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# Lincoln Pipestone Rural Water

415 East Benton St., Box 188  
Lake Benton, Minnesota 56149-0188  
(507)368-4248  
FAX: (507)368-4573  
Email: [lprwgis@itctel.com](mailto:lprwgis@itctel.com)



Quality Water on Tap

**Date:** August 1, 2015  
**To:** Consecutive Community Public Water System(s)  
**From:** Lincoln-Pipestone Rural Water (Wholesale Community Public Water System)  
**Subject:** Minnesota Fluoridation Law - Rule Variance

On April 27, 2015, the United States Department of Health & Human Services (HHS) (and Centers for Disease Control and Prevention (CDC)) finalized new guidance which recommends a single national fluoride level of 0.7 mg/L at community public water supplies. The updated HHS and CDC recommendation was based on recent U.S. Environmental Protection Agency and HHS scientific assessments to balance the benefits of preventing tooth decay while limiting any potential negative health effects of high fluoride consumption, specifically dental fluorosis.

In light of this new optimal fluoride concentration recommendation, the Minnesota Department of Health (MDH) will begin a formal rulemaking process in the future to make changes to Minnesota Rule 4720.0030, which currently states:

**Fluoride content.** *The fluoride content of the water shall be controlled to maintain an average concentration of 1.2 milligrams per liter; the concentration shall be neither less than 0.9 milligrams per liter nor more than 1.5 milligrams per liter.*

In anticipation of the formal rule change, our PWS requested a discretionary variance to the current rule, as allowed by Minnesota Statute 14.055, on July 14, 2015. The variance request was approved by the MDH on July 14, 2015. Copies of the variance request and approval are attached to this letter. As described by the variance, **we intend to maintain an average fluoride concentration of 0.7 mg/L, within a range of 0.5 to 0.9 mg/L, beginning on September 1, 2015.**

We are notifying you about this fluoridation variance because you purchase some or all of your drinking water from our PWS. The approved variance is applicable to any consecutive PWS which purchases all drinking water from our PWS. If your distribution contains mixtures of water from our PWS and other sources, we recommend you contact the MDH at 651-201-4700 or [health.drinkingwateradvisory@state.mn.us](mailto:health.drinkingwateradvisory@state.mn.us) in order to determine how our variance affects your compliance status.

Lincoln Pipestone Rural Water is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)

Visit the LPRW Web Site at [www.lprw.com](http://www.lprw.com)

We also recommend that you communicate with your local dental providers of this change.

Sincerely,

*Jason Overby*

Operations Manager  
Lincoln-Pipestone Rural Water System  
415 E. Benton St, PO Box 188  
Lake Benton, MN 56149  
(507)368-4248  
[lpwqis@itctel.com](mailto:lpwqis@itctel.com)

Attachments(2)

Jodi Greer

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**From:** Minnesota Department of Health <mdh@public.govdelivery.com>  
**Sent:** Thursday, May 21, 2015 3:25 PM  
**To:** lprw@itctel.com  
**Subject:** Minnesota Fluoridation Law - Rule Variance process



Minnesota Department of Health  
*Protecting, maintaining and improving the health of all Minnesotans*

**Date:** May 21, 2015  
**To:** Municipal Community Public Water Supply Owners and Water Superintendents  
**From:** Karla Peterson, P.E., Supervisor, Community Public Water Supply Unit, MDH  
**Phone:** 651/201-4679  
**Subject:** Minnesota Fluoridation Law - Rule Variance Process

**Please read this entire message to find out how you can apply to the Minnesota Department of Health (MDH) for a variance on the fluoride concentration your municipal public water supply system must supply. The variance will allow you to lower the fluoride concentration in your public drinking water to be at an average of 0.7 mg/L, within the range of 0.5 to 0.9 mg/L.**

On April 27, 2015, the United States Department of Health & Human Services (HHS) (and Centers for Disease Control and Prevention (CDC)) finalized new guidance which recommends a single national fluoride level of 0.7 mg/L at community public water supplies.

The updated HHS and CDC recommendation was based on recent U.S. Environmental Protection Agency and HHS scientific assessments to balance the benefits of preventing tooth decay while limiting any potential negative health effects of high fluoride consumption, specifically dental fluorosis. Dental fluorosis, a discoloration of the tooth surface that may range from barely discernable markings to brown stains to surface pitting, may occur when excessive fluoride is consumed during tooth development (usually before age 8).

In light of this new optimal fluoride concentration in drinking water recently proposed by the HHS and CDC, MDH will begin a formal rulemaking process in the future to make changes to Minnesota Rule 4720.0030, which states:

**Fluoride content.** *The fluoride content of the water shall be controlled to maintain an average concentration of 1.2 milligrams per liter; the concentration shall be neither less than 0.9 milligrams per liter nor more than 1.5 milligrams per liter.*

In the meantime, MDH is allowing systems to apply for a variance to the current rule as allowed by

Minnesota Statute 14.055, which states that “a person or entity may petition an agency for a variance from a rule adopted by the agency, as it applies to the circumstances of the petitioner.” It also states:

**Discretionary variances.** *An agency may grant a variance if the agency finds that:*

- (1) application of the rule to the petitioner would result in hardship or injustice;*
- (2) variance from the rule would be consistent with the public interest; and*
- (3) variance from the rule would not prejudice the substantial legal or economic rights of any person or entity*

Municipal public water supply (PWS) owners interested in maintaining a lower optimal fluoride concentration in drinking water, at an average of 0.7 mg/L within the range of 0.5 to 0.9 mg/L, can request a discretionary variance to Rule 4720.0030 by submitting the information below.

Please contact 651-201-4700 or [health.drinkingwateradvisory@state.mn.us](mailto:health.drinkingwateradvisory@state.mn.us) with any questions.

**Variance Request to Minnesota Rule 4720.0030**

PWS Name Lincoln - Pipestone Rural Water System

PWS ID Number 1410007

I am requesting a variance to Minnesota Rule 4720.0030 on behalf of my PWS. This discretionary variance is in response to the recent guidance from the HHS and CDC for a single national fluoride level of 0.7 mg/L at community PWSs. We intend to maintain an average fluoride concentration of 0.7 mg/L, in the range between 0.5 and 0.9 mg/L.

The requested variance is consistent with updated health risk information and public interest. In addition, the requested variance will not prejudice the substantial legal or economic rights of any person or entity.

Request Date 7/14/15

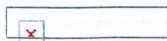
If applying by email, I intend this email address to be my signature:

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If applying in writing, Signature of PWS Owner or Representative:

Mark A. Johnson, CEO

Completed requests must be emailed to [health.drinkingwateradvisory@state.mn.us](mailto:health.drinkingwateradvisory@state.mn.us) or sent to Minnesota Department of Health, Drinking Water Protection Section, 625 North Robert Street, St. Paul, MN 55164-0975.



## Jason Overby

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**From:** \*MDH\_Drinkingwateradvisory [Health.drinkingwateradvisory@state.mn.us]  
**Sent:** Tuesday, July 14, 2015 1:28 PM  
**To:** Jason Overby  
**Subject:** RE: Fluoridation Variance Approval

**Follow Up Flag:** Follow up

**Flag Status:** Red

To Whom it May Concern:

“MDH has received and reviewed your request for a variance to Minnesota Rule 4720.0030. Your variance request is approved to provide fluoride in your public drinking water at an average concentration of 0.7 mg/L, within the range of 0.5 to 0.9 mg/L. This approval is effective immediately.”

David Rindal  
Minnesota Department of Health  
Community Public Water Supply Unit  
Phone 651/201-4660

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**From:** Jason Overby [mailto:lprwgis@itctel.com]  
**Sent:** Tuesday, July 14, 2015 12:14 PM  
**To:** \*MDH\_Drinkingwateradvisory  
**Subject:** Fluoridation Rule Variance Form

Please find attached Lincoln-Pipestone Rural Water Systems' request form for variance to Minnesota Rule 4720.0030. Please notify myself, or any LPRW staff member, if/when this request has been accepted, so as to allow operational changes to occur.

Thank you,

*Jason Overby*

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