuation of Fluoridation. Prior to the discontinuation of fluoride addition, a supplier of water shall provide to the Department and the Department of Health and Human Services, Oral Health Section, copies of documentation by the unit of local government or the governing body operating the community water system that: (1) the resolution provided in the formal

		<p>application to add fluoride has been rescinded or replaced; and (2) the local board of health has been notified.” 15A N.C. Admin. Code 18C.1406</p> <p>“Rules .1401 .1409 of Title 15A Subchapter 18C of the North Carolina Administrative Code (T15A.18C .1401 .1409); has been transferred and recodified from Rules .0601 .0609 Title 10 Subchapter 10D of the North Carolina Administrative Code (T10.10D .0601 .0609), effective April 4, 1990. Upon receipt of an application from a community water system to fluoridate its water supply, the Department will approve the application provided the rules for fluoridation pursuant to this Section are followed.” 15A N.C. Admin. Code 18C.1401</p> <p>“(a) Fluoride shall not be added to a community water system until a formal application has been submitted to and written approval is granted by the Secretary of the Department. (b) Such approval will be considered upon written application and after adequate investigation has been made to determine if the policy adopted by the Division has been satisfied and the facilities, their accuracy and the proposed method of control are satisfactory and meet the requirements hereafter stated. (c) The application shall include a resolution by the unit of local government or the governing body operating the community water system. The resolution shall state that the local board of health has approved the proposed fluoridation procedure.” 15A N.C. Admin. Code 18C.1402</p> <p>“Failure to thoroughly and effectively carry out the requirements governing the application of fluoride, or for other good cause, shall be considered sufficient cause to rescind the approval of the Department and to withdraw the authorization granted for the permission to add fluoride to a community water system.” Admin. Code 18C.1407</p>
ND	Statutes: No Statute	<p style="text-align: center;">No Statute</p>
	Regulations: No Regulation	<p style="text-align: center;">No Regulation</p>
OH	Statutes: Ohio Rev. Code Ann. § 6109.20 Fluoride to be added to public water system	<p>“If the natural fluoride content of supplied water of a public water system is less than eight-tenths milligrams per liter of water, fluoride shall be added to such water to maintain fluoride content of not less than eight-tenths milligrams per liter of water nor more than one and three-tenths milligrams per liter of water beginning: (A) On or before January 1, 1971, for a public water system supplying water to twenty thousand or more persons; (B) On or before January 1, 1972, for a public water system supplying water to five thousand or more persons, but less than twenty thousand persons.”</p>

	<p>Regulations: Ohio Admin. Code 3745-82-04 Monitoring for compliance with the fluoride secondary maximum contaminant level</p>	<p>“(A) Public water systems that do not add supplemental fluoride. (1) Monitoring and compliance determinations for the secondary maximum contaminant level (SMCL) for fluoride specified in rule 3745-82-02 of the Administrative Code shall be as follows: (a) Public water systems may use the monitoring conducted for compliance with the maximum contaminant level (MCL) in paragraph (B) of rule 3745-81-11 of the Administrative Code to determine compliance with the SMCL for fluoride. The required monitoring to determine compliance with the MCL is specified in rule 3745-81-23 of the Administrative Code. (b) If a public water system collects more than one sample per year, it shall be in compliance when the average of quarterly averages of all samples collected at each entry point to the distribution system during a calendar year does not exceed the SMCL for fluoride. (c) Public water systems that collect one sample annually or less frequently shall be in compliance when the most recent sample does not exceed the SMCL for fluoride. When a public water system is required to take a confirmation sample under paragraph (F) of rule 3745-81-23 of the Administrative Code, the system shall be in compliance if the average of the initial and confirmation sample results does not exceed the SMCL for fluoride. (B) Public water systems that add supplemental fluoride. (1) Monitoring and compliance determinations for the SMCL for fluoride specified in rule 3745-82-02 of the Administrative Code shall be as follows: (a) Public water systems shall use the monitoring conducted for compliance with rule 3745-83-01 of the Administrative Code to determine compliance with the SMCL for fluoride. (b) A public water system shall be in compliance when the running annual average of monthly averages of all samples collected at each entry point to the distribution system as determined monthly does not exceed the fluoride SMCL. (2) Public water systems adding fluoride shall maintain a fluoride range of 0.8 milligrams per liter to 1.3 milligrams per liter in their finished water pursuant to section 6109.20 of the Revised Code. Compliance shall be determined monthly at each entry point, based on the average of all daily samples collected for compliance with rule 3745-83-01 of the Administrative Code. The monthly average fluoride content must be between 0.8 and 1.3 milligrams per liter at each entry point. A public water system shall notify Ohio EPA within forty-eight hours of any instance in which the daily average fluoride concentration is greater than 1.3 milligrams per liter. If a public water system has four or more days during a month in which the daily average fluoride concentration is outside a range of 0.7 milligrams per liter to 1.3 milligrams per liter, the public water system is in violation unless the system has approval from the director to perform a tracer study and the fluoride level in the distribution system does not exceed 2.0 milligrams per liter. (3) Public water systems that add supplemental fluoride shall keep a daily record of the amount of fluoride compound added, the quantity of water fluoridated, the calculated fluoride dosage, and the fluoride content of the water as delivered to their customers. (4) Public water systems that lose their capability to accurately determine the fluoride content of their finished water due to laboratory equipment failure or malfunction, shall cease feeding all fluoride compounds and notify the Ohio EPA within forty-eight hours with a tentative schedule for re-establishing laboratory capabilities. (5) Public water systems that lose their capability to feed fluoride shall notify Ohio EPA within forty-eight hours and provide a tentative schedule for resumption of acceptable fluoridation. (6) A public water system determined to exceed 10.0 milligrams per liter due to over-feed events may be required to issue a no-use advisory. (C) A public water system determined to exceed the SMCL for fluoride under paragraph (A) or (B) of this rule shall notify the persons served by the public water system in accordance with paragraph (D) of rule 3745-81-32 of the Administrative Code.”</p>
OK	<p>Statutes: No Statute</p>	No Statute
	<p>Regulations:</p>	No Regulation

	No Regulation	
OR	Statutes: No Statute	No Statute
	Regulations: Or. Admin. R. 333-061-0085 Supplemental Fluoridation	(1) When fluoride compounds are added at public water systems for the prevention of dental caries, it shall be done in accordance with the following: (a) The chemical feed apparatus shall be of a type specifically designed for metering fluoride compounds in proportion to the flow of water being treated. The apparatus shall possess an accuracy tolerance of no more than plus or minus five percent and shall be designed and installed in a manner such that the injection of fluoride compounds is terminated when the water being treated ceases to flow; (b) The specifications for the fluoride compounds shall conform with the most current AWWA standards as follows: (A) Sodium fluoride - AWWA B701. (B) Sodium fluorosilicate - AWWA B702. (C) Fluorosilicic acid - AWWA B703.(c) Respirators, replacement units and other safety equipment shall be stored in approved, dust-proof containers or cabinets when not in use. (2) Prior to the application of fluoride compounds at public water systems, the water supplier shall submit to the Authority and receive approval for: (a) Plans and specifications for the equipment with information on the testing instruments and protective devices for the operating personnel; (b) Specifications of the fluoride compound to be used; (c) Qualifications and training record of the person in responsible charge of the fluoridation operation; (d) Current chemical analysis of the unfluoridated water. (3) During operation of the fluoridation equipment, the operator shall: (a) Not exceed 2.0 mg/l of fluoride in the finished water; (b) Maintain all equipment in good working order; (c) Make determinations of the fluoride content by approved methods on: (A) The unfluoridated water as required by the Authority; (B) The fluoridated water daily. (d) Record daily the amount of fluoride added to the water, the quantity of water treated and the fluoride levels of the treated water. These records shall be submitted to the Authority monthly; (e) Submit a split sample of the fluoridated water to the Authority for analysis as the Authority may require; (f) Maintain and use safety equipment as required in this section.
PA	Statutes: No Statute	No Statute
	Regulations: 25 Pa. Code 25 § 109.202 State MCLs, MRDLs and treatment technique requirements	“(d) Fluoride. A public water system shall comply with the primary MCL for fluoride of 2 mg/L, except that a noncommunity water system implementing a fluoridation program approved by the Department of Health and using fluoridation facilities approved by the Department under § 109.505 (relating to requirements for noncommunity water systems) may exceed the MCL for fluoride but may not exceed the fluoride level approved by the Department of Health. The secondary MCL for fluoride of 2 mg/L established by the EPA under 40 CFR 143.3 is not incorporated into this chapter.
RI	Statutes: No Statute	No Statute
	Regulations:	No Regulation

	No Regulation	
SC	Statutes: No Statute	No Statute
	Regulations: S.C. Code Ann. 61-58.6(8) Reports, Record Retention and Public Notification	<p>(8) Special Notice for Exceedance of the SMCL for Fluoride. (a) When is the special notice to be given? Community water systems that exceed the fluoride secondary maximum contaminant level (SMCL) of 2 mg/l as specified in R.61-58.5.R (determined by the last single sample taken in accordance with R.61-58.5.C, but do not exceed the maximum contaminant level (MCL) of 4 mg/l for fluoride (as specified in R.61-58.5.B), must provide the public notice in paragraph (c) of this section to persons served. Public notice must be provided as soon as practical but no later than twelve (12) months from the day the water system learns of the exceedance. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the State public health officer. The public water system must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the SMCL is exceeded, but in no case less than seven (7) days (even if the exceedance is eliminated). On a case-by-case basis, the Department may require an initial notice sooner than twelve (12) months and repeat notices more frequently than annually. (b) What is the form and manner of the special notice? The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in paragraphs (4)(c) and (d)(i) and (d)(iii) of this section. (c) What mandatory language must be contained in the special notice? The notice must contain the following language, including the language necessary to fill in the blanks: "This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/l. Dental fluorosis, in its moderate or severe forms, may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water. Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem. For more information, please call [name of water system contact] of [name of community water system] at [phone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP."</p>
SD	Statutes: S.D. Codified Laws § 34-24A-1 Maintenance of minimum fluoride	<p>"Any person, firm, limited liability company, corporation, or municipality having jurisdiction over a municipal water supply, whether publicly or privately owned or operated, shall control the quantities of fluoride in the water so as to maintain a minimum fluoride content prescribed by the South Dakota department of environment and natural resources." S.D. Codified Laws § 34-24A-1</p>

	<p>content; S.D. Codified Laws § 34-24A-3 Enforcement of fluoridation; S.D. Codified Laws § 34-24A-2 Promulgation of rules.</p>	<p>“The department of environment and natural resources shall enforce the provisions of §§ 34-24A-1 and 34-24A-2. In so doing it shall require the fluoridation of water in all municipal water supplies serving a population of five hundred or more. The department may not require the fluoridation of water in any municipal water supply where such water supply in the state of nature contains sufficient fluorides to conform with the rules of the department.” S.D. Codified Laws § 34-24A-3</p> <p>“The department of environment and natural resources shall, in compliance with chapter 1-26, promulgate rules relating to the fluoridation of public water supplies which shall include, but not be limited to the following: (1) The means by which fluoride is controlled; (2) The methods of testing the fluoride content; and(3) The records to be kept relating to fluoridation.” S.D. Codified Laws § 34-24A-2</p>
	<p>Regulations: S.D. Admin. R. 74:04:01:02 Written approval required to implement fluoridation; S.D. Admin. R. 74:04:01:03 Required minimum fluoride levels – Reduction of natural excessive levels; S.D. Admin. R. 74:04:01:05 Daily testing required</p>	<p>“Written approval must be obtained from the department of environment and natural resources prior to the implementation of proposals for the addition of fluoride ion to municipal water supplies. Plans and specifications shall be submitted as prescribed by chapter 74:53:05. A variance to this requirement may be allowed by the secretary for installations costing less than \$1,000.” S.D. Admin. R. 74:04:01:02</p> <p>“If the average natural fluoride ion content of the water from any source for a municipal water supply is less than 0.9 mg/l, equipment must be provided and operated to adjust the fluoride ion concentration in the range of 0.9 mg/l to 1.7 mg/l, with an optimum level of 1.2 mg/l. Those municipal water supplies with average natural fluoride ion concentrations in excess of 1.7 mg/l must consult the department of environment and natural resources prior to initiating procedures for reducing the fluoride ion content to an optimum amount.” S.D. Admin. R. 74:04:01:03</p> <p>“Testing equipment shall be available for determining the fluoride content at each installation. The fluoride content shall be determined each day on a representative sample of fluoridated water. A variance to this requirement may be allowed by the secretary upon request and submission of evidence that other testing procedures are satisfactory.” S.D. Admin. R. 74:04:01:05</p>
<p>TN</p>	<p>Statutes: Tenn. Code. Ann. § 68-221-709 Fluoride levels</p>	<p>“(a) If the quarterly analysis of a water sample from a public water system by a certified laboratory confirms that the level of fluoride in the sample exceeds one and one-half milligrams per liter (1.5 mg/L), the public water system from which the sample was taken must: (1) Obtain laboratory analysis of water samples monthly for fluoride levels; and(2) Notify all of its customers that a water sample tested exceeded one and one-half milligrams per liter (1.5 mg/L) of fluoride in a manner established by the department. (b) Once the monthly analysis of water samples for fluoride conducted pursuant to subdivision (a)(1) confirms that the fluoride level in samples is less than one and one-half milligrams per liter (1.5 mg/L) for three (3) consecutive months, the public water system may resume quarterly laboratory analysis for fluoride.”</p>
	<p>Regulations: No Regulation</p>	<p>No Regulation</p>

TX	Statutes: No Statute	No Statute
	Regulations: No Regulation	No Regulation
UT	Statutes: Utah Code Ann. § 19-4-111 Fluoride added to or removed from water – Election or shareholder vote required; Utah Code Ann. § 19-4-111.1 Provision of fluoridated water – Request of resident; Utah Code Ann. § 19-4-111.2 Provision of fluoridated water – Emergency circumstances	<p>(1) As used in this section: (a) “Corporate public water system” means a public water system that is owned by a corporation engaged in distributing water only to its shareholders. (b) “Corporation” is as defined in Section 16-4-102. (c) “Fluoride” means a chemical compound that contains the fluoride ion and is used to fluoridate drinking water, including: (i) fluorosilicic acid; (ii) sodium fluorosilicate; or (iii) sodium fluoride. (d) “Fluoride supplier” means a person who: (i) manufactures, distributes, or packages or repackages fluoride; (ii) is NSF/ANSI Standard 60 certified; (iii) has evidence of the person’s NSF/ANSI Standard 60 certification displayed on the website of a certification body accredited by the International Accreditation Forum, including: (A) NSF; (B) the Underwriter Laboratory; or (C) the Water Quality Association; and (iv) provides fluoride in compliance with applicable NSF/ANSI Standard 60 certification requirements. (e) “Removal” means ceasing to add fluoride to a public water supply, the addition having been previously approved by the voters of a political subdivision. (2) (a) Except as provided in Subsection (7) or Subsection 19-4-104(1)(a)(i), public water supplies, whether state, county, municipal, or district, may not have fluoride added to or removed from the water supply without the approval of a majority of voters in an election in the area affected. (b) An election shall be held: (i) upon the filing of an initiative petition requesting the action in accordance with state law governing initiative petitions; (ii) in the case of a municipal, local district, special service district, or county water system that is functionally separate from any other water system, upon the passage of a resolution by the legislative body or local district or special service district board representing the affected voters, submitting the question to the affected voters at a municipal general election; or (iii) in a county of the first or second class, upon the passage of a resolution by the county legislative body to place an opinion question relating to all public water systems within the county, except as provided in Subsection (3), on the ballot at a general election. (3) If a majority of voters on an opinion question under Subsection (2)(b)(iii) approve the addition of fluoride to or the removal of fluoride from the public water supplies within the county, the local health departments shall require the addition of fluoride to or the removal of fluoride from all public water supplies within that county other than those systems: (a) that are functionally separate from any other public water systems in that county; and (b) where a majority of the voters served by the public water system voted against the addition or removal of fluoride on the opinion question under Subsection (2)(b)(iii). (4) Nothing contained in this section prohibits the addition of chlorine or other water purifying agents. (5) Any political subdivision that, prior to November 2, 1976, decided to and was adding fluoride to the drinking water is considered to have complied with Subsection (2). (6) In an election held pursuant to Subsection (2)(b)(i), (ii), or (iii), where a majority of the voters approve the addition of fluoride to or the removal of fluoride from the public water supplies, no election to consider adding fluoride to or removing fluoride from the public water supplies shall be held for a period of four years from the date of approval by the majority of voters beginning with elections held in November 2000. (7) (a) A supplier may not add fluoride to or remove fluoride from a corporate public water system unless the majority of the votes cast by the shareholders of the corporate public water system authorize the supplier to add or remove the fluoride. (b) If a corporate public water system’s shareholders do not vote to add fluoride under Subsection (7)(a), the supplier shall annually provide notice to a person who receives water from the corporate public water system of the average amount of fluoride in the water. (c) A vote of the corporate public water system’s shareholders under Subsection (7)(a) does not require a supplier of another public water system, including a public water</p>

system that provides water to the corporate public water system, to add fluoride to or remove fluoride from the public water system. (8) If a local health department requires a public water system to add fluoride to public drinking water supplies under Subsection (3), the public water system shall fluoridate the public drinking water supplies with fluoride manufactured, distributed, packaged, and, if applicable, repackaged by a fluoride supplier who has provided copies of the original, dated documents used to obtain and maintain NSF/ANSI Standard 60 certification to: (a) the local health department that oversees the public water system; and (b) the division. (9) A public water system described in Subsection (8) shall obtain, for each quantity of fluoride acquired to fluoridate public drinking water supplies, a batch-specific certificate of analysis that represents the complete composition of the formulation of the undiluted raw fluoride substance, in percent or parts by weight, for each chemical and contaminant in the batch. (10) A local health department shall: (a) order the temporary removal of fluoride from a public water system within the boundaries of the local health department if the public water system: (i) violates Subsection (8) or (9); or (ii) is unable to fluoridate public drinking water supplies in accordance with Subsections (8) and (9); and (b) review and maintain the certification documents submitted to the local health department under Subsection (8). (11) A public water system described in Subsection (8) shall: (a) review and maintain certificates of analysis obtained under Subsection (9); and (b) upon request of a member of the public, provide a copy of a certificate of analysis obtained under Subsection (9) to the member of the public. (12) A local health department may order the temporary removal of fluoride from a public water system within the boundaries of the local health department if the public water system violates a provision of Subsection (11). (13) If a local health department orders the removal of fluoride from a public water system under Subsection (10)(a) or (12), the local health department shall: (a) issue a public notice regarding the temporary removal of fluoride from the public water system; and (b) when the public water system demonstrates its ability to fluoridate in accordance with Subsections (8), (9), and (11), revoke the removal requirement. (14) The division shall review and maintain the certification documents submitted to the division under Subsection (8).” [Utah Code Ann. § 19-4-111](#)

“A public water system in a county of the first or second class whose entire water inventory is fluoridated may supply water to a residence or business in a municipality that is located in two counties, one that has approved fluoridation and one that has not approved fluoridation in accordance with Section 19-4-111 if: (1) the owner requests that the public water system supply water to the residence or business; (2) no reasonable alternative water supply exists; and (3) the owner’s request can be fulfilled without affecting other residences or businesses in the municipality or county that has not approved fluoridation.” [Utah Code Ann. § 19-4-111.1](#)

“(1) A public water system that is simultaneously supplying water to a municipality or county that approved fluoridation in accordance with Section 19-4-111 and a municipality or county that has not approved fluoridation may provide water from its fluoridated inventory to a municipality or county that has not approved fluoridation if: (a) as a result of a short-term emergency, the only water available is from the public water system’s fluoridated inventory; (b) the public water system ceases providing fluoridated water to the municipality or county that has not approved fluoridation in accordance with Section 19-4-111 in a time consistent with repair times following best industrial practice; and (c) where feasible, provide prompt notice to the affected area. (2) (a) A resident of an affected area that does not wish to receive fluoridated water during an emergency may contact the public water system to have delivery of fluoridated water to their residence or business terminated. (b) The resident shall determine when to resume delivery of water and shall contact the public water system to have delivery of water resumed.” [Utah Code Ann. § 19-4-111.2](#)

	<p>Regulations: Utah Admin. Code R.309-220-11 Special Notice for Exceedance of the Secondary MCL for Fluoride.</p>	<p>“(1) Applicability of the special notice: Community water systems that exceed the fluoride secondary maximum contaminant level (SMCL) of 2 mg/l as specified in R309-200-6 (determined by the last single sample taken in accordance with R309-205-5), but do not exceed the maximum contaminant level (MCL) of 4 mg/l for fluoride (as specified in R309-200-5), must provide the public notice in paragraph (3) of this section to persons served. Public notice must be provided as soon as practical but no later than 12 months from the day the water system learns of the exceedance. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to the State public health officer. The public water system must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the SMCL is exceeded, but in no case less than seven days (even if the exceedance is eliminated). On a case-by-case basis, the Director may require an initial notice sooner than 12 months and repeat notices more frequently than annually. (2) Required form and manner of the special notice: The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in R309-220-7(3), (4)(a), and (4)(c). (3) Required mandatory language to be contained in the special notice: The notice must contain the following language, including the language necessary to fill in the blanks: This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system (name) has a fluoride concentration of (insert value) mg/l. Dental fluorosis, in its moderate or severe forms, may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water. Drinking water containing more than 4 mg/l of fluoride (the U.S. Environmental Protection Agency’s drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we’re required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem. For more information, please call (name of water system contact) of (name of community water system) at (phone number). Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.”</p>
<p>VT</p>	<p>Statutes: No Statute</p>	<p>No Statute</p>
	<p>Regulations: 12 21 VT. Code R. 12-030-003(7.3) Water Supply Rule</p>	<p>“7.3 Fluoridation. 7.3.1 Public water Systems which add fluoride to drinking water for dental health purposes, in addition to complying with the maximum contaminant levels established in Subchapter 21-6, shall control the level of fluoride within the following ranges: 7.3.2 Water Systems that add fluoride shall test to determine the amount of fluoride in the finished water at least once per day, or more often if required by the Secretary. (a) Residual testing equipment shall enable measurement of fluoride to the nearest 0.2 mg/l in the range from 0.0 mg/l to 4.0 mg/l. (b) Analyses for fluoride residual shall be conducted in accordance with the analytical recommendations set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater, American Public Health Association, unless otherwise approved by the Secretary. (c) Results of daily fluoride tests shall be reported to the Secretary in accordance with Subchapter 21-9. 7.3.3 Secondary Controls Secondary</p>

		control Systems for fluoride chemical feed devices shall be required by the Secretary as a means of reducing the possibility for overfeed or for pacing fluoride delivery to water flow. These may include flow or pressure switches or other devices.”
VA	Statutes: No Statute	No Statute
	Regulations: 12 VA. Admin. Code § 5-590-930 Fluoridation	<p>“Where practicable and feasible, the board may require owners of waterworks to provide artificial fluoridation so as to bring the fluoride ion concentration to the optimum level as set forth in Article 1 of Part II. A. Prior to the issuance of a permit for fluoridation, plans, specifications, operating procedures, and methods of supervision shall be submitted to the division. These shall be in conformity with requirements to be determined for each individual installation by the division. B. Fluoride compounds. Commercial sodium fluoride, sodium silicofluoride and hydrofluorosilicic acid shall conform to the applicable AWWA standards. Use of other chemicals which may be made available must be approved by the division. C. Fluoride compound storage. Compounds shall be stored in covered or unopened shipping containers in a separate room with the chemical feeder. The room must be provided with mechanical ventilation to the outside of the building. D. Chemical feed installations. 1. Chemical feed installations shall conform to 12VAC5-590-860. 2. Scales and loss of weight recorders for dry chemical feeders and hydrofluorosilicic acid feeders shall be provided. 3. Feeders shall have an accuracy so that the actual feed rate will be within 5.0% of the intended feed rate. 4. The point of application of hydrofluorosilicic acid, if into a pipe, shall be so located as to provide adequate mixing. 5. All fluoride feed lines shall be provided with adequate antisiphon devices. 6. The water applied to sodium fluoride saturator feeders shall be softened if hardness exceeds 75 milligrams per liter. 7. Unless otherwise approved, fluoride shall be applied to the raw water with the feeder paced by the raw water meter. 8. Provisions shall be made for venting hydrofluorosilicic acid carboys to the outside of the building when the carboys are in use. E. Suitable protective equipment shall be provided which includes gloves, aprons, dust mask, and goggles. F. Suitable equipment shall be provided for wetmopping and hosing dust that might accumulate in the plant. Dry feeders shall be equipped with bag loading hoppers. G. Equipment shall be provided for measuring the quantity of fluoride ion in the water. Testing equipment shall be colorimetric or electrode type as approved by the division.”</p>
WA	Statutes: Wash. Rev. Code. § 57.08.012 Fluoridation of water authorized	<p>“A water district by a majority vote of its board of commissioners may fluoridate the water supply system of the water district. The commissioners may cause the proposition of fluoridation of the water supply to be submitted to the electors of the water district at any general election or special election to be called for the purpose of voting on the proposition. The proposition must be approved by a majority of the electors voting on the proposition to become effective.”</p>
	Regulations: Wash. Admin. Code § 246-290-460 Fluoridation of drinking water	<p>“(1) Purveyors shall obtain written department approval of fluoridation treatment facilities before placing them in service. (2) Where fluoridation is practiced, purveyors shall maintain fluoride concentrations in the range 0.8 through 1.3 mg/L throughout the distribution system. (3) Where fluoridation is practiced, purveyors shall take the following actions to ensure that concentrations remain at optimal levels and that fluoridation facilities and monitoring equipment are operating properly: (a) Daily monitoring. (i) Take daily monitoring samples for each point of fluoride addition and analyze the fluoride concentration. Samples must be taken downstream from each fluoride injection point at the first sample tap where adequate mixing has</p>

		<p>occurred. (ii) Record the results of daily analyses in a monthly report format acceptable to the department. A report must be made for each point of fluoride addition. (iii) Submit monthly monitoring reports to the department within the first ten days of the month following the month in which the samples were collected. (b) Monthly split sampling.(i) Take a monthly split sample at the same location where routine daily monitoring samples are taken. A monthly split sample must be taken for each point of fluoride addition. (ii) Analyze a portion of the sample and record the results on the lab sample submittal form and on the monthly report form. (iii) Forward the remainder of the sample, along with the completed sample form to the state public health laboratory, or other state-certified laboratory, for fluoride analysis. (iv) If a split sample is found by the certified lab to be: (A) Not within the range of 0.8 to 1.3 mg/l, the purveyor's fluoridation process shall be considered out of compliance. (B) Differing by more than 0.30 mg/l from the purveyor's analytical result, the purveyor's fluoride testing shall be considered out of control. (4) Purveyors shall conduct analyses prescribed in subsection (3) of this section in accordance with procedures listed in the most recent edition of Standard Methods for the Examination of Water and Wastewater . (5) The purveyor may be required by the department to increase the frequency, and/or change the location of sampling prescribed in subsection (3) of this section to ensure the adequacy and consistency of fluoridation.”</p>
WV	<p>Statutes: No Statute</p>	No Statute
	<p>Regulations: W.VA. Code R. § 64-3-8 Public Water System Fluoridation</p>	<p>“8.1. A public water system which artificially adjusts fluoride levels shall strive to maintain those levels between 0.6 milligrams per liter and 0.8 milligrams per liter. The optimum target concentration for artificially adjusted fluoride is 0.7 milligrams per liter. If the drinking water of a public water system is found to be outside of the 0.6 to 0.8 milligrams per liter range, the public water system shall make any treatment or operational changes necessary to return the fluoride level to within the range within 24 hours of receiving the analytical result unless doing so is impracticable, in which case, the correction shall be made as soon as possible. A public water system shall identify in its annual report to the bureau the date and time of each instance where the fluoride levels were found to be outside the target range and how long it took to implement responsive adjustments. 8.2. The drinking water of artificially adjusted fluoridated or defluoridated public water systems shall be monitored once each day for fluoride concentration. Records of the monitoring shall be maintained in accordance with sections 9 and 10 of this rule. 8.3. At least once a month, any public water system that artificially adjusts the fluoride concentrations shall submit a sample of drinking water to the Commissioner or to a certified laboratory for fluoride analysis. 8.4. A public water system may adjust fluoride concentration levels or dosage rates in accordance with subsection 8.1. without the prior written approval of the commissioner. 8.5. A public water system may not modify the chemical composition or additives for water fluoridation, or discontinue fluoridation of drinking water, without the prior written approval of the commissioner. 8.5.1 Upon written request, the commissioner may authorize a modification to the chemical composition or additives for water fluoridation, or the discontinuance of fluoridation of drinking water. 8.5.2 In the event the commissioner approves a modification or discontinuance pursuant to this subsection, the commissioner may also impose additional monitoring requirements.”</p>
WI	<p>Statutes: No Statute</p>	No Statute

	<p>Regulations: Wis. Admin. Code NR § 809.957 Variances from primary drinking water standards; Fluoride variance</p>	<p>“(a) The department may grant a variance or variances from primary drinking water standards to a public water system. Any variance granted pursuant to this subdivision shall conform to the requirements established under the federal Safe Drinking Water Act, as amended (42 U.S.C. Sec. 300g–4). (b) (1) In addition to the authority provided in subdivision (a), at the request of any public water system, the department shall grant a variance from the primary drinking water standard adopted by the department for fluoride. A variance granted by the department pursuant to this subdivision shall prohibit fluoride levels in excess of 75 percent of the maximum contaminant level established in the national primary drinking water regulation adopted by the United States Environmental Protection Agency for fluoride, or three milligrams per liter, whichever is higher, and shall be valid for a period of up to 30 years. The department shall review each variance granted pursuant to this section at least every five years. The variance may be withdrawn upon reasonable notice by the department if the department determines that the community served by the public water system no longer accepts the fluoride level authorized in the variance or the level of fluoride authorized by the variance poses an unreasonable risk to health. In no case may a variance be granted in excess of the United States Environmental Protection Agency maximum contaminant level. (2) The department shall grant a variance pursuant to paragraph (1) only if it determines, after conducting a public hearing in the community served by the public water system, that there is no substantial community opposition to the variance and the variance does not pose an unreasonable risk to health. The public water system shall provide written notification, approved by the department, to all customers which shall contain at least the following information: (A) The fact that a variance has been requested. (B) The date, time and location of the public hearing that will be conducted by the department. (C) The level of fluoride that will be allowed by the requested variance and how this level compares to the maximum contaminant levels prescribed by the state primary drinking water standard, the federal national primary drinking water regulation, and the federal national secondary drinking water regulation. (D) A discussion of the types of health and dental problems that may occur when the fluoride concentration exceeds the maximum contaminant levels prescribed by the state standard and the federal regulations. (3) If, at any time after a variance has been granted pursuant to paragraph (1), substantial community concerns arise concerning the level of fluoride present in the water supplied by the public water system, the public water system shall notify the department, conduct a public hearing on the concerns expressed by the community, determine the fluoride level that is acceptable to the community, and apply to the department for an amendment to the variance which reflects that determination.”</p>
WY	<p>Statutes: No Statute</p>	<p>No Statute</p>
	<p>Regulations: No Regulation</p>	<p>No Regulation</p>



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