

 **EPA Final State
Implementation
Guidance
for the
Public Notification
(PN) Rule**

Appendices A - D

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Appendix A. State Primacy Revision Application Package for the PN Rule - Example Format

This Appendix describes the elements of a State's Primacy Revision Application package for the PN Rule. A State Primacy Revision Application package should contain the following sections:

- Section I. State Primacy Revision Checklist
 - Listing of program elements from 40 CFR 142.10 that the State may have revised in response to the new rule.
- Section II. Text of the State's Regulation
- Section III. Primacy Revision Crosswalk
 - Identification of how State regulations correspond to each requirement prescribed of the federal PN Rule.
- Section IV. State Reporting and Recordkeeping Checklist
 - Explanation of how State reporting and recordkeeping requirements are consistent with federal requirements.
- Section V. Special Primacy Requirements
 - Explanation of how a State will address the special primacy requirements identified in 40 CFR 142.16.
- Section VI. Attorney General's Statement of Enforceability
 - Statement that State regulations can be enforced by the State government.

Example formats for these sections are presented on the following pages.

After a State's primacy revision application has been approved, the Regional Administrator must provide public notice and opportunity for hearing on EPA's determination. The Regional Administrator is required to publish in the *Federal Register* the proposed determination, along with a statement of supporting reasons, and notification that a public hearing may be requested.

**Review of State Primacy Revision Application
for the
Public Notification (PN) Rule**

CONTENTS:

- 1. § 142.10 Requirements - State Primacy Revision Checklist
- 2. Text of the State's Regulation
- 3. § 141 Requirements - Primacy Revision Crosswalk
- 4. § 142.14 and 15 - State Reporting and Recordkeeping Requirements
- 5. § 142.16 - Special Primacy Requirements
- 6. Attorney General's Statement of Enforceability

State: _____

Date Application Submitted: _____

Date Review Completed: _____

EPA Region: _____

Review Staff: _____

Section I. State Primacy Revision Checklist - Example Format

The State Primacy Revision Checklist is a listing of program elements from 40 CFR 142.10 that the State may have revised in response to the new rule. For the PN Rule, most States will revise only §141.10(b)(6)(v) authority to require public water systems to issue public notices.

State Primacy Revision Checklist		
Required Program Elements	Revision to State Program (Yes or No)	EPA Findings/Comments
§142.10 Primary Enforcement		
§142.10(a) Regulations No Less Stringent		
§142.10(b)(1) Maintain Inventory		
§142.10(b)(2) Sanitary Survey Program		
§142.10(b)(3) Laboratory Certification Program		
§142.10(b)(4) Laboratory Capability		
§142.10(b)(5) Plan Review Program		
§142.10(b)(6)(i) Authority to Apply Regulations		
§142.10(b)(6)(ii) Authority to Sue in Courts of Competent Jurisdiction		
§142.10(b)(6)(iii) Right of Entry		
§142.10(b)(6)(iv) Authority to Require Records		
§142.10(b)(6)(v) Authority to Require Public Notification		
§142.10(b)(6)(vi) Authority to Assess Civil and Criminal Penalties		
§142.10(b)(6)(vii) Authority to Require CWSs to Provide CCRs		
§142.10(c) Maintenance of Records		
§142.10(d) Variance/Exemption Conditions		
§142.10(e) Emergency Plans		

Section II. Text of State's Regulation

The text of the State's regulation should be included in this section.

Section III. Primacy Revision Crosswalk - Example Format

The Primacy Revision Crosswalk will be used by EPA in determining, section by section, whether the State regulations are as stringent as the federal regulations.

The revised PN Rule amended the Consumer Confidence Report (CCR) rule as well as various provisions in 40 CFR Part 141 to be consistent with the final Public Notification Regulation. All of the sections in 40 CFR Part 141 affected by these changes are listed first in the PN crosswalk beginning on the following page.

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
SUBPART B - MAXIMUM CONTAMINANT LEVELS			
§141.11 - Maximum Contaminant Levels for Inorganic Chemicals			
The non-community water system is meeting the public notification requirements under §141.209, including continuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure; and	§141.11(d)(2)		
SUBPART C - MONITORING AND ANALYTICAL REPORTING REQUIREMENTS			
§141.21 - Coliform Sampling; and §141.22 - Turbidity Sampling and Analytical Requirements			
Amended by revising "§141.32" to read "Subpart Q" in §141.21(g)(1) and (g)(2) and §141.22(b)	§141.21(g)(1) §141.21(g)(2) §141.22(b)		
§141.23 - Inorganic Chemical Sampling and Analytical Requirements			
Amended by revising "§141.32" to read "Subpart Q" in §141.23(n) and (o)	§141.23(n) §141.23(o)		
Where nitrate or nitrite sampling results indicate an exceedance of the maximum contaminant level, the system shall take a confirmation sample within 24 hours of the system's receipt of notification of the analytical results of the first sample. Systems unable to comply with the 24-hour sampling requirement must immediately notify persons served by the public water system in accordance with §141.202 and meet other Tier 1 public notification requirements under Subpart Q of this part. Systems exercising this option must take and analyze a confirmation sample within two weeks of notification of the analytical results of the first sample.	§141.23(f)(2)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION	If different than federal requirement note here and explain on separate sheet
§141.24 - Organic Chemicals Other Than Total Trihalomethanes, Sampling and Analytical Requirements			
Amended by removing §141.24(f)(15)(iii) and §141.24(h)(11)(iii)	§141.24(f)(15)(iii) §141.24(h)(11)(iii)		
§141.26 - Monitoring Frequency for Radioactivity in Community Water Systems; and §141.30 - Total Trihalomethanes Sampling, Analytical, and Other Requirements			
Amended by revising "§141.32" to read "Subpart Q"	§141.26(a)(4) §141.26(b)(5) §141.30(d)		
SUBPART D - REPORTING AND RECORDKEEPING			
§141.31- Reporting Requirements			
The public water system, within 10 days of completing the public notification requirements under Subpart Q of this part for the initial public notice and any repeat notices, must submit to the primacy agency a certification that it has fully complied with the public notification regulations. The public water system must include with this certification a representative copy of each type of notice distributed, published, posted, and made available to persons served by the system and to the media.	§141.31(d)		
§141.33 - Record Maintenance			
Copies of public notices issued pursuant to Subpart Q and certifications made to the primacy agency pursuant to §141.31 must be kept for three years after issuance.	§141.33(e)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
SUBPART G - NATIONAL REVISED PRIMARY DRINKING WATER REGULATIONS: MAXIMUM CONTAMINANT LEVELS AND MAXIMUM RESIDUAL DISINFECTANT LEVELS			
§141.63 - Maximum Contaminant Levels for Microbiological Contaminants			
Amended by revising “§141.32” to read “Subpart Q” in §141.63(b)	§141.63(b)		
SUBPART H - FILTRATION AND DISINFECTION			
§141.75 - Reporting and Recordkeeping Requirements			
If at any time the turbidity exceeds 5 NTU, the system must consult with the primacy agency as soon as practical, but no later than 24 hours after the exceedance is known, in accordance with the public notification requirements under §141.203(b)(3).	§141.75(a)(5)(ii)		
If at any time the turbidity exceeds 5 NTU, the system must consult with the primacy agency as soon as practical, but no later than 24 hours after the exceedance is known, in accordance with the public notification requirements under §141.203(b)(3).	§141.75(b)(3)(ii)		
SUBPART L - DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS			
§141.133 - Compliance Requirements			
Amended by revising “§141.32” to read “Subpart Q” in §141.133(b)(1)(i), (b)(1)(iii), (b)(2), (b)(3), and (c)(1)(i)	§141.133(b)(1)(i) §141.133(b)(1)(iii) §141.133(b)(2) §141.133(b)(3) §141.133(c)(1)(i)		
Amended by revising “§141.32(a)(1)(iii)(E)” (which appears twice) to read “Subpart Q” in §141.133(c)(2)(i)	§141.133(c)(2)(i)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
Amended by revising “§141.32(e)(78)” to read “Subpart Q” in §141.133(c)(2)(ii)	§141.133(c)(2)(ii)		
SUBPART O - CONSUMER CONFIDENCE REPORTS			
§141.153 - Content of the Reports			
A report that contains data on contaminants that EPA regulates using any of the following terms must include the applicable definitions: ***	§141.153(c)(3)		
Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.	§141.153(c)(3)(iii)		
Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.	§141.153(c)(3)(iv)		
Contaminants subject to an MCL, action level, maximum residual disinfectant level, or treatment technique (regulated contaminants).	§141.153(d)(1)(i)		
The likely source(s) of detected contaminants to the best of the operator’s knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and should be used when available to the operator. If the operator lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in Appendix A to this subpart that are most applicable to the system.	§141.153(d)(4)(ix)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
§141.155 - Report Delivery and Recordkeeping			
Any system subject to this subpart must retain copies of its Consumer Confidence Report for no less than 3 years	§141.155(h)		
Appendix A to Subpart O			
<p>Appendices A, B, and C to Subpart O (published with the final CCR Rule) contained various pieces of information about the contaminants EPA regulates. Those 3 appendices are deleted and the information is combined into a new, comprehensive Appendix A to Subpart O.</p> <p>The new Appendix A to Subpart O contains:</p> <ul style="list-style-type: none"> - New regulatory and health effects language from the Stage 1 D/DBP rule that EPA published in December 1998. - Revised health effects language for fluoride and fecal coliform/<i>E. coli</i> MCL violations. <p><i>Revised Appendix A to Subpart O can be found on page A-47, after the PN crosswalk.</i></p>	Appendices A, B, and C to Subpart O		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
SUBPART P - ENHANCED FILTRATION AND DISINFECTION			
§141.175 - Reporting and Recordkeeping Requirements			
<p>If at any time the turbidity exceeds 1 NTU in representative samples of filtered water in a system using conventional filtration treatment or direct filtration, the system must consult with the primacy agency as soon as practical, but no later than 24 hours after the exceedance is known, in accordance with the public notification requirements under §141.203(b)(3).</p>	§141.175(c)(1)		
<p>If at any time the turbidity in representative samples of filtered water exceed the maximum level set by the State under §141.173(b) for filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration, the system must consult with the primacy agency as soon as practical, but no later than 24 hours after the exceedance is known, in accordance with the public notification requirements under §141.203(b)(3).</p>	§141.175(c)(2)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
SUBPART Q - PUBLIC NOTIFICATION RULE			
§141.201- General Public Notification Requirements			
<p>Who Must Give Public Notice?</p> <p>Each owner or operator of a public water system (community water systems, non-transient non-community water systems, and transient non-community water systems) must give notice for all violations of national primary drinking water regulations (NPDWR) and for other situations, as listed in Table 1 to §141.201 of the federal rule.</p> <p>The term NPDWR violations is used in this subpart to include violations of the maximum contaminant level (MCL), maximum residual disinfection level (MRDL), treatment technique (TT), monitoring requirements, and testing procedures in part 141.</p> <p>(From Table 1 to §141.201 - Violation Categories and Other Situations Requiring a Public Notice)</p> <p>(1) NPDWR violations</p> <ul style="list-style-type: none"> (i) Failure to comply with an applicable MCL or MRDL. (ii) Failure to comply with a prescribed TT. (iii) Failure to perform water quality monitoring, as required by the drinking water regulations. (iv) Failure to comply with testing procedures as prescribed by a drinking water regulation. 	§141.201(a)		

Primacy Revision Crosswalk for the PN Rule

<p align="center">FEDERAL REQUIREMENT</p>	<p align="center">FEDERAL CITATION</p>	<p align="center">STATE CITATION <i>Document title; page #; and § or ¶</i></p>	<p align="center">If different than federal requirement note here and explain on separate sheet</p>
<p>(2) Variances and exemptions under §§1415 and 1416 of SDWA.</p> <ul style="list-style-type: none"> (i) Operation under a variance or an exemption. (ii) Failure to comply with the requirements of any schedule that has been set under a variance or exemption. <p>(3) Special public notices</p> <ul style="list-style-type: none"> (i) Occurrence of a waterborne disease outbreak or other waterborne emergency. (ii) Exceedance of the nitrate MCL by non-community water systems (NCWSs), where granted permission by the primacy agency under 141.11(d) of this part. (iii) Exceedance of the secondary maximum contaminant level (SMCL) for fluoride. (iv) Availability of unregulated contaminant monitoring data. (v) Other violations and situations determined by the primacy agency to require a public notice under this subpart, not already listed in Appendix A. 			

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
<p>What Type of Public Notice Is Required for Each Violation or Situation?</p> <p>Public notice requirements are divided into three tiers to take into account the seriousness of the violation or situation and of any potential adverse health effects that may be involved. The public notice requirements for each violation or situation listed in Table 1 of this section are determined by the Tier to which it is assigned. Table 2 of this section provides the definition of each Tier. Appendix A of this part identifies the tier assignment for each specific violation or situation.</p> <p>(From Table 2 to §141.201 - Definition of Public Notice Tiers)</p> <p>(1) Tier 1 public notice - required for NPDWR violations and situations with significant potential to have serious adverse effects on human health as a result of short-term exposure.</p> <p>(2) Tier 2 public notice - required for all other NPDWR violations and situations with potential to have serious adverse effects on human health.</p> <p>(3) Tier 3 public notice - required for all other NPDWR violations and situations not included in Tier 1 and Tier 2.</p>	§141.201(b)		
<p>Who Must Be Notified?</p> <p>(1) Each PWS must provide public notice to persons served by the water system, in accordance with this subpart.</p> <p>PWSs that sell or otherwise provide drinking water to other PWSs (i.e., to</p>	§141.201(c) §141.201(c)(1)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
<p>consecutive systems) are required to give public notice to the owner or operator of the consecutive system. The consecutive system is responsible for providing public notice to the persons it serves.</p> <p>(2) If a PWS has a violation in a portion of the distribution system that is physically or hydraulically isolated from other parts of the distribution system, the primacy agency may allow the system to limit distribution of the public notice to only persons served by that portion of the system which is out of compliance. Permission by the primacy agency for limiting distribution must be granted in writing.</p> <p>(3) A copy of the notice must also be sent to the primacy agency, in accordance with the requirements under §141.31(d).</p>	<p>§141.201(c)(2)</p> <p>§141.201(c)(3)</p>		
§141.202 - Tier 1 Public Notice Requirements - Form, Manner, and Frequency of Notice			
<p>Which Violations or Situations Require a Tier 1 Public Notice?</p> <p>Table 1 of this section lists the violation categories and other situations requiring a Tier 1 public notice. Appendix A to this subpart identifies the Tier assignment for each specific violation or situation.</p> <p>(From Table 1 to §141.202 - Violation Categories and Other Situations Requiring a Tier 1 Public Notice)</p> <p>(1) Violations of the MCL for total coliforms when fecal coliform or <i>E. coli</i> are present in the water distribution system</p>	<p>§141.202(a)</p>		

Primacy Revision Crosswalk for the PN Rule

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<p>(as specified in §141.63(b)), or when the water system fails to test for fecal coliforms or <i>E. coli</i> when any repeat sample tests positive for coliform (as specified in §141.21(e));</p>			
<p>(2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, as defined in §141.62, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL, as specified in §141.23(f)(2);</p> <p>(3) Exceedance of the nitrate MCL by non-community water systems, where permitted to exceed the MCL by the primacy agency under §141.11(d), as required under §141.209;</p> <p>(4) Violation of the MRDL for chlorine dioxide, as defined in §141.65(a), when one or more samples taken in the distribution system the day following an exceedance of the MRDL at the entrance of the distribution system exceed the MRDL, or when the water system does not take the required samples in the distribution system, as specified in §141.133(c)(2)(i);</p> <p>(5) Violation of the turbidity MCL under §141.13(b), where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation;</p>			

Primacy Revision Crosswalk for the PN Rule

<p align="center">FEDERAL REQUIREMENT</p>	<p align="center">FEDERAL CITATION</p>	<p align="center">STATE CITATION <i>Document title; page #; and § or ¶</i></p>	<p align="center">If different than federal requirement note here and explain on separate sheet</p>
<p>(6) Violation of the Surface Water Treatment Rule (SWTR) or Interim Enhanced Surface Water Treatment Rule (IESWTR) treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit (as identified in Appendix A), where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation;</p> <p>(7) Occurrence of a waterborne disease outbreak, as defined in §141.2, or other waterborne emergency (such as a failure or significant interruption in key water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that significantly increases the potential for drinking water contamination);</p> <p>(8) Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the primacy agency either in its regulations or on a case-by-case basis.</p>			

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
<p>When is the Tier 1 Public Notice to be Provided? What Additional Steps Are Required?</p> <p>PWSs must:</p> <p>(1) Provide public notice as soon as practical but no later than 24 hours after the system learns of the violation;</p> <p>(2) Initiate consultation with the primacy agency as soon as practical, but no later than 24 hours after the PWS learns of the violation or situation, to determine additional public notice requirements; and</p> <p>(3) Comply with any additional public notification requirements (including any repeat notices or direction on the duration of posted notices) that are established as a result of the consultation with the primacy agency. Such requirements may include the timing, form, manner, frequency, and content of repeat notices (if any) and other actions designed to reach all persons served.</p>	<p>§141.202(b)</p> <p>§141.202(b)(1)</p> <p>§141.202(b)(2)</p> <p>§141.202(b)(3)</p>		
<p>What is the Form and Manner of the Public Notice?</p> <p>PWSs must provide the notice within 24 hours in a form and manner reasonably calculated to reach all persons served. The form and manner used by the PWS are to fit the specific situation, but must be designed to reach residential, transient, and non-transient users of the water system.</p>	<p>§141.202(c)</p>		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
<p>In order to reach all persons served, water systems are to use, at a minimum, one or more of the following forms of delivery:</p> <p>(1) Appropriate broadcast media (such as radio and television);</p> <p>(2) Posting of the notice in conspicuous locations throughout the area served by the water system;</p> <p>(3) Hand delivery of the notice to persons served by the water system; or</p> <p>(4) Another delivery method approved in writing by the primacy agency.</p>	<p>§141.202(c)(1)</p> <p>§141.202(c)(2)</p> <p>§141.202(c)(3)</p> <p>§141.202(c)(4)</p>		
§141.203 - Tier 2 Public Notice Requirements - Form, Manner, and Frequency of Notice			
<p>Which Violations or Situations Require a Tier 2 Public Notice?</p> <p>Table 1 of this section lists the violation categories and other situations requiring a Tier 2 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.</p> <p>(From Table 1 to §141.203 - Violation Categories and Other Situations Requiring a Tier 2 Public Notice)</p> <p>(1) All violations of the MCL, MRDL, and treatment technique requirements, except where a Tier 1 notice is required under §141.202(a) or where the primacy agency determines that a Tier 1 notice is required;</p> <p>(2) Violations of the monitoring and testing procedure requirements, where the primacy agency determines that a Tier 2</p>	<p>§141.203(a)</p>		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
rather than a Tier 3 public notice is required, taking into account potential health impacts and persistence of the violation; and			
(3) Failure to comply with the terms and conditions of any variance or exemption in place.			
<p>When is the Tier 2 Public Notice to be Provided?</p> <p>(1) PWSs must provide public notice as soon as practical, but no later than 30 days after the system learns of the violation.</p> <p>If the public notice is posted, the notice must remain in place for as long as the violation or situation persists, but in no case for less than seven days, even if the violation or situation is resolved. The primacy agency may, in appropriate circumstances, allow additional time for the initial notice of up to three months from the date the system learns of the violation. Extensions granted by the primacy agency must be in writing.</p> <p>(2) The PWS must repeat the notice every three months, as long as the violation or situation persists, unless the primacy agency determines that appropriate circumstances warrant a different repeat notice frequency.</p> <p>In no circumstance may the repeat notice be given less frequently than once per year. Primacy agency determinations allowing repeat notices to be given less frequently than once every three months must be in writing.</p>	<p>§141.203(b)</p> <p>§141.203(b)(1)</p> <p>§141.203(b)(2)</p>		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
<p>(3) For the turbidity violations specified in this paragraph, PWSs must consult with the primacy agency as soon as practical but no later than 24 hours after the PWS learns of the violation, to determine whether a Tier 1 public notice under §141.202(a) is required to protect public health.</p> <p>When consultation does not take place within the 24-hour period, the water system must distribute a Tier 1 notice of the violation within the next 24 hours (i.e., no later than 48 hours after the system learns of the violation), following the requirements under §141.202(b) and (c).</p> <p>Consultation with the primacy agency is required for:</p> <ul style="list-style-type: none"> (i) Violation of the turbidity MCL under §141.13(b); or (ii) Violation of the SWTR or IESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit. 	§141.203(b)(3)		

Primacy Revision Crosswalk for the PN Rule

<p align="center">FEDERAL REQUIREMENT</p>	<p align="center">FEDERAL CITATION</p>	<p align="center">STATE CITATION</p> <p><i>Document title; page #; and § or ¶</i></p>	<p>If different than federal requirement note here and explain on separate sheet</p>
<p>What is the Form and Manner of the Tier 2 Public Notice?</p> <p>PWSs must provide the initial public notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:</p> <p>(1) Unless directed otherwise by the primacy agency in writing, a CWS must provide notice by:</p> <p>(i) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the PWS; and</p> <p>(ii) Any other method reasonably calculated to reach other persons regularly served by the system, if they would not normally be reached by the notice required in paragraph (c)(1)(i) of this section.</p> <p>Such persons may include those who do not pay water bills or do not have service connection addresses (e.g. house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.)</p>	<p>§141.203(c)</p> <p>§141.203(c)(1)</p> <p>§141.203(c)(1)(i)</p> <p>§141.203(c)(1)(ii)</p>		

Primacy Revision Crosswalk for the PN Rule

<p align="center">FEDERAL REQUIREMENT</p>	<p align="center">FEDERAL CITATION</p>	<p align="center">STATE CITATION <i>Document title; page #; and § or ¶</i></p>	<p align="center">If different than federal requirement note here and explain on separate sheet</p>
<p>Other methods may include: publication in a local newspaper; delivery of multiple copies for distribution by customers that provide drinking water to others (e.g. apartment building owners or large private employers); posting in public places served by the system or on the Internet; or delivery to community organizations.</p> <p>(2) Unless otherwise directed by the primacy agency in writing, a NCWS must provide notice by:</p> <p>(i) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); and</p> <p>(ii) Any other method reasonably calculated to reach other persons served by the system if they would not normally be reached by the notice required in paragraph (c)(2)(i) of this section.</p> <p>Such persons may include those served who may not see a posted notice because the posted notice is not in a location they routinely pass by. Other methods may include: publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or delivery of multiple copies in central locations (e.g., community centers).</p>	<p>§141.203(c)(2)</p> <p>§141.203(c)(2)(i)</p> <p>§141.203(c)(2)(ii)</p>		

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FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
§141.204 - Tier 3 Public Notice Requirements - Form, Manner, and Frequency of Notice			
<p>Which Violations or Situations Require a Tier 3 Public Notice?</p> <p>Table 1 of this section list the violation categories and other situations requiring a Tier 3 public notice. Appendix A to this subpart identifies the tier assignment for each specific violation or situation.</p> <p>(From Table 1 to §141.204 - Violation Categories and Other Situations Requiring a Tier 3 Public Notice)</p> <p>(1) Monitoring violations under 40 CFR part 141, except where a Tier 1 notice is required under §141.202(a) or where the primacy agency determines that a Tier 2 notice is required;</p> <p>(1) Failure to comply with a testing procedure established in 40 CFR part 141, except where Tier 1 notice is required under §141.202(a) or where the primacy agency determines that a Tier 2 notice is required;</p> <p>(2) Operation under a variance granted under section 1415 or exemption granted under section 1416 of the Safe Drinking Water Act;</p> <p>(3) Availability of unregulated contaminant monitoring results, as required under §141.207; and</p> <p>(4) Exceedance of the fluoride SMCL, as required under §141.208.</p>	§141.204(a)		

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<p>When is the Tier 3 Public Notice to be Provided?</p> <p>(1) PWSs must provide the public notice not later than one year after the PWS learns of the violation or situation or begins operating under a variance or exemption.</p> <p>Following the initial notice the PWS must repeat the notice annually for as long as the violation, variance, exemption, or other situation persists.</p> <p>If the public notice is posted, the notice must remain in place for as long as the violation, variance, exemption, or other situation persists, but in no case less than seven days (even if the violation or situation is resolved).</p> <p>(2) Instead of individual Tier 3 public notices, a PWS may use an annual report detailing all violations and situations that occurred during the previous twelve months, as long as the timing requirements of paragraph (b)(1) of this section are met.</p>	<p>§141.204(b)</p> <p>§141.204(b)(1)</p> <p>§141.204(b)(2)</p>		
<p>What is the Form and Manner of the Tier 3 Public Notice?</p> <p>PWSs must provide the initial notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:</p>	<p>§141.204(c)</p>		
<p>(1) Unless directed otherwise by the primacy</p>	<p>§141.204(c)(1)</p>		

Primacy Revision Crosswalk for the PN Rule

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<p>agency in writing, community water systems must provide notice by:</p> <p>(i) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the PWS; and</p> <p>(ii) Any other method reasonably calculated to reach other persons regularly served by the system, if they would not normally be reached by the notice required in paragraph (c)(1)(i) of this section.</p> <p>Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc..).</p> <p>Other methods may include: publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places or on the Internet; or delivery to community organizations.</p>	<p>§141.204(c)(1)(i)</p> <p>§141.204(c)(1)(ii)</p>		

Privacy Revision Crosswalk for the PN Rule

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<p>(2) Unless otherwise directed by the privacy agency in writing, a NCWS must provide notice by:</p> <p>(i) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system, or by mail or direct delivery to each customer and service connection (where known); and</p> <p>(ii) Any other method reasonably calculated to reach other persons served by the system, if they would not normally be reached by the notice required in paragraph (c)(2)(i) of this section.</p> <p>Such persons may include those who may not see a posted notice because the notice is not in a location they routinely pass by.</p> <p>Other methods may include: publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or, delivery of multiple copies in central locations (e.g., community centers).</p>	<p>§141.204(c)(2)</p> <p>§141.204(c)(2)(i)</p> <p>§141.204(c)(2)(ii)</p>		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
§141.205 - Content of the Public Notice			
<p>What Elements Must Be Included in the Public Notice for Violations of NPDWR or Other Situations Requiring a Public Notice?</p> <p>When a PWS violates a NPDWR or has a situation requiring public notification, each public notice must include the following elements:</p> <p>(1) A description of the violation or situation, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);</p> <p>(2) When the violation or situation occurred;</p> <p>(3) Any potential adverse health effects from the violation or situation, including the standard language under paragraph (d)(1) or (d)(2) of this section, whichever is applicable;</p> <p>(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water;</p> <p>(5) Whether alternative water supplies should be used;</p> <p>(6) What actions consumers should take, including when they should seek medical help, if known;</p> <p>(7) What the system is doing to correct the violation or situation;</p>	<p>§141.205(a)</p> <p>§141.205(a)(1)</p> <p>§141.205(a)(2)</p> <p>§141.205(a)(3)</p> <p>§141.205(a)(4)</p> <p>§141.205(a)(5)</p> <p>§141.205(a)(6)</p> <p>§141.205(a)(7)</p>		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
(8) When the water system expects to return to compliance or resolve the situation;	§141.205(a)(8)		
(9) The name, business address, and phone number of the water system owner, operator, or designee of the PWS as a source of additional information concerning the notice; and	§141.205(a)(9)		
(10) A statement to encourage the notice recipient to distribute the public notice to other persons served, using the standard language under paragraph (d)(3) of this section, where applicable.	§141.205(a)(10)		
What Elements Must Be Included in the Public Notice for PWSs Operating Under a Variance or Exemption?	§141.205(b)		
(1) If a PWS has been granted a variance or an exemption, the public notice must contain:			
(i) An explanation of the reasons for the variance or exemption;	§141.205(b)(1)(i)		
(ii) The date on which the variance or exemption was issued;	§141.205(b)(1)(ii)		
(iii) A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and	§141.205(b)(1)(iii)		
(iv) A notice of any opportunity for public input in the review of the variance or exemption.	§141.205(b)(1)(iv)		

Primacy Revision Crosswalk for the PN Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
(2) If a PWS violates the conditions of a variance or exemption, the public notice must contain the ten elements listed in paragraph (a) of this section.	§141.205(b)(2)		

Primacy Revision Crosswalk for the PN Rule

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<p>How is the Public Notice to be Presented?</p> <p>(1) Each public notice required by this section:</p> <ul style="list-style-type: none"> (i) Must be displayed in a conspicuous way when printed or posted; (ii) Must not contain overly technical language or very small print; (iii) Must not be formatted in a way that defeats the purpose of the notice; and (iv) Must not contain language which nullifies the purpose of the notice. <p>(2) Each public notice required by this section must comply with multilingual requirements, as follows:</p> <ul style="list-style-type: none"> (i) For PWSs serving a large proportion of non-English speaking consumers, as determined by the primacy agency, the public notice must contain information in the appropriate language(s) regarding the importance of the notice or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the notice or to request assistance in the appropriate language. 	<p>§141.205(c)</p> <p>§141.205(c)(1)(i)</p> <p>§141.205(c)(1)(ii)</p> <p>§141.205(c)(1)(iii)</p> <p>§141.205(c)(1)(iv)</p> <p>§141.205(c)(2)</p> <p>§141.205(c)(2)(i)</p>		

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(ii) In cases where the primacy agency has not determined what constitutes a large proportion of non-English speaking consumers, the PWS must include in the public notice, the same information as in paragraph (c)(2)(i) of this section, where appropriate to reach a large proportion of non-English speaking persons served by the water system.	§141.205(c)(2)(ii)		
<p>What Standard Language Must PWSs Include in Their Public Notice?</p> <p>PWSs are required to include the following standard language in their public notice:</p> <p>(1) Standard health effects language for MCL or MRDL violations, treatment technique violations, and violations of the condition of a variance or exemption.</p> <p>PWSs must include in each public notice the health effects language specified in Appendix B to this subpart corresponding to each MCL, MRDL, and treatment technique violation listed in Appendix A to this subpart, and for each violation of a condition of a variance or exemption.</p>	<p>§141.205(d)</p> <p>§141.205(d)(1)</p>		

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<p>(2) Standard language for monitoring and testing procedure violations.</p> <p>PWSs must include the following language in their notice, including the language necessary to fill in the blanks, for all monitoring and testing procedure violations listed in Appendix A to this subpart:</p> <p><i>“We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period], we [‘did not monitor or test’ or ‘did not complete all monitoring or testing’] for [contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time.”</i></p>	<p>§141.205(d)(2)</p>		
<p>(3) Standard language to encourage the distribution of the public notice to all persons served.</p> <p>PWSs must include in their notice the following language (where applicable):</p> <p><i>“Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.”</i></p>	<p>§141.205(d)(3)</p>		

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FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
§141.206 - Notice to New Billing Units or New Customers			
<p>What is the Requirement for Community Water Systems?</p> <p>CWSs must give a copy of the most recent public notice for any continuing violation, the existence of a variance or exemption, or other ongoing situations requiring public notice to all new billing units or new customers prior to or at the time service begins.</p>	§141.206(a)		
<p>What is the Requirement for Non-Community Water Systems?</p> <p>NCWSs must continuously post the public notice in conspicuous locations in order to inform new consumers of any continuing violation, variance or exemption, or other situation requiring a public notice for as long as the violation, variance, exemption, or other situation persists.</p>	§141.206(b)		
§141.207- Special Notice of the Availability of Unregulated Contaminant Monitoring Results			
<p>When is the Special Notice to be Given?</p> <p>The owner or operator of a community water system or non-transient, non-community water system required to monitor under §141.40 must notify persons served by the system of the availability of the results of such sampling no later than 12 months after the monitoring results are known.</p>	§141.207(a)		

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FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
<p>What is the Form and Manner of the Special Notice?</p> <p>The form and manner of the public notice must follow the requirements for a Tier 3 public notice prescribed in §§141.204(c), (d)(1), and (d)(3). The notice must also identify a person and provide the telephone number to contact for information on the monitoring results.</p>	§141.207(b)		
§141.208- Special Notice for Exceedance of the SMCL for Fluoride			
<p>When is the Special Notice to be Given?</p> <p>CWSs that exceed the fluoride SMCL of 2 mg/l as specified in §143.3 (determined by the last single sample taken in accordance with §141.23), but do not exceed the MCL of 4 mg/l for fluoride (as specified in §141.62), 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 12 months from the day the water system learns of the exceedance.</p> <p>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 PWS 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 primacy agency may require an initial notice sooner than 12 months and repeat notices more frequently than annually.</p>	§141.208(a)		

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<p>What is the Form and Manner of the Special Notice?</p> <p>The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in §§141.204(c), (d)(1), and (d)(3).</p>	§141.208(b)		
<p>What Mandatory Language Must Be Contained in the Special Notice?</p> <p>The notice must contain the following language, including the language necessary to fill in the blanks:</p> <p><i>“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.</i></p>	§141.208(c)		

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<p><i>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.</i></p> <p><i>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.</i></p> <p><i>For more information, please call [name of your 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-NSF-HELP."</i></p>			

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FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement note here and explain on separate sheet
§141.209 - Special Notice for Nitrate Exceedances Above MCL by Non-Community Water Systems (NCWS), Where Granted Permission by the Primacy Agency under §141.11(d)			
When is the Special Notice to be Given? The owner or operator of a non-community water system granted permission by the primacy agency under §141.11(d) to exceed the nitrate MCL must provide notice to persons served according to the requirements for a Tier 1 notice under §141.202(a) and (b).	§141.209(a)		
What is the Form and Manner of the Special Notice? Non-community water systems granted permission by the primacy agency to exceed the nitrate MCL under §141.11(d) must provide continuous posting of the fact that nitrate levels exceed 10 mg/l and the potential health effects of exposure, according to the requirements for Tier 1 notice delivery under §141.202(c) and the content requirements under §141.205.	§141.209(b)		

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§141.210 - Notice By Primacy Agency On Behalf of the Public Water System			
<p>May the Primacy Agency Give Notice on Behalf of the PWS?</p> <p>The primacy agency may give the notice required by this subpart on behalf of the owner and operator of the PWS if the primacy agency complies with the requirements of this subpart.</p>	§141.210(a)		
<p>What is the Responsibility of the PWS When Notice is Given by the Primacy Agency?</p> <p>The owner or operator of the PWS remains responsible for ensuring that the requirements of this subpart are met.</p>	§141.210(b)		

Section IV. State Reporting and Recordkeeping Checklist - Example Format

States can use this form to explain how State reporting and recordkeeping requirements are consistent with federal requirements for recordkeeping, 40 CFR 142.14, and reporting 40 CFR 142.15. If the State's provisions differ from federal requirements, the State can use this form to explain how their requirements are no less stringent.

State Reporting and Recordkeeping Checklist	
Requirement	Are State Policies Consistent with Federal Requirements? If Not, Explain
§142.14(f) - Records Kept by States	
Public notification records under Subpart Q of Part 141 received from public water systems (including the certifications and copies of the public notice) and any State determinations establishing alternative public notification requirements for the water systems must be retained for three years.	
§142.15(a)(1)	
New violations by public water systems in the State during the previous quarter of State regulations adopted to incorporate the requirements of national primary drinking water regulations, including violations of the public notification requirements under Subpart Q of Part 141.	

Section V. Special Primacy Requirements - Example Format

In this section, States must describe how they will address each special primacy requirement. To complete the special primacy requirements section, the State should fill out the first blank column with a “Yes” or “ No” answer, to indicate whether those provisions are being adopted at the State level. For all “Yes” answers, further explanation should be provided. (Refer to Section III, Special Primacy Requirements of the PN Rule, in the main body of the Implementation Guidance for additional information on how States may choose to meet these requirements.)

Special Primacy Requirements Checklist	
Requirement	Applicable to State? (Yes or No)
	If Yes, Provide Further Description
<p>§142.16(a)(1):</p> <p>At its option, a State may, by rule, and after notice and comment, establish alternative public notification requirements with respect to the form and content of the public notice required under subpart Q of part 141.</p> <p>The alternative requirements must provide the same type and amount of information required under subpart Q and must be designed to achieve an equivalent level of public notice of violations as would be achieved under subpart Q of part 141.</p>	
<p>§142.16(a)(2):</p> <p>As part of the revised primacy program, a State must also establish enforceable requirements and procedures when the State opts to add to or change the minimum requirements under:</p> <p>(i) <u>Table 1 to 40 CFR 141.201(a) (Item 3v)</u> - To require public water systems to give a public notice for violations or situations other than those listed in Appendix A of Subpart Q of Part 141 of the rule.</p>	

Special Primacy Requirements Checklist	
Requirement	Applicable to State? (Yes or No)
	If Yes, Provide Further Description
(ii) <u>40 CFR 141.201(c)(2)</u> - To allow public water systems, under the specific circumstances listed in §141.201(c)(2), to limit the distribution of the public notice to persons served by the portion of the distribution system that is out of compliance.	
(iii) <u>Table 1 of 40 CFR 141.202(a) (Items 5, 6, and 8)</u> – To require public water systems to give a Tier 1 public notice (rather than a Tier 2 or Tier 3 notice) for violations or situations listed in Appendix A of Subpart Q of Part 141 of the rule.	
(iv) <u>40 CFR 141.202(b)(3)</u> - To require public water systems to comply with additional Tier 1 public notification requirements set by the State subsequent to the initial 24-hour Tier 1 notice, as a result of their consultation with the State required under §141.202(b)(2).	
(v) <u>40 CFR 141.202(c), 141.203(c) and 141.204(c)</u> -- To require a different form and manner of delivery for Tier 1, 2 and 3 public notices.	
(vi) <u>Table 1 to 40 CFR 141.203(a) (Item 2)</u> – To require the public water systems to provide a Tier 2 public notice (rather than Tier 3) for monitoring or testing procedure violations specified by the State.	

Special Primacy Requirements Checklist	
Requirement	Applicable to State? (Yes or No) If Yes, Provide Further Description
(vii) <u>40 CFR 141.203(b)(1)</u> - To grant public water systems an extension up to three months for distributing the Tier 2 public notice in appropriate circumstances (other than those specifically excluded in the rule).	
(viii) <u>40 CFR 141.203(b)(2)</u> – To grant a different repeat notice frequency for the Tier 2 public notice in appropriate circumstances (other than those specifically excluded in the rule), but no less frequently than once per year.	
(ix) <u>40 CFR 141.203(b)(3)</u> – To respond within 24 hours to a request for consultation by the public water system to determine whether a Tier 1 (rather than a Tier 2) notice is required for a turbidity MCL violation under §141.13(b) or a SWTR/IESWTR TT violation due to a single exceedance of the maximum allowable turbidity limit.	
(x) <u>40 CFR 141.205(c)(2)</u> – To determine the specific multilingual requirement for a public water system, including defining “large proportion of non-English-speaking consumers.”	

Section VI. Attorney General's Statement of Enforceability - Example Format

Model Language

I hereby certify, pursuant to my authority as _____(1)_____ and in accordance with the Safe Drinking Water Act as amended, and _____(2)_____, that in my opinion the laws of the [State/Commonwealth] of _____(3)_____ [or Tribal ordinances of _____(4)_____] to carry out the program set forth in the "Program Description" submitted by the _____(5)_____ have been duly adopted and are enforceable. The specific authorities provided are contained in statutes or regulations that are lawfully adopted at the time this Statement is approved and signed and will be fully effective by the time the program is approved.

Guidance and Model Language For States on Audit Privilege and/or Immunity Laws

In order for EPA to properly evaluate the State's request for approval, the State Attorney General or independent legal counsel should certify that the State's environmental audit immunity and/or privilege and immunity law does not affect its ability to meet enforcement and information gathering requirements under the Safe Drinking Water Act. This certification should be reasonably consistent with the wording of the State audit laws and should demonstrate how State program approval criteria are satisfied.

EPA will apply the criteria outlined in its "Statement of Principles" memo issued on February 14, 1997 in determining whether States with audit laws have retained adequate enforcement authority for any authorized federal programs. The principles articulated in the guidance are based on the requirements of federal law, specifically the enforcement and compliance and State program approval provisions of environmental statutes and their corresponding regulations. The Principles provide that if provisions of State law are ambiguous, it will be important to obtain opinions from the State Attorney General or independent legal counsel interpreting the law as meeting specific federal requirements. If the law cannot be so interpreted, changes to State laws may be necessary to obtain federal program approval. Before submitting a package for approval, States with audit privilege and/or immunity laws should initiate communications with appropriate EPA Regional offices to identify and discuss the issues raised by the State's audit privilege and/or immunity law.

Model Language for States with No Audit Privilege and/or Immunity Laws

Furthermore, I certify that [State/Commonwealth] of _____(3)_____ has not enacted any environmental audit privilege and/or immunity laws.

Model Language For States with Audit Laws that Do Not Apply to the State Agency Administering the Safe Drinking Water Act

Furthermore, I certify that the environmental [audit privilege and/or immunity law] of the [State/ Commonwealth] of _____(3)_____ does not affect _____(3)_____ ability to meet enforcement and information gathering requirements under the Safe Drinking Water Act because the [audit privilege and/or immunity law] does not apply to the program set forth in the “Program Description.” The Safe Drinking Water Act program set forth in the “Program Description” is administered by _____(5)_____; the [audit privilege and/or immunity law] does not affect programs implemented by _____(5)_____, thus the program set forth in the “Program Description” is unaffected by the provisions of [State/Commonwealth] of _____(3)_____ [audit privilege and/or immunity law].

Model Language For States with Audit Privilege and/or Immunity Laws that Worked with EPA to Satisfy Requirements for Federally Authorized, Delegated or Approved Environmental Programs.

Furthermore, I certify that the environmental [audit privilege and/or immunity law] of the [State / Commonwealth] of _____(3)_____ does not affect _____(3)_____ ability to meet enforcement and information gathering requirements under the Safe Drinking Water Act because [State/Commonwealth] of _____(3)_____ has enacted statutory revisions and/or issued a clarifying Attorney General’s statement to satisfy requirements for federally authorized, delegated or approved environmental programs.

Seal of Office

Signature

Name and Title

Date

- (1) Attorney General or attorney for primacy agency if it has independent legal counsel
- (2) 40 CFR 142.12(c)(1)(iii) for final requests for approval of program revisions
- (3) Name of State or Commonwealth
- (4) Name of Tribe
- (5) Name of Primacy Agency

Appendix A to Subpart O – Regulated Contaminants

Key

AL=Action Level

MCL=Maximum Contaminant Level

MCLG=Maximum Contaminant Level Goal

MFL=million fibers per liter

MRDL=Maximum Residual Disinfectant Level

MRDLG=Maximum Residual Disinfectant Level Goal

mrem/year=millirems per year (a measure of radiation absorbed by the body)

N/A=Not Applicable

NTU=Nephelometric Turbidity Units
(a measure of water clarity)

pCi/l=picocuries per liter (a measure of radioactivity)

ppm=parts per million, or milligrams per liter (mg/l)

ppb=parts per billion, or micrograms per liter (µg/l)

ppt=parts per trillion, or nanograms per liter

ppq=parts per quadrillion, or picograms per liter

TT=Treatment Technique

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Microbiological Contaminants						
Total Coliform Bacteria	MCL: (systems that collect ≥40 samples/ month) 5% of monthly samples are positive; (systems that collect < 40 samples/ month) 1 positive monthly sample			0	Naturally present in the environment	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform and <i>E. coli</i>	0			0	Human and animal fecal waste	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely-compromised immune systems.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Total organic carbon (ppm)	TT	-	TT	n/a	Naturally present in the environment	Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection by products. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.
Turbidity (NTU)	TT	-	TT	n/a	Soil runoff	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
Radioactive Contaminants						
Beta/photon emitters (mrem/yr)	4 mrem/yr	-	4	0* <i>Effective 12/8/03</i>	Decay of natural and man-made deposits	Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
Alpha emitters (pCi/l)	15 pCi/l	-	15	0* <i>Effective 12/8/03</i>	Erosion of natural deposits	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Combined radium (pCi/l)	5 pCi/l	-	5	0* <i>Effective 12/8/03</i>	Erosion of natural deposits	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
Uranium (µg/l)	30 µg/l*	-	30*	0*	Erosion of natural deposits	Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.
Inorganic Contaminants						
Antimony (ppb)	.006	1000	6	6	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder	Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.
Arsenic (ppb)	0.01*	1000	10*	0*	Erosion of natural deposits; Runoff from orchards; Runoff from glass and electronics production wastes	Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.
	* Arsenic values are effective January 23, 2006. Until then, the MCL is 0.05 mg/l (50 ppb) and there is no MCLG.					
Asbestos (MFL)	7 MFL	-	7	7	Decay of asbestos cement water mains; Erosion of natural deposits	Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
Barium (ppm)	2	-	2	2	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits	Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Beryllium (ppb)	.004	1000	4	4	Discharge from metal refineries and coal-burning factories; Discharge from electrical, aerospace, and defense industries	Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.
Bromate ¹ (ppb)	.010	1000	10	0	By-product of drinking water chlorination	Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.
Cadmium (ppb)	.005	1000	5	5	Corrosion of galvanized pipes; Erosion of natural deposits; Discharge from metal refineries; Runoff from waste batteries and paints	Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.
Chloramines ¹ (ppm)	MRDL = 4	-	MRDL = 4	MRDLG = 4	Water additive used to control microbes	Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.

¹ The PN Rule published in the *Federal Register* on May 4, 2000 updated Appendix A of the CCR Rule. Information for this contaminant was incorrectly placed in the volatile organic contaminants section of Appendix A instead of the inorganic contaminants section. EPA will publish a technical correction to the rule to correct this error.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Chlorine ¹ (ppm)	MRDL = 4	-	MRDL = 4	MRDLG = 4	Water additive used to control microbes	Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.
Chlorine dioxide ¹ (ppb)	MRDL = .8	1000	MRDL = 800	MRDLG = 800	Water additive used to control microbes	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.
Chlorite ¹ (ppm)	1	-	1	0.8	By-product of drinking water chlorination	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
Chromium (ppb)	.1	1000	100	100	Discharge from steel and pulp mills; Erosion of natural deposits	Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.

¹ The PN Rule published in the *Federal Register* on May 4, 2000 updated Appendix A of the CCR Rule. Information for this contaminant was incorrectly placed in the volatile organic contaminants section of Appendix A instead of the inorganic contaminants section. EPA will publish a technical correction to the rule to correct this error.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Copper (ppm)	AL=1.3	-	AL=1.3	1.3	Corrosion of household plumbing systems; Erosion of natural deposits; Leaching from wood preservatives	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
Cyanide (ppb)	.2	1000	200	200	Discharge from steel/metal factories; Discharge from plastic and fertilizer factories	Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.
Fluoride (ppm)	4	-	4	4	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories	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.
Lead (ppb)	AL=.015	1000	AL=15	0	Corrosion of household plumbing systems; Erosion of natural deposits	Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Mercury [inorganic] (ppb)	.002	1000	2	2	Erosion of natural deposits; Discharge from refineries and factories; Runoff from landfills; Runoff from cropland	Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.
Nitrate (ppm)	10	-	10	10	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits	Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
Nitrite (ppm)	1	-	1	1	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits	Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
Selenium (ppb)	.05	1000	50	50	Discharge from petroleum and metal refineries; Erosion of natural deposits; Discharge from mines	Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.
Thallium (ppb)	.002	1000	2	0.5	Leaching from ore-processing sites; Discharge from electronics, glass, and drug factories	Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Synthetic Organic Contaminants including Pesticides and Herbicides						
2,4-D (ppb)	.07	1000	70	70	Runoff from herbicide used on row crops	Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.
2,4,5-TP [Silvex] (ppb)	.05	1000	50	50	Residue of banned herbicide	Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.
Acrylamide	TT	-	TT	0	Added to water during sewage/ wastewater treatment	Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.
Alachlor (ppb)	.002	1000	2	0	Runoff from herbicide used on row crops	Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.
Atrazine (ppb)	.003	1000	3	3	Runoff from herbicide used on row crops	Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.
Benzo(a)pyrene [PAH] (nanograms/l)	.0002	1,000,000	200	0	Leaching from linings of water storage tanks and distribution lines	Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Carbofuran (ppb)	.04	1000	40	40	Leaching of soil fumigant used on rice and alfalfa	Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.
Chlordane (ppb)	.002	1000	2	0	Residue of banned termiticide	Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.
Dalapon (ppb)	.2	1000	200	200	Runoff from herbicide used on rights of way	Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.
Di(2-ethylhexyl) adipate (ppb)	.4	1000	400	400	Discharge from chemical factories	Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience toxic effects such as weight loss, liver enlargement, or possible reproductive difficulties.
Di(2-ethylhexyl) phthalate (ppb)	.006	1000	6	0	Discharge from rubber and chemical factories	Some people who drink water containing di (2-ethylhexyl) phthalate well in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer.
Dibromochloropropane (ppt)	.0002	1,000,000	200	0	Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards	Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive problems and may have an increased risk of getting cancer.
Dinoseb (ppb)	.007	1000	7	7	Runoff from herbicide used on soybeans and vegetables	Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Diquat (ppb)	.02	1000	20	20	Runoff from herbicide use	Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.
Dioxin [2,3,7,8-TCDD] (ppq)	.00000003	1,000,000,000	30	0	Emissions from waste incineration and other combustion; Discharge from chemical factories	Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
Endothall (ppb)	.1	1000	100	100	Runoff from herbicide use	Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.
Endrin (ppb)	.002	1000	2	2	Residue of banned insecticide	Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.
Epichlorohydrin	TT	-	TT	0	Discharge from industrial chemical factories; An impurity of some water treatment chemicals	Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.
Ethylene dibromide (ppt)	.00005	1,000,000	50	0	Discharge from petroleum refineries	Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.
Glyphosate (ppb)	.7	1000	700	700	Runoff from herbicide use	Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Heptachlor (ppt)	.0004	1,000,000	400	0	Residue of banned pesticide	Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.
Heptachlor epoxide (ppt)	.0002	1,000,000	200	0	Breakdown of heptachlor	Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.
Hexachlorobenzene (ppb)	.001	1000	1	0	Discharge from metal refineries and agricultural chemical factories	Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
Hexachloro-cyclopentadiene (ppb)	.05	1000	50	50	Discharge from chemical factories	Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.
Lindane (ppt)	.0002	1,000,000	200	200	Runoff/leaching from insecticide used on cattle, lumber, gardens	Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.
Methoxychlor (ppb)	.04	1000	40	40	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock	Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.
Oxamyl [Vydate] (ppb)	.2	1000	200	200	Runoff/leaching from insecticide used on apples, potatoes and tomatoes	Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
PCBs [Polychlorinated biphenyls] (ppt)	.0005	1,000,000	500	0	Runoff from landfills; Discharge of waste chemicals	Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
Pentachlorophenol (ppb)	.001	1000	1	0	Discharge from wood preserving factories	Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.
Picloram (ppb)	.5	1000	500	500	Herbicide runoff	Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.
Simazine (ppb)	.004	1000	4	4	Herbicide runoff	Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.
Toxaphene (ppb)	.003	1000	3	0	Runoff/leaching from insecticide used on cotton and cattle	Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.
Volatile Organic Contaminants						
Benzene (ppb)	.005	1000	5	0	Discharge from factories; Leaching from gas storage tanks and landfills	Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Carbon tetrachloride (ppb)	.005	1000	5	0	Discharge from chemical plants and other industrial activities	Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
Chlorobenzene (ppb)	.1	1000	100	100	Discharge from chemical and agricultural chemical factories	Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.
o-Dichlorobenzene (ppb)	.6	1000	600	600	Discharge from industrial chemical factories	Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.
p-Dichlorobenzene (ppb)	.075	1000	75	75	Discharge from industrial chemical factories	Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.
1,2-Dichloroethane (ppb)	.005	1000	5	0	Discharge from industrial chemical factories	Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
1,1-Dichloroethylene (ppb)	.007	1000	7	7	Discharge from industrial chemical factories	Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
cis-1,2-Dichloroethylene (ppb)	.07	1000	70	70	Discharge from industrial chemical factories	Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
trans-1,2-Dichloroethylene (ppb)	.1	1000	100	100	Discharge from industrial chemical factories	Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.
Dichloromethane (ppb)	.005	1000	5	0	Discharge from pharmaceutical and chemical factories	Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.
1,2-Dichloropropane (ppb)	.005	1000	5	0	Discharge from industrial chemical factories	Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.
Ethylbenzene (ppb)	.7	1000	700	700	Discharge from petroleum refineries	Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.
Haloacetic Acids (HAA) (ppb)	.060	1000	60	n/a	By-product of drinking water disinfection	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
Styrene (ppb)	.1	1000	100	100	Discharge from rubber and plastic factories; Leaching from landfills	Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.
Tetrachloroethylene (ppb)	.005	1000	5	0	Discharge from factories and dry cleaners	Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
1,2,4-Trichlorobenzene (ppb)	.07	1000	70	70	Discharge from textile-finishing factories	Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.
1,1,1-Trichloroethane (ppb)	.2	1000	200	200	Discharge from metal degreasing sites and other factories	Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.
1,1,2-Trichloroethane (ppb)	.005	1000	5	3	Discharge from industrial chemical factories	Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.
Trichloroethylene (ppb)	.005	1000	5	0	Discharge from metal degreasing sites and other factories	Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
TTHMs [Total trihalomethanes] (ppb)	0.10/.080	1000	100/80	n/a	By-product of drinking water chlorination	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.
Toluene (ppm)	1	-	1	1	Discharge from petroleum factories	Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.
Vinyl Chloride (ppb)	.002	1000	2	0	Leaching from PVC piping; Discharge from plastics factories	Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCLG	Major Sources in Drinking Water	Health Effects Language
Xylenes (ppm)	10	-	10	10	Discharge from petroleum factories; Discharge from chemical factories	Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.

Appendix B. State Primacy Revision Application Package for the PN and CCR Rules - Example Format

This Appendix describes the elements of a combined primacy revision package for both the PN and CCR Rules. If a State wishes to submit a combined application package, the following elements should be included and address both rules:

Section I. State Primacy Revision Checklist

- ▶ Listing of program elements from 40 CFR 142.10 that the State may have revised in response to the new rule.

Section II. Text of the State's Regulation

Section III. Primacy Revision Crosswalk

- ▶ Identification of how State regulations correspond to each requirement prescribed of the federal rules.

Section IV. State Reporting and Recordkeeping Checklist

- ▶ Explanation of how State reporting and recordkeeping requirements are consistent with federal requirements.

Section V. Special Primacy Requirements

- ▶ Explanation of how a State will address the special primacy requirements identified in 40 CFR 142.16.

Section VI. Attorney General's Statement of Enforceability

- ▶ Statement that State regulations can be enforced by the State government.

Appendix A provides example formats for these six elements for the PN Rule. Additional information needed for the CCR Rule is presented in this Appendix.

Review of State Primacy Revision Application
for the
Public Notification (PN)
and
Consumer Confidence Report (CCR) Rules

CONTENTS:

1. § 142.10 Requirements - State Primacy Revision Checklist
2. Text of the State's Regulation
3. § 141 Requirements - Primacy Revision Crosswalk
4. § 142.14 and 15 - State Reporting and Recordkeeping Requirements
5. § 142.16 - Special Primacy Requirements
6. Attorney General's Statement of Enforceability

State:

Date Application Submitted:

Date Review Completed:

EPA Region:

Review Staff:

Section I. State Primacy Revision Checklist - Example Format

The State Primacy Revision Checklist is a listing of program elements from 40 CFR 142.10 that the State may have revised in response to the new rule. For these two rules, most States will revise §§142.10(b)(6)(v) and (vii) authority to require public notification and to require community water systems to issue CCRs.

State Primacy Revision Checklist		
Required Program Elements	Revision to State Program (Yes or No)	EPA Findings/ Comments
§142.10 Primary Enforcement		
§142.10(a) Regulations No Less Stringent		
§142.10(b)(1) Maintain Inventory		
§142.10(b)(2) Sanitary Survey Program		
§142.10(b)(3) Laboratory Certification Program		
§142.10(b)(4) Laboratory Capability		
§142.10(b)(5) Plan Review Program		
§142.10(b)(6)(i) Authority to Apply Regulations		
§142.10(b)(6)(ii) Authority to Sue in Courts of Competent Jurisdiction		
§142.10(b)(6)(iii) Right of Entry		
§142.10(b)(6)(iv) Authority to Require Records		
§142.10(b)(6)(v) Authority to Require Public Notification		
§142.10(b)(6)(vi) Authority to Assess Civil and Criminal Penalties		
§142.10(b)(6)(vii) Authority to Require CWSs to Provide CCRs		
§142.10(c) Maintenance of Records		
§142.10(d) Variance/Exemption Conditions		
§142.10(e) Emergency Plans		
§142.10(f) Administrative Penalty Authority		

Section II. Text of State's Regulation

The text of the State's regulations for the PN and CCR Rules should be included in this section.

Section III. Primacy Revision Crosswalk - Example Format

The Primacy Revision Crosswalk will be used by EPA in determining, section by section, whether the State regulations are as stringent as the federal regulations. Appendix A, page A-5, contains a crosswalk for the PN Rule. The crosswalk for the CCR Rule is given on the following pages.

Note: This crosswalk has been updated to reflect all of the technical corrections and amendments to the CCR Rule published in the Federal Register from 1998 to 2001.

Primacy Revision Crosswalk for the CCR Rule

<p align="center">FEDERAL REQUIREMENT</p>	<p align="center">FEDERAL CITATION</p>	<p align="center">STATE CITATION <i>Document title; page #; and § or ¶</i></p>	<p align="center">If different than federal requirement, note here and explain on a separate sheet</p>
<p>DEFINITIONS</p> <p>Customers: <i>Billing units or service connections to which water is delivered by a community water system.</i></p> <p>Detected: <i>At or above the levels prescribed by §141.23(a)(4) for inorganic contaminants, at or above the levels prescribed by §141.24(f)(7) for the contaminants listed in §141.61(a), at or above the level prescribed by §141.24(h)(18) for the contaminants listed in §141.61(c), and at or above the levels prescribed by §141.25(c) for radioactive contaminants.</i></p> <p>Maximum Contaminant Level Goal or MCLG: <i>The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.</i></p> <p>Maximum Contaminant Level or MCL: <i>The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.</i></p> <p>Variations and Exemptions: <i>State or EPA permission not to meet an MCL or a treatment technique under certain conditions.</i></p> <p>Treatment Technique (TT): <i>A required process intended to reduce the level of a contaminant in drinking water.</i></p>	<p>§141.151(c)</p> <p>§141.151(d)</p> <p>§141.153(c)(1)(i)</p> <p>§141.153(c)(1)(ii)</p> <p>§141.153(c)(2)</p> <p>§141.153(c)(3)(i)</p>		

Primacy Revision Crosswalk for the CCR Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement, note here and explain on a separate sheet
<p>Action Level (AL): <i>The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.</i></p> <p>Maximum Residual Disinfectant Level Goal or MRDLG: <i>The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.</i></p> <p>Maximum Residual Disinfectant Level or MRDL: <i>The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.</i></p>	<p>§141.153(c)(3)(ii)</p> <p>§141.153(c)(3)(iii)</p> <p>§141.153(c)(3)(iv)</p>		
§141.152 - General Requirements			
<p>EFFECTIVE DATES</p> <p>Each existing CWS must deliver its first report by October 19, 1999, its second report by July 1, 2000, and subsequent reports by July 1 annually thereafter. The first report must contain data collected during, or prior to, calendar year 1998 as prescribed in §141.153(d)(3). Each report thereafter must contain data collected during, or prior to, the previous calendar year.</p>	§141.152(b)		
<p>A new CWS must deliver its first report by July 1 of the year after its first full calendar year in operation and annually thereafter.</p>	§141.152(c)		

Primacy Revision Crosswalk for the CCR Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement, note here and explain on a separate sheet
<p>A CWS that sells water to another CWS must deliver the applicable information required in §141.153 to the buyer system:</p> <ul style="list-style-type: none"> ▶ No later than April 19, 1999, by April 1, 2000, and by April 1 annually thereafter or ▶ On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties. 	<p>§141.152(d)</p> <p>§141.152(d)(1)</p> <p>§141.152(d)(2)</p>		
§141.153; §141.154 - Content of the CCRs			
Each CWS must provide to its customers an annual report that contains the information specified in this section and §141.154.	§141.153(a)		
<p>Information on the source of the water delivered:</p> <p>Each report must identify the source(s) of the water delivered by the CWS by providing information on:</p> <ul style="list-style-type: none"> ▶ The type of water: e.g., surface water, ground water; and ▶ The commonly used name (if any) and location of the body (or bodies) of water. 	<p>§141.153(b)</p> <p>§141.153(b)(1)</p> <p>§141.153(b)(1)(i)</p> <p>§141.153(b)(1)(ii)</p>		
If a source water assessment has been completed, the report must notify consumers of the availability of this information and the means to obtain it. In addition, systems are encouraged to	§141.153(b)(2)		

Primacy Revision Crosswalk for the CCR Rule

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<p>highlight in the report significant sources of contamination in the source water area if they have readily available information. Where a system has received a source water assessment from the primacy agency, the report must include a brief summary of the system's susceptibility to potential sources of contamination, using language provided by the primacy agency or written by the operator.</p>			
<p>INFORMATION ON DETECTED CONTAMINANTS</p> <p>This sub-section specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring (except <i>Cryptosporidium</i>). It applies to:</p> <ul style="list-style-type: none"> ▶ Contaminants subject to a MCL, action level, maximum residual disinfectant level or a treatment technique (regulated contaminants). ▶ Contaminants for which monitoring is required by §141.40 (unregulated contaminants); and ▶ Disinfection by-products or microbial contaminants for which monitoring is required by §141.42 and §141.43, except as provided under paragraph (e)(1) of this section, and which are detected in the finished water. 	<p>§141.153(d)(1)</p> <p>§141.153(d)(1)(i)</p> <p>§141.153(d)(1)(ii)</p> <p>§141.153(d)(1)(iii)</p>		

Primacy Revision Crosswalk for the CCR Rule

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<p>The data relating to these contaminants must be displayed in one table or in several adjacent tables. Any additional monitoring results which a CWS chooses to include in its report must be displayed separately.</p>	<p>§141.153(d)(2)</p>		
<p>The data must be derived from data collected to comply with EPA and State monitoring and analytical requirements during calendar year 1998 for the first report and subsequent calendar years thereafter except that:</p> <ul style="list-style-type: none"> ▶ Where a system is allowed to monitor for regulated contaminants less than once a year, the table(s) must include the date and results of the most recent sampling and the report must include a brief statement indicating that the data presented in the report are from the most recent testing done in accordance with regulations. No data older than 5 years need be included. ▶ Results of monitoring in compliance with §141.142 and §141.143 need only be included for 5 years from the date of the last sample or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first. 	<p>§141.153(d)(3)</p> <p>§141.153(d)(3)(i)</p> <p>§141.153(d)(3)(ii)</p>		

Primacy Revision Crosswalk for the CCR Rule

FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement, note here and explain on a separate sheet
<p>For detected regulated contaminants (listed in Appendix A to this subpart) the table(s) must contain:</p> <ul style="list-style-type: none"> ▶ The MCL for that contaminant expressed as a number equal to or greater than 1.0 (as provided in Appendix A to this subpart); 	<p>§141.153(d)(4)</p> <p>§141.153(d)(4)(i)</p>		
<ul style="list-style-type: none"> ▶ The MCLG for that contaminant expressed in the same units as the MCL; 	<p>§141.153(d)(4)(ii)</p>		
<ul style="list-style-type: none"> ▶ If there is no MCL for a detected contaminant, the table must indicate that there is a treatment technique (TT), or specify the action level (AL), applicable to that contaminant, and the report must include the definitions for TT and/or AL, as appropriate, specified in paragraph (c)(3) of this section; 	<p>§141.153(d)(4)(iii)</p>		
<ul style="list-style-type: none"> ▶ For contaminants subject to an MCL, except turbidity and total coliforms, the highest contaminant level used to determine compliance with an NPDWR and the range of detected levels, as follows: <ul style="list-style-type: none"> – When compliance with the MCL is determined annually or less frequently: the highest detected level at any sampling point and the range of detected levels expressed in the same 	<p>§141.153(d)(4)(iv)</p> <p>§141.153(d)(4)(iv)(A)</p>		

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units as the MCL.			
<ul style="list-style-type: none"> - When compliance with the MCL is determined by calculating a running annual average of all samples taken at a sampling point: the highest average of any of the sampling points and the range of all sampling points expressed in the same units as the MCL. - When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all sampling points: the average and range of detection expressed in the same units as the MCL. 	<p>§141.153(d)(4)(iv)(B)</p> <p>§141.153(d)(4)(iv)(C)</p>		
<p>Turbidity Data Requirements</p> <p>When it is reported pursuant to:</p> <ul style="list-style-type: none"> ▶ §141.13: the highest average monthly value. ▶ §141.71: the highest monthly value. The report should include an explanation of the reasons for measuring turbidity. ▶ §141.73 or §141.173: the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits 	<p>§141.153(d)(4)(v)</p> <p>§141.153(d)(4)(v)(A)</p> <p>§141.153(d)(4)(v)(B)</p> <p>§141.153(d)(4)(v)(C)</p>		

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specified in §141.73 or §141.173 for the filtration technology being used. The report should include an explanation of the reasons for measuring turbidity.			
Lead and Copper Data Requirements For lead and copper: the 90th percentile value of the most recent round of sampling and the number of sampling sites exceeding the action level.	§141.153(d)(4)(vi)		
Total Coliform Data Requirements ▶ The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or ▶ The highest monthly percentage of positive samples for systems collecting at least 40 samples per month;	§141.153(d)(4)(vii) §141.153(d)(4)(vii)(A) §141.153(d)(4)(vii)(B)		
Fecal Coliform Data Requirements For Fecal Coliform: the total number of positive samples.	§141.153(d)(4)(viii)		

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<p>Likely Source(s) of Detected Contaminants</p> <p>The likely source(s) of detected contaminants to the best of the operator’s knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and should be used when available to the operator. If the operator lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in Appendix A to this subpart that are most applicable to the system.</p>	<p>§141.153(d)(4)(ix)</p>		
<p>If a CWS distributes water to its customers from multiple hydraulically independent distribution systems that are fed by different raw water sources, the table should contain a separate column for each service area and the report should identify each separate distribution system. Alternatively, systems could produce separate reports tailored to include data for each service area (Not Required but Recommended).</p>	<p>§141.153(d)(5)</p>		
<p>The table(s) must clearly identify any data indicating violations of MCLs, MRDLs, or TTs, and the report must contain a clear and readily understandable explanation of the violation including: the length of the violation, the potential adverse health effects, and actions taken by the system to address the violation. To describe the potential health effects the system must use the relevant</p>	<p>§141.153(d)(6)</p>		

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<p>language of Appendix A to this subpart.</p>			
<p>For detected unregulated contaminants for which monitoring is required (except <i>Cryptosporidium</i>), the table(s) must contain the average and range at which the contaminant was detected. The report may include a brief explanation of the reasons for monitoring for unregulated contaminants.</p>	<p>§141.153(d)(7)</p>		
<p>Information on <i>Cryptosporidium</i>, Radon, and Other Contaminants</p> <p>If the system has performed any monitoring for <i>Cryptosporidium</i>, including monitoring performed to satisfy the requirements of §141.143, which indicates that <i>Cryptosporidium</i> may be present in the source water or the finished water, the report must include:</p> <ul style="list-style-type: none"> ▶ a summary of the results of the monitoring; and ▶ an explanation of the significance of the results. 	<p>§141.153(e)</p> <p>§141.153(e)(1)</p> <p>§141.153(e)(1)(i)</p> <p>§141.153(e)(1)(ii)</p>		
<p>If the system has performed any monitoring for radon which indicates that radon may be present in the finished water, the report must include:</p> <ul style="list-style-type: none"> ▶ the results of the monitoring; and ▶ an explanation of the significance of the results. 	<p>§141.153(e)(2)</p> <p>§141.153(e)(2)(i)</p> <p>§141.153(e)(2)(ii)</p>		
<p>If the system has performed additional</p>	<p>§141.153(e)(3)</p>		

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<p>monitoring which indicates the presence of other contaminants in the finished water, EPA strongly encourages systems to report any results which may indicate a health concern. To determine if the results may indicate a health concern, EPA recommends that systems find out if EPA has proposed an NPDWR or issued a health advisory for that contaminant by calling the Safe Drinking Water Hotline (800-426-4791). EPA considers detects above a proposed MCL or health advisory level to indicate possible health concerns. For such contaminants, EPA recommends the report include: the results of the monitoring; and an explanation of the significance of the results noting the existence of a health advisory or a proposed regulation. (Not Required but Recommended)</p>			
<p>Compliance with NPDWR</p> <p>In addition to the requirements of §141.153(d)(6), the report must note any violation that occurred during the year covered by the report of a requirement listed below, and include a clear and readily understandable explanation of the violation, any potential adverse health effects, and the steps the system has taken to correct the violation.</p> <ul style="list-style-type: none"> ▶ Monitoring and reporting of compliance data. 	<p>§141.153(f)</p> <p>§141.153(f)(1)</p>		

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<p>▶ Filtration and disinfection prescribed by Subpart H of this part (40 CFR 141). For systems which have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of such equipment or processes which constitutes a violation, the report must include the following language as part of the explanation of potential adverse health effects:</p> <p>Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.</p>	<p>§141.153(f)(2)</p>		
<p>▶ Lead and copper control requirements prescribed by Subpart I of this part. For systems that fail to take one or more actions prescribed by §§ 141.80(d), 141.81, 141.82, 141.83, or 141.84, the report must include the applicable language of Appendix A to this subpart for lead, copper, or both.</p>	<p>§141.153(f)(3)</p>		

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<ul style="list-style-type: none"> ▶ Treatment techniques for Acrylamide and Epichlorohydrin prescribed by Subpart K of this part. For systems that violate the requirements of subpart K of this part, the report must include relevant language from Appendix A to this subpart. 	§141.153(f)(4)		
<ul style="list-style-type: none"> ▶ Recordkeeping of compliance data. 	§141.153(f)(5)		
<ul style="list-style-type: none"> ▶ Special monitoring requirements prescribed by §141.40 (for inorganic and organic contaminants) and §141.41 (for sodium); and 	§141.153(f)(6)		
<ul style="list-style-type: none"> ▶ Violation of the terms of a variance, an exemption, or an administrative or judicial order. 	§141.153(f)(7)		
<p>Variations and Exemptions</p> <p>If a system is operating under the terms of a variance or an exemption issued under §1415 or §1416 of SDWA, the report must contain:</p>	§141.153(g)		
<ul style="list-style-type: none"> ▶ An explanation of the reasons for the variance or exemption; 	§141.153(g)(1)		
<ul style="list-style-type: none"> ▶ The date on which the variance or exemption was issued; 	§141.153(g)(2)		

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<ul style="list-style-type: none"> ▶ A brief status report on the steps the system is taking to install treatment, find alternative sources of water or otherwise comply with the terms and schedules of the variance or exemption; and 	§141.153(g)(3)		
<ul style="list-style-type: none"> ▶ A notice of any opportunity for public input in the review, or renewal, of the variance or exemption. 	§141.153(g)(4)		
<p>Additional Information</p> <p>The report must contain a brief explanation regarding contaminants which may reasonably expected to be found in drinking water, including bottled water. This explanation may include the language of paragraphs (h)(1)(i) through (iii) or systems may use their own comparable language. The report must also include the language of paragraph (h)(1)(iv) of this section.</p> <p>The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.</p>	<p>§141.153(h)</p> <p>§141.153(h)(1)</p> <p>§141.153(h)(1)(i)</p>		

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<p>Contaminants that may be present in source water include:</p> <p><i>Microbial contaminants</i>, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.</p> <p><i>Inorganic contaminants</i>, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.</p> <p><i>Pesticides and herbicides</i>, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.</p> <p><i>Organic chemical contaminants</i>, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production and can also come from gas stations, urban stormwater runoff, and septic systems.</p> <p><i>Radioactive contaminants</i>, which can be naturally-occurring or be the result of oil and gas production and mining activities.</p>	<p>§141.153(h)(1)(ii)</p> <p>§141.153(h)(1)(ii)(A)</p> <p>§141.153(h)(1)(ii)(B)</p> <p>§141.153(h)(1)(ii)(C)</p> <p>§141.153(h)(1)(ii)(D)</p> <p>§141.153(h)(1)(ii)(E)</p>		

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report or assistance in the appropriate language.			
The report must include information (e.g., time and place of regularly scheduled board meetings) about opportunities for public participation in decisions that may affect the quality of the water.	§141.153(h)(4)		
The systems may include such additional information as they deem necessary for public education consistent with, and not detracting from, the purpose of the report.	§141.153(h)(5)		
REQUIRED ADDITIONAL HEALTH INFORMATION	§141.154		

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<p>All reports must prominently display the following language:</p> <p>Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by <i>Cryptosporidium</i> and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791).</p>	<p>§141.154(a)</p>		

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<p>Ending in the report due by July 1, 2001, a system which detects arsenic at levels above 0.025 mg/L, but below the 0.05 mg/L, and beginning in the report due by July 1, 2002, a system that detects arsenic above 0.005 mg/L and up to and including 0.01 mg/L:</p> <ul style="list-style-type: none"> ▶ Must include in its report a short informational statement about arsenic using language such as: <p>While your drinking water meets EPA's standard for arsenic, it does contain low levels of arsenic. EPA's standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. EPA continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems</p> <ul style="list-style-type: none"> ▶ May write its own educational statement, but only in consultation with the Primacy Agency. 	<p>§141.154(b)</p> <p>§141.154(b)(1)</p> <p>§141.154(b)(2)</p>		

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<p>A system which detects nitrate at levels above 5 mg/L, but below the MCL:</p> <ul style="list-style-type: none"> ▶ Must include a short informational statement about the impacts of nitrate on children using language such as: <p>Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider.</p> <ul style="list-style-type: none"> ▶ May write its own educational statement, but only in consultation with the Primacy Agency. 	<p>§141.154(c)</p> <p>§141.154(c)(1)</p> <p>§141.154(c)(2)</p>		

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<p>Systems which detect lead above the action level in more than 5% and up to and including 10%, of homes sampled:</p> <ul style="list-style-type: none"> ▶ Must include a short informational statement about the special impact of lead on children using language such as: <p style="margin-left: 40px;">Infants and young children are typically more vulnerable to lead in drinking water than the general population. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. If you are concerned about elevated lead levels in your home's water, you may wish to have your water tested and flush your tap for 30 seconds to 2 minutes before using tap water. Additional information is available from the Safe Drinking Water Hotline (800-426-4791).</p> ▶ May write its own educational statement, but only in consultation with the Primacy Agency. 	<p>§141.154(d)</p> <p>§141.154(d)(1)</p> <p>§141.154(d)(2)</p>		

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FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement, note here and explain on a separate sheet
CWSs that detect TTHM above 0.080 mg/l, but below the MCL in § 141.12, as an annual average, monitored and calculated under the provisions of §141.30, must include health effects language for TTHMs prescribed by Appendix A.	§141.154(e)		
Beginning in the report due by July 1, 2002 and ending January 22, 2006, a CWS that detects arsenic above 0.01 mg/L and up to and including 0.05 mg/L must include the arsenic health effects language prescribed by Appendix A to Subpart O.	§141.154(f)		
REPORT DELIVERY AND RECORDKEEPING	§141.155		
Except as provided in paragraph (g) of this section, each CWS must mail or otherwise directly deliver one copy of the report to each customer.	§141.155(a)		
The system must make a "good faith" effort to reach consumers who do not get water bills, using means recommended by the primacy agency.	§141.155(b)		
No later than the date the system is required to distribute the report to its customers, each CWS must mail a copy of the report to the primacy agency, followed within 3 months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the primacy agency.	§141.155(c)		

Primacy Revision Crosswalk for the CCR Rule			
FEDERAL REQUIREMENT	FEDERAL CITATION	STATE CITATION <i>Document title; page #; and § or ¶</i>	If different than federal requirement, note here and explain on a separate sheet
No later than the date the system is required to distribute the report to its customers, each CWS must deliver the report to any other agency or clearinghouse identified by the primacy agency.	§141.155(d)		
Each CWS must make its reports available to the public upon request.	§141.155(e)		
Each CWS serving 100,000 or more persons must post its current year's report to a publicly-accessible site on the Internet.	§141.155(f)		
<p>Mailing Waiver for Systems Serving Fewer than 10,000 Persons</p> <p>The Governor of a State or his designee, or the Tribal leader where the tribe has met the eligibility requirements contained in §142.72 for the purposes of waiving the mailing requirement, can waive the requirement of paragraph (a) of this section for community water systems serving fewer than 10,000 persons. In consultation with the tribal government, the Regional Administrator may waive the requirement of §141.55(a) in areas in Indian country where no tribe has been deemed eligible.</p> <p>Such systems must:</p> <ul style="list-style-type: none"> ▶ Publish reports in one or more local newspapers serving the area in which the system is located; 	<p>§141.155(g)</p> <p>§141.155(g)(1)</p> <p>§141.155(g)(1)(i)</p>		

Section IV. State Reporting and Recordkeeping Checklist - Example Format

States can use this form to explain how State reporting and recordkeeping requirements are consistent with federal requirements for recordkeeping at 40 CFR 142.14, and reporting at 40 CFR 142.15. If the State's provisions differ from federal requirements, the State can use this form to explain how their requirements are no less stringent.

State Reporting and Recordkeeping Checklist	
Requirement	Are State Policies Consistent with Federal Requirements? If Not, Explain
PN Rule - §142.14(f) - Records Kept by States	
Public notification records under Subpart Q of part 141 received from public water systems (including the certifications and copies of the public notice) and any State determinations establishing alternative public notification requirements for the water systems must be retained for three years.	
PN Rule - §142.15(a)(1)	
New violations by public water systems in the State during the previous quarter of State regulations adopted to incorporate the requirements of national primary drinking water regulations, including violations of the public notification requirements under Subpart Q of part 141.	
CCR Rule - §142.16 (f) - Records Kept By The States	
Each State that has primary enforcement responsibility must make CCRs submitted to the State in compliance with 40 CFR 155(c) available to the public upon request.	
Each State that has primary enforcement responsibility must maintain a copy of the CCRs for a period of 1 year.	
Each State that has primary enforcement responsibility must keep a copy of the certifications obtained pursuant to 40 CFR 141.155(c) for a period of 3 years.	

State Reporting and Recordkeeping Checklist	
Requirement	Are State Policies Consistent with Federal Requirements? If Not, Explain
<p>Each State that has primary enforcement responsibility must report violations of 40 CFR 141, Subpart O in accordance with the requirements of §142.15(a)(1).</p> <ul style="list-style-type: none"> ▶ §142.15(a)(1): Each State which has primary enforcement responsibility shall submit quarterly reports to the Administrator on a schedule and in a format, prescribed by the Administrator that contains information on violations by PWSs during the previous quarter of State regulations adopted to incorporate the requirements of the NPDWR. 	

Section V. Special Primacy Requirements - Example Format

Appendix A contains the information on addressing special primacy requirements for the PN Rule. The special primacy requirements of the CCR Rule address reporting and recordkeeping provisions and are addressed in the State Reporting and Recordkeeping Checklist discussed in Section IV on the previous page.

Section VI. Attorney General's Statement of Enforceability - Example Format

Model Language

I hereby certify, pursuant to my authority as ____ (1) _____ and in accordance with the Safe Drinking Water Act as amended, and ____ (2) _____, that in my opinion the laws of the [State/Commonwealth] of ____ (3) _____ [or Tribal ordinances of ____ (4) _____] to carry out the program set forth in the "Program Description" submitted by the ____ (5) _____ have been duly adopted and are enforceable. The specific authorities provided are contained in statutes or regulations that are lawfully adopted at the time this Statement is approved and signed and will be fully effective by the time the program is approved.

Guidance and Model Language For States on Audit Privilege and/or Immunity Laws

In order for EPA to properly evaluate the State's request for approval, the State Attorney General or independent legal counsel should certify that the State's environmental audit immunity and/or privilege and immunity law does not affect its ability to meet enforcement and information gathering requirements under the Safe Drinking Water Act. This certification should be reasonably consistent with the wording of the State audit laws and should demonstrate how State program approval criteria are satisfied.

EPA will apply the criteria outlined in its "Statement of Principles" memo issued on February 14, 1997 in determining whether States with audit laws have retained adequate enforcement authority for any authorized federal programs. The principles articulated in the guidance are based on the requirements of federal law, specifically the enforcement and compliance and State program approval provisions of environmental statutes and their corresponding regulations. The Principles provide that if provisions of State law are ambiguous, it will be important to obtain opinions from the State Attorney General or independent legal counsel interpreting the law as meeting specific federal requirements. If the law cannot be so interpreted, changes to State laws may be necessary to obtain federal program approval. Before submitting a package for approval, States with audit privilege and/or immunity laws should initiate communications with appropriate EPA Regional offices to identify and discuss the issues raised by the State's audit privilege and/or immunity law.

Model Language for States with No Audit Privilege and/or Immunity Laws

Furthermore, I certify that [State/Commonwealth] of ____ (3) _____ has not enacted any environmental audit privilege and/or immunity laws.

Model Language For States with Audit Laws that Do Not Apply to the State Agency Administering the Safe Drinking Water Act

Furthermore, I certify that the environmental [audit privilege and/or immunity law] of the [State/ Commonwealth] of _____(3)_____ does not affect _____(3)_____ ability to meet enforcement and information gathering requirements under the Safe Drinking Water Act because the [audit privilege and/or immunity law] does not apply to the program set forth in the “Program Description.” The Safe Drinking Water Act program set forth in the “Program Description” is administered by _____(5)_____; the [audit privilege and/or immunity law] does not affect programs implemented by _____(5)_____, thus the program set forth in the “Program Description” is unaffected by the provisions of [State/Commonwealth] of _____(3)_____ [audit privilege and/or immunity law].

Model Language For States with Audit Privilege and/or Immunity Laws that Worked with EPA to Satisfy Requirements for Federally Authorized, Delegated or Approved Environmental Programs.

Furthermore, I certify that the environmental [audit privilege and/or immunity law] of the [State / Commonwealth of _____(3)_____] does not affect _____(3)_____ ability to meet enforcement and information gathering requirements under the Safe Drinking Water Act because [State/Commonwealth] of _____(3)_____ has enacted statutory revisions and/or issued a clarifying Attorney General’s statement to satisfy requirements for federally authorized, delegated or approved environmental programs.

Seal of Office

Signature

Name and Title

Date

- (1) Attorney General or attorney for primacy agency if it has independent legal counsel
- (2) 40 CFR 142.12(c)(1)(iii) for final requests for approval of program revisions
- (3) Name of State or Commonwealth
- (4) Name of Tribe
- (5) Name of Primacy Agency

Appendix C. SDWIS Reporting - *Draft Final Version*

This appendix provides detailed information on violation and compliance achieved definitions, and reporting requirements for each Public Notice (PN) violation type. In addition, this appendix contains examples on what to report, including how to report utilizing the appropriate Safe Drinking Water Information System/Federal version (SDWIS/FED) Data Transfer File Format (DTF).

At the time this document was issued, EPA was undergoing a revision of its Information Strategy Plan. The DTF and its related edit/update software was also under consideration for major revision. In addition, EPA was beginning a reevaluation of its data requirements considering the increased implementation and reporting burden the new regulations will impose. Because changes in these areas are being considered and would not be implemented until 2002 or later, we are issuing this PN reporting guidance document as a draft final. We have streamlined the requirements as much as possible to minimize the initial implementation of these reporting requirements as well as potential changes under current review. Any change to these requirements will be published well in advance of their implementation to allow adequate time for the reporting entities to adjust their systems and processes.

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Background

This section discusses the Federal reporting requirements under 40 CFR Section 142.15(a)(1) for reporting violations, follow-up and enforcement actions, and “returned to compliance information” to the Safe Drinking Water Information System/Federal version (SDWIS/FED). Specific examples are provided for each reporting requirement including examples of the SDWIS/FED data transfer format (DTF) which is required to upload the data to SDWIS/FED. Reporting non-compliance with the revised Public Notification (PN) rule via the informal public notice enforcement/follow-up actions is no longer a valid method of reporting. Non-compliance must be reported as violations to SDWIS/FED. PN reporting requirements apply to all water systems.

Section I. Federal Reporting Requirements

A. General Reporting Information

The Public Notification Rule (PN) establishes the requirements for public notification of all NPDWR violations and other situations which pose a risk to public health (e.g., Total Coliform Rule, Phase II/V Rule, Surface Water Treatment Rule, waterborne disease outbreaks, periods of operation under a variance or exemption, etc.).

The severity of rule violations and the other specified situations requiring public notification are classified into three tiers. Each tier defines the specific public notice requirements which includes: method of delivery, due dates, frequency, and content. Tier 1 notification is required as soon as practical, but no later than 24 hours after the PWS learns of the violation or PN situation; Tier 2 notification is required no later than 30 days after; and Tier 3 notification is required not later than 1 year after. Refer to the specific sections of the PN implementation guidance for those details.

For those situations where PN is required because of a violation of one or more of the NPDWRs, a one-to-one relationship between the PN violation and the underlying NPDWR violation will be established in SDWIS/FED by a new requirement to report a violation to violation link attribute. The violation type code for NPDWR PN violations is 75. For those situations where there is no underlying NPDWR violation, the PN violation is reported without the link information and is differentiated by the PN violation type code of 76. Violation and violation link reporting is discussed further in Section I.C. Reporting when a system has returned to compliance and reporting of all formal enforcement actions taken against PN violations are also required for this rule and are discussed further in Section II.

A Public Notice violation occurs when the PWS fails to meet one or more PN requirement for any single Public Notice event. Some violation conditions require an initial public notice and one or more “repeat” notices. Each requirement to provide a public notice is considered a single event and requires a separate compliance evaluation. Therefore, a long term violation condition which requires multiple repeat notices could result in more than one PN violation.

A PN violation exists when a PWS fails to provide public notice which meets the rule requirements for time, form, manner, and delivery as summarized below:

- fails to generate and deliver the PN to its customers within the appropriate time period,
- fails to use the appropriate language and/or include required content,
- fails to use the proper method of delivery (electronic, newspaper, etc.),
- fails to prepare and deliver required repeat notices,
- fails to provide a copy of the public notice and certification to the State by the due date as specified in the rule.

(Refer to Section IV, A.1, of the Implementation Guidance for PN violation discussion and Section I, B.2, for PN Tier discussion.)

The PN rule requires water systems to deliver the required certification that all applicable PN requirements were met, along with a copy of the public notice, to the primacy agency within the appropriate period of time. When the primacy agency determines that the “certification” was not received within the appropriate period of time: or upon review of the copy of the notice, the notice did not meet the content requirements, or for the failure to meet any other requirement, the primacy agency must issue and report a violation to SDWIS/FED under 40 CFR 142.15(a)(1). Because the intent of this rule is to provide specific information to the public regarding their exposure to contaminants and potential health risks, all public notice violations carry the same level of severity. The underlying NPDWR violation drives the severity of the public’s health risk and is the basis for the new requirement to link the PN violation to the related NPDWR violation. In addition, all public notices must be generated and delivered as required before the water system may be considered “returned to compliance.”

Violations and returned to compliance data should be reported to SDWIS/FED within 45 days after the end of the quarter in which the violation occurred, or in which the system returned to compliance. Examples on how to report violation and returned to compliance data are provided in Section E.

B. Violations

PN violations will be characterized in SDWIS/FED by the following data elements:

- A unique violation record identifier (DTF element C1101) consisting of the 2 character federal fiscal year and a unique 5 character number.
- A code identifying the Public Notice contaminant/rule code for which the violation applies (DTF element C1103 = 7500).
- A code describing the type of violation (DTF element C1105 = 75 or 76).
 - 75 = NPDWR PN Violation
 - 76 = Other Potential Health Risk Situations PN Violation (Non-NPDWR)
- The violation/compliance period begin date (DTF element C1107).
- The violation/compliance period end date which is defined as the date the water system had returned to compliance as determined by the primacy agency. This date is promoted from the returned to compliance date which is reported in the enforcement/follow-up action record (DTF C1203 also populates C1109).
- The link method code and the related data which identifies the underlying NPDWR violation (DTF C1144 - NPDWR Violation ID Link, or C1145 - violation type, rule/contaminant code, violation/compliance period begin date, and source entity identification number [SEID] when applicable).

PN rule violations will have the contaminant/rule code of 7500. As a result, SDWIS/FED will provide (default) the value of 7500 for data element C1103 when the violation type code equals the PN type code 75 or 76. States may choose to include a DTF transaction with this value to maintain consistency with other violation reporting. That will be acceptable as long as the value reported for C1103 is 7500 for violations of this rule.

Normally, violations are characterized by a begin and end date which equates to the applicable monitoring period or by the range of dates in which a specific action or set of actions was to have taken place. For this rule, the requirement is to deliver the public notice and deliver the required certification regarding delivery and other applicable PN requirements along with a copy of the notice to the primacy agency within a certain time period following the system's awareness of the situation which requires a PN. If these requirements are not met, a violation exists and is to be reported to SDWIS/FED. Under the previous PN rule, the period of non-compliance was represented by the fixed monitoring or compliance period range of dates related to the underlying NPDWR violation.

Under this rule, the period of non-compliance will be represented by the date the PN violation began and the date the system returned to compliance as determined by the primacy agency.

The violation/compliance period begin date is defined as the day after the PN certification and copy of the notice is due to the primacy agency (ten days after the notice is delivered) and is reported as the DTF element C1107. The violation/compliance period end date, DTF element C1109, is NOT reported in the violation record for PN violations. When SDWIS/FED processes the PN violation, the violation/compliance period end date is populated with the future end date of 12/31/2015¹. When the PWS returns to compliance and the State reports that information to SDWIS/FED, the date the PWS returned to compliance will replace the defaulted violation/compliance period end date of 12/31/2015. This method of capturing non-compliance displays the actual period of time the PWS was out of compliance, or, “in violation.”

Should a system close down or no longer meet the definition of a PWS, once the deactivation data is reported, SDWIS/FED will automatically replace the PN violation’s defaulted end date of 12/31/2015 with the deactivation date². This will prevent States from having to specifically close out these violations. (Note: Deactivation data should NOT be reported during periods of off-season operation for seasonal systems). Should the State desire to report something other than RTC for these inactive system’s violations, a “Intentional No Action” (SO6/EO6) enforcement/follow-up action may be reported and linked to the violations. SDWIS/FED will replace the defaulted end date with the (SO6/EO6) action date as it does with RTC actions. RTC should be reserved for reporting when a system actually completes the requirement (e.g., preforms the notice, meets the MCL, completes the monitoring, etc.,).

All PN violations are considered equivalent; therefore, the major violation indicator (DTF element C1131) is not reported for PN rule violations.

1

12/31/2015 is an arbitrary date currently used within SDWIS/FED in situations where blank (null) values are not allowed. It is merely a place-holder for a value which will be supplied when the system's returned to compliance data is reported.

2

The deactivation data consists of the activity status changing from A = Active to I = Inactive and the month and year of inactivation. This process will use the last day of the month in the deactivation month to post as the violation/compliance period end date in the PN violation.

Exhibit 1 below presents the violation record data and permitted values for PN rule violations.

Exhibit 1 - SDWIS/FED DTF C1100 - Violation Record Data Elements		
Number	Format	Description
C1101	Char 7	Violation ID
C1103*	Char 4	Contaminant/Rule Code = 7500
C1105	Char 2	Violation Type Code = 75, 76
C1107**	Date 8 (yyyy/mm/dd)	Violation/Compliance Period Begin Date
C1144 or	Char 7	NPDWR Violation ID
C1145	Char 40	Violation Type, Rule/Contaminant Code, Violation/Compliance Period Begin Date, and SEID if appropriate

* C1103 will be defaulted by SDWIS/FED or may be provided by the State

** C1107 - The official data standard format for dates is YYYY/MM/DD; however, SDWIS/FED will accept dates in either YYYY/MM/DD or MM/DD/YYYY format.

The Violation ID, DTF element C1101, is a number which uniquely identifies the related attributes in a record. The violation record ID and the enforcement record ID are used by SDWIS/FED to establish the processing domain for violations and enforcement data in the total replacement processing mode. Record identifiers are also used in linking violations to enforcements and now, in linking violations to violations. The first two characters of these record identifiers must be a two digit number which represents the federal fiscal year in which the primacy agency became aware of the violation or issued the enforcement/follow-up action (e.g., enforcement/follow-up action date 07/10/1999 would have an enforcement record ID of "99" in the first two positions of the field). Proper use and designation of record identifiers is critical to the successful submission, maintenance and linking of violation-to-violation and violation-to-enforcement data. Refer to the SDWIS/FED Data Entry Instructions for more detailed information.

Things to Remember

- o Violations begin the day after the missed requirement's deadline.
- o The violation ends when the primacy agency determines that the system has returned to compliance.
- o Violation/Compliance period end dates are defaulted by SDWIS/FED (NOT reported by the state).
- o Defaulted Violation/Compliance period end dates are replaced by the RTC date when the Enforcement/follow-up Record is reported and linked to the PN violation.
- o Violation Type Codes: 75 PN Violation for an NPDWR Violation
76 Other Potential Health Risk Situations PN Violations
- o 75 - NPDWR PN violations MUST be linked to their underlying NPDWR rule violations.
- o Other Potential Health Risk Situation PN Violations do not have underlying violations.
- o States should begin reporting under new requirements within 6 months after adoption.
- o Repeat PN notice requirements are considered separate PN events and are subject to the same compliance determination criteria and reporting requirements as the initial PN event. They are reported with the same violation type code as the initial PN event and carry the same level of severity.

C. PN Link to Originating Rule (NPDWR) Violation

The revised PN rule requires information be reported which will identify the underlying NPDWR violation and information which will allow violations to be linked. Information required to perform this link is similar to the information currently required to link violations and enforcements.

Linking the PN violation to the underlying violation may be accomplished by one of two methods: providing the specific underlying violation's record identifier number, or by providing the underlying violation's violation type code, contaminant/rule code, and the violation/compliance period begin date and when appropriate the Source Entity

Identification Number (SEID). These methods are similar to the Y5000 and Z5000 enforcement to violation link methods currently in use.

Initially, the link data will not establish a true relationship between the PN violation and the underlying NPDWR violation due to pending revisions to EPA’s Information Strategy Plan, anticipated changes to its current data transfer format (DTF), and related edit/update software which will impact how these relationships are actually created and maintained in the SDWIS/FED data base. Final decisions are not expected until late 2001; thus the required link data will only be stored as attributes in the PN violation record until the anticipated DTF and related SDWIS/FED software changes are made. This implementation provides the information required to identify the underlying violation and its related enforcements and compliance status as well as provides the required data to establish the actual relationship in SDWIS/FED in the near future while minimizing the implementation impact on the States.

Exhibit 2 - SDWIS/FED DTF C1100 - Violation/Link Record Data Elements	
Number	Description
C1144	NPDWR Violation's Record Identification Number Link Method
C1145	NPDWR Violation's Contaminant/Rule, Violation Type, Violation/Compliance Period Begin Date (SE-ID*) Link Method

* The water system source facility identification number (SE-ID -C1143) is required when the State reports chemical violations at the facility level instead of the PWS level.

Included in the Information Strategy Plan Revision analysis, EPA is considering requiring all record identifiers be unique and permanent which will result in significant improvements in data quality and simplify the use and maintenance of SDWIS/FED’s relational data. Because of this probable change, States which maintain unique, permanent violation record identifiers may report PN violations using either link method (C1144 or C1145). States which do not, should use the C1145 link method. States using SDWIS/STATE need not be concerned because SDWIS/STATE uses unique and permanent record identifiers and links records by that method.

SDWIS/FED will begin accepting data in the revised reporting format as of July 15, 2001. As of that date, attempts to report violations with violation type code 75 (revised reporting type code for PN violations linked to NPDWR violations), which do not have the link to the underlying NPDWR violation data, will result in the PN violation being REJECTED. Until the State adopts the revised PN regulations and begins reporting under the new requirements, the State should continue to report PN violations under the old PN rule’s requirements (underlying rule contaminant code, PN violation type code of

06, and the begin and end date of the underlying violation). When EPA modifies its implementation of link data to being maintained as a relationship between the PN violation and the underlying NPDWR violation, if the underlying NPDWR violation is not in the SDWIS/FED database, the PN violation will be rejected. EPA will provide advanced notice prior to implementing that edit criteria. Examples of how to report NPDWR violations are presented in Section E.

D. PN Violations for Non-NPDWR Violations (Other Potential Health Risk Situations)

PN violations for those other situations which pose a risk to public health will be referred to as a group from this point on as “Non-NPDWR” or “Other Potential Health Risk Situation”. Since these “Other” situations which require a public notice are not related to a National Primary Drinking Water Regulation violation (e.g., waterborne disease outbreaks or emergency situations, exceedances of the Fluoride secondary maximum contaminant level (SMCL), and notices required because the PWS is operating under a variance, etc.), we have designated a separate violation type code for those types of PN violations of 76 - Other (Non-NPDWR) Potential Health Risk Situations.

As these violations do not have underlying NPDWR violations, there is no link data to be reported. These violations will be characterized by the same attributes as the NPDWR violations with the exception of the C1144 and C1145 link attributes which will not be used for these violations. Reporting of all formal enforcement/follow-up actions and return to compliance data is also the same. Examples of how to report these violations are also presented in Section E.

Because tracking compliance with PN requirements is based on “when the PWS learns of the violation or other situation” which requires PN, AND a period of time which is established based on the “Tier” of the violation or situation, PLUS the 10 days within which the certification and copy of the notice must be provided to you, you may wish to simplify your tracking by “determining” the system was “aware” of the violation or situation based on the date of your notice of violation or the date of the letter or phone call advising the system to perform public notification. Our examples use the day after the end of the compliance period plus the 10 day report to the state period. In reality, the begin date could be ANY day of the month based on your system of notifying the PWS of violation conditions and your recordkeeping system. We recommend that a state develops a standardized method of tracking and reporting PN begin dates to simplify the process.

Water systems operating under a variance or exemption must provide PN not less than 1 year after the begin date of operation under the variance or exemption. In addition, additional repeat notices must be provided annually from then on until they cease operating under the variance or exemption. Each required PN, whether initial or

one of the repeats, is considered a separate PN event and requires individual compliance determination. A separate violation is to be reported for each PN event in which one or more requirement was not met. A separate violation type code for repeats was not created; thus both initial and repeat PN violations are reported using the same violation type code.

Specific information on Variance and Exemptions is also required to be included in the system's annual Consumer Confidence Report (CCR). Depending on the begin date of the variance or exemption, the delivery date, and method of delivery for their CCR, PN requirements may be met through their CCR without having to perform a separate PN notification. Refer to the CCR guidance and Section I, B.6, of the PN Implementation Guidance for specific requirements. In either case, multiple NPDWR violations and/or other situations requiring PN may be included in a single "annual" public notice. Therefore, one RTC enforcement/follow-up action record may require multiple links to multiple PN violations. Because the Tier 3 PN violations are those most likely to be addressed in the "annual" notice method, you might consider specifically tracking the "Tier" in your data base.

Note: When a Variance or Exemption is granted to a PWS, a Variance and Exemption record should be reported to SDWIS/FED which provides specific information regarding the contaminant(s) covered, the period involved, and the conditions under which the system must operate during the period of coverage. For specific information on how to report variances, refer to the SDWIS/FED Data Entry Instructions.

E. Violation/Reporting Examples

Examples of what to report for Non-NPDWR and NPDWR PN violations, how to link the PN violation to underlying violations, how to report enforcement/follow-up actions, how to report when the violation has returned to compliance, and the appropriate SDWIS/FED Data Transfer File (DTF) format for each type of data, are provided on the following pages. For all examples, we will assume the State has adopted the PN rule.

Violation Type Code 75 - NPDWR PN Violation Examples

Example 1: 75 - NPDWR Violation

A system (MM9988777) delivers the public notification for the December 1, 2001 SWTR treatment technique violation for exceeding the single maximum allowable turbidity limit within the appropriate time period (Tier 1 - required within 24 hours). It fails to provide a copy to the State by December 11, 2001. The State determines the public notification has not been provided as of December 12, 2001 and designates a PN

violation. By February 15, 2002 (within 45 days after the end of the quarter), the State should report the following violation information:

Exhibit 3 - SDWIS/FED DTF - Public Notification Violation Record		
C1101	0200213	Violation ID
C1103*	7500	Contaminant Code (Rule Code)
C1105	75	Violation Type Code
C1107	2001/12/12	Violation/Compliance Period Begin Date
*Note: C1103 and will be defaulted by SDWIS/FED to 7500 or may be entered by the Primacy Agency.		

SDWIS/FED will populate the violation/compliance period end date (C1109) with the default date of 12/31/2015. (Should the State report an end date, SDWIS/FED will reject it.)

Originating Rule Violation information:

C1101	0200101	Violation ID
C1103	0200	Contaminant Code (Rule Code for SWTR)
C1105	41	Violation Type Code (for Treatment Technique)
C1107	2001/12/01	Violation/Compliance Period Begin Date
C1109	2001/12/31	Violation/Compliance Period End Date

The State elects to link the PN violation to the originating rule violation by the C1144 link method (link by Violation ID) because it maintains permanent Violation IDs for all violations. In addition to the information in Exhibit 3, the State should also report the following:

C1144	0200101	Link to Originating Violation by ID
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The DTF transactions for this violation with link record are:

DTF Transactions for Violation Data for Exhibit 3					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
D1	MM9988777	0200213		IC1105	75
D1	MM9988777	0200213		IC1107	20011212

D1	MM9988777	0200213		C1144	0200101
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If the State had elected to link the PN violation to the underlying violation by the C1145 link method (the underlying violation's Violation Type, Contaminant/Rule, and Compliance Period Begin Date), the violation record and related DTF transactions would be reported as follows:

Exhibit 4 - SDWIS/FED DTF - Public Notification Violation Record		
C1101	0200213	Violation ID
C1103*	7500	Contaminant Code (Rule Code)
C1105	75	Violation Type Code
C1107	2001/12/12	Violation/Compliance Period Begin Date
C1145	41020020011201	Violation Type-Contaminant/Rule-Violation/ Compliance Period Begin Date (SEID*)
<p>*Note: C1103 and will be defaulted by SDWIS/FED to 7500 or may be entered by the Primacy Agency.</p> <p>SEID is only reported as link criteria when the underlying violations are reported at the Source Entity (entry point) level.</p>		

DTF Transactions for Violation Data for Exhibit 4					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
D1	MM9988777	0200213		IC1105	75
D1	MM9988777	0200213		IC1107	20011212
D1	MM9988777	0200213		C1145	41020020011201

On May 20, 2002, the PWS provides a copy of the public notice to the State and returns to compliance. On August 15, 2002 (45 days after the end of the quarter the PWS returns to compliance) the State must report the returned to compliance follow-up action and the required RTC to PN violation link. The State elects to report the follow-up action by the Z5000 (violation type, contaminant/rule, compliance period begin date) link method. The example below displays the required information:

Exhibit 5 - SDWIS/FED DTF Enforcement/Follow-up Record

C1201	0200333	Enforcement ID
C1203	2002/05/20	Enf-Action-Date
C1205	SOX	Enf-Action-Code
Z5000	75750020011212	Enf-Link to Violation

The DTF transactions for this record are:

DTF Transactions for Enforcement/Follow-up Data for Exhibit 5					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
E1	MM9988777	0200333		IC1203	20020520
E1	MM9988777	0200333		IC1205	SOX
E1	MM9988777	0200333		Z5000	757500020011212

Once the returned to compliance enforcement/follow-up action record is submitted and linked to the PN violation(s), SDWIS/FED replaces the PN violation/compliance period end date with the returned to compliance record's action date. In the example above, the data in SDWIS/FED for that PN violation would appear as follows:

Exhibit 6 - SDWIS/FED Public Notification Violation Record After RTC		
C1101	0200013	Violation ID
C1103	7500	Contaminant Code (Rule Code)
C1105	75	Violation Type Code
C1107	2001/12/12	Violation/Compliance Period Begin Date
C1109	2002/05/20	Violation/Compliance Period End Date (Date RTC from linked Enforcement/Follow-up Action Record)
C1145	41020020011201	Violation Type-Contaminant/Rule-Compliance Period Begin Date Link to underlying NPDWR violation information. Reporting violations at the entry point level is not appropriate for SWTR violations therefore, SEID would not be required.

Example 2: 75 - NPDWR PN Violation (Tier 2)

A water system incurs a non-turbidity* SWTR Treatment Technique violation for January 2004; and learns of the violation on February 13, 2004. It delivers the required PN to the customers and the state on February 25th (This is a Tier 2 violation which must be provided within 30 days of learning of the violation or, by 3/15/2004). At the same time, the system also provides the state with the required certification. Upon review of the copy of the notice on March 5th, the state determines the content is not adequate and that a new notice must be prepared and delivered. The system prepares a new notice, delivers it to its customers, and provides the certification and copy of the notice to the state on March 15, 2004. The state determines the new notice is adequate and all other requirements have been met. This system does not incur a violation because an adequate notice was provided within the required period of time. (*Had this been a turbidity violation, the system would also be required to consult with the State within 24 hours of learning of the violation to determine if Tier 1 notice should be given.)

If this system had failed to produce, deliver and provide the notice to customers and send a copy of the notice and certification to the state by the March 25th deadline (certification and copy of the notice is due to the state within 10 days from delivery of the notice), a violation would be reported. The violation/compliance period begin date would have been the day after the due date of the notice, March 26, 2004. If this system provided the certification, etc., on August 15, 2004, and the state reported the returned to compliance record, the violation would be displayed as follows:

Contaminant Code:	7500
Violation type Code:	75
Compliance Period Begin Date:	March 26, 2004
Compliance Period End Date:	August 15, 2004 *
NPDWR Link Data:	41 0200 2004/01/01(vio type, SWTR rule code, violation/compliance period begin date)

* **Note:** *The compliance period end date is promoted from the enforcement/follow-up action record for the returned to compliance action and replaces the SDWIS/FED defaulted date of 12/31/2015.*

<p>Violation Type Code 76 - Other Potential Health Risk Situations PN Violation Examples</p>

Example 3: 76 - WaterBorne Disease Outbreak and Emergencies (Tier 1)

The local county health official calls the XYZ water system (XX1234567) on March 12, 2002, to officially notify the system that an outbreak of a waterborne disease was traced back to their system. The PWS fails to produce the PN and deliver it to their customers within the appropriate time period (Tier 1 notice is required as soon as practical

but no later than 24 hours after the system learns of the outbreak). The state learns of the outbreak from the newspaper or state health officials on April 2, 2002. The state determines a PN requirement existed which was not met by the PWS and issues a violation with a begin date of March 23, 2002. Because there is no underlying violation, no link data is required. By May 15, 2002 you would report the following information to SDWIS/FED:

Exhibit 7 - SDWIS/FED DTF - Public Notification Violation Record		
C1101	0201223	Violation ID
C1103*	7500	Contaminant Code (Rule Code)
C1105	76	Violation Type Code
C1107	2002/03/23	Violation/Compliance Period Begin Date
*Note: C1103 and will be defaulted by SDWIS/FED to 7500 or may be entered by the Primacy Agency.		

The DTF transactions for this record are:

DTF Transactions for Violation Data for Exhibit 7					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
D1	XX1234567	0201223		IC1105	76
D1	XX1234567	0201223		IC1107	20020323

On April 2, 2002, you issue a Notice of Violation to the PWS for failure to deliver the PN. The PWS must deliver the PN before it can return to compliance. It does so and provides the state with the required certification and copy of the notice on May 10, 2002. The state elects to link the two actions to the PN violation by the Y5000 link method. By August 15, 2002 you would report the following enforcement/follow-up actions:

Exhibit 8a - Notice of Violation SDWIS/FED DTF Enforcement/Follow-up Record		
C1201	0208340	Enforcement ID
C1203	2002/04/02	Enf-Action-Date
C1205	SFJ	Enf-Action-Code
Y5000	0201223	Enf-Link to Violation ID

Exhibit 8b - Returned to Compliance SDWIS/FED DTF Enforcement/Follow-up Record		
C1201	0208301	Enforcement ID
C1203	2002/05/10	Enf-Action-Date
C1205	SOX	Enf-Action-Code
Y5000	0201223	Enf-Link to Violation ID

The DTF transactions for these records are:

DTF Transactions for Enforcement/Follow-up Data for Exhibits 8a and 8b					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
E1	XX1234567	0208301		IC1203	20020510
E1	XX1234567	0208301		IC1205	SOX
E1	XX1234567	0208301		Y5000	0201223
E1	XX1234567	0208340		IC1203	20020402
E1	XX1234567	0208340		IC1205	SFJ
E1	XX1234567	0208340		Y5000	0208301

Both enforcement/follow-up actions will be linked to the same PN violation. When SDWIS/FED processes the returned to compliance action, the action date (May 10, 2002) will replace the violation/compliance period end date in the PN violation. Reporting of the Other Potential Health Risk Situations PN Violations are reported the same way. The only variation will be the violation/compliance period begin date which is based on the actual PN requirements for the specific type of potential health risk.

Example 4: 76 - PWS Operating Under a Variance or Exemption (Tier 3)

System VV9876541 was granted a variance for 1-2-3 Death contaminant for the period of October 1, 2005 through September 30, 2008. Because this is a Tier 3 PN requirement, the PWS must notify its customers via it's CCR and/or through a separate PN. It must also provide annual repeat notices. The initial notice is due September 30, 2006. Their first CCR after the variance was granted is due by July 1, 2006 and could be used for the initial PN requirement as long as they include the proper language and incorporate the appropriate delivery method and addressees, etc. The PWS indicates they will use the CCR to provide the required PN. However, upon review of the CCR on August 2, 2006, you determine that the PWS failed to include the proper language and

failed to deliver to the required addressees. You notify the PWS of this deficiency and that it must provide a separate notice. The system provides the PN as required and certifies (with a copy) that it has done so on September 28, 2006.

In this example, the PWS is not in violation. They had the full year to perform the notice. If they had not completed the notice until November 12, 2006, they would have incurred a violation. The violation would be characterized as follows:

Contaminant Code: 7500
 Violation type Code: 76
 Violation/Compliance Period Begin Date: October 11, 2006
 Defaulted Violation/Compliance Period End Date: December 31, 2015

After you report the RTC date of November 12, 2006, linked to the violation, the violation would be characterized as follows:

Contaminant Code: 7500
 Violation type Code: 76
 Violation/Compliance Period Begin Date: October 11, 2006
 Defaulted Violation/Compliance Period End Date: November 12, 2006

Because the violation and RTC occurred within the same reporting period, the data reported to SDWIS/FED within 45 days after the end of the quarter in which the actions took place (February 15, 2007), would be as follows:

Exhibit 9a: DTF Transactions for Violation and Enforcement Data					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
D1	VV9876541	0700011		IC1105	76
D1	VV9876541	0700011		IC1107	20061011
E1	VV9876541	0700012		IC1203	20061112
E1	VV9876541	0700012		IC1205	SOX
E1	VV9876541	0700012		Z5000	77750020061011
<p>Note:</p> <ol style="list-style-type: none"> 1. There is no underlying NPDWR violation. Therefore there is no violation to violation link data in the violation record. 2. The enforcement/follow-up record is linked to the PN violation by the PN violation type code, the contaminant/rule code for PN, and the violation/compliance period begin date of the PN violation. 					

If the initial notice was due by October 10, 2006 as in the example above, the repeat notices would be due on October 10 of each succeeding year. Should any one of the PN requirements not be met, a violation is incurred. Repeat annual notice violations are reported exactly the same way as the initial PN violation with the exception of the violation begin date, which should reflect the appropriate year.

If this RTC enforcement/follow-up action represented an “annual” notice which contained proper notice for this PN violation, a June 2005 TCR monthly M/R PN violation, and an October 2005 annual Fluoride M/R PN violation, the following data would be included with the RTC data:

Exhibit 9b: DTF Transactions for Violation and Enforcement Data					
Columns 1-2	Columns 3-11	Columns 12-18	Columns 19-25	Columns 26-31	Columns 32-71
E1	VV9876541	0700012		IC1203	20061112
E1	VV9876541	0700012		IC1205	SOX
E1	VV9876541	0700012		Z5000	77750020061011
E1	VV9876541	0700012		Z5000	26310020060711
E1	VV9876541	0700012		Z5000	03102520061111

Note: This example assumes the PWS learned of the PN requirement on the last day of the M/R period. Therefore, the TCR M/R PN (Tier 3) was due by July 10, 2006 and the Fluoride (Tier 3) M/R PN was due by November 11, 2006.

Section II. Returned to Compliance and Enforcement Action Reporting

Reporting that a system has returned to compliance is required for PN violations and is reported as an enforcement/follow-up action record. This record consists of the enforcement/follow-up action ID, the action type (SOX/EOX = returned to compliance), and the action date which is defined as the date the primacy agency determines the system subsequently met all requirements. In addition, all formal enforcement actions taken against systems for violations of this rule are required to be reported to SDWIS/FED. Both “returned to compliance” and formal enforcements should be linked to the specific violation(s) they address. The following describes the two appropriate ways in which enforcement and follow-up actions, formal and informal (including returned to compliance), may be linked to PN rule violations:

Associated Violation IDs (Y5000) - FY & VIOLATION ID NUMBER.

Entering the specific violation ID(s) to which the enforcement action is related will establish a link between the enforcement record and each violation record matching the specific violation ID. If no links are established (reported violation ID(s) not found/matched on the data base) the enforcement record will be posted to the data base and the link data will be rejected.³

Associated Violation Contaminant Groups (Z5000) -
TYPE, CONTAMINANT/RULE, VIOLATION/COMPLIANCE PERIOD
BEGIN DATE (YYYY/ MM/DD)

Entering the violation type code (75), the contaminant code (7500) and the violation/compliance period begin date will establish a link between the enforcement action and all PN violations which exactly match the enforcement link data. If no matches are found, the enforcement record will be posted to the data base and the link data will be rejected.

Only the Y5000 and Z5000 enforcement/violation linking methods are appropriate for the PN rule violations. The J5000 method will be modified to reject the entire record when PN violation type codes are present. The X5000 link method is based on a begin and end date resulting in a link to every violation falling within those dates which is not always appropriate. Therefore, this link method is being considered for elimination in the near future. As mentioned earlier, EPA is re-evaluating its use of the record identifier. We recommend States which do not maintain unique and permanent record identifiers for its violations and enforcement actions use the Z5000 link method. States that do may use either link method. Examples of how to report these violation/enforcement link methods are provided in the violation section above. Exhibit 10 defines returned to compliance.

Exhibit 10- Returned to Compliance Definition
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System subsequently delivers the public notification, and delivers a copy of the notice to the State as required under §141.31.

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Corrections should be submitted to SDWIS/FED as soon as possible to provide the correct link data for the violation-to-violation and enforcement-to-violation records.

Exhibit 10- Returned to Compliance Definition

Generic Definition:

- ▶ If the system did not send in either a copy of the notice or the certification by the required deadline, the system has subsequently sent the State the required document.
- ▶ If the system prepared an inadequate notice, the system has subsequently prepared a notice that addresses all deficiencies identified by the State, and the system has subsequently sent the State the required document.

Section III. SDWIS/FED Reporting Time-Lines

Exhibit 11 - SDWIS/FED Reporting Time-lines

Category	Earliest SDWIS/FED Acceptance Date	Revised PN Rule Adoption Deadline	SDWIS/FED Reporting Deadline
Violations, Violation Links and Enforcements (includes RTC)			
State should report within 45 days after the end of the quarter in which the violation or enforcement occurs.	July 15, 2001	May 6, 2002	2 nd Quarterly Reporting Period After Date of Adoption.

Because EPA believes that timely and complete reporting of PN violations by the States is one of the keys to making the public notification process work, SDWIS/FED will be modified to accept the revised PN violation and violation link data as of July 15, 2001. From July 15, 2001 to May 5, 2002, States may report under the current reporting method or the revised reporting method. After the May 6, 2002 rule adoption deadline, States should report PN violations in accordance with the reporting methods outlined in this appendix within 6 months (by the 2nd quarterly reporting period) after the State's adoption date.

Section IV. Sources for Additional Information

Additional technical information on SDWIS/FED reporting requirements can be obtained by contacting Fran Haertel of the Infrastructure Branch, Drinking Water Protection Division, Office of Ground Water and Drinking Water at (214)-665-8090.

Additional technical information on the Public Notice Rule can be obtained by contacting Kathleen Williams of the Protection Branch, Drinking Water Protection Division, Office of Ground Water and Drinking Water at (202)-260-2589.

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Appendix D. PN Rule Appendices

Appendix A to Subpart Q of Part 141

NPDWR Violations and Other Situations Requiring Public Notice¹

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
I. Violations of National Primary Drinking Water Regulations (NPDWR):³				
A. Microbiological Contaminants				
1. Total coliform	2	141.63(a)	3	141.21(a)-(e)
2. Fecal coliform/ <i>E. coli</i>	1	141.63(b)	1, 3 ⁴	141.21(e)
3. Turbidity MCL	2	141.13(a)	3	141.22
4. Turbidity MCL (average of 2 days' samples > 5 NTU)	2, 1 ⁵	141.13(b)	3	141.22

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
5. Turbidity (for TT violations resulting from a single exceedance of the max. allowable turbidity level)	2, 1 ⁶	141.71(a)(2), 141.71(c)(2)(i), 141.73(a)(2), 141.73(b)(2), 141.73(c)(2), 141.73(d), 141.173(a)(2), 141.173(b)	3	141.74(a)(1), 141.74(b)(2), 141.74(c)(1), 141.174
6. Surface Water Treatment Rule violations (other than violations resulting from single exceedance of max. allowable turbidity level (TT))	2	141.70-141.73	3	141.74
7. Interim Enhanced Surface Water Treatment Rule violations (other than violations resulting from single exceedance of max. turbidity level (TT))	2	141.170- 141.173 ⁷	3	141.172 141.174
B. Inorganic Chemicals (IOCs)				
1. Antimony	2	141.62(b)	3	141.23(a), (c)
2. Arsenic	2	141.62(b) ⁸	3	141.23(a), (c) ⁹
3. Asbestos (fibers >10 µm)	2	141.62(b)	3	141.23(a)-(b)
4. Barium	2	141.62(b)	3	141.23(a), (c)
5. Beryllium	2	141.62(b)	3	141.23(a), (c)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
6. Cadmium	2	141.62(b)	3	141.23(a), (c)
7. Chromium (total)	2	141.62(b)	3	141.23(a), (c)
8. Cyanide	2	141.62(b)	3	141.23(a), (c)
9. Fluoride	2	141.62(b)	3	141.23(a), (c)
10. Mercury (inorganic)	2	141.62(b)	3	141.23(a), (c)
11. Nitrate	1	141.62(b)	1, 3 ¹⁰	141.23(a), (d) 141.23(f)(2)
12. Nitrite	1	141.62(b)	1, 3 ¹⁰	141.23(a), (e) 141.23(f)(2)
13. Total Nitrate and Nitrite	1	141.62(b)	3	141.23(a)
14. Selenium	2	141.62(b)	3	141.23(a), (c)
15. Thallium	2	141.62(b)	3	141.23(a), (c)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
C. Lead and Copper Rule (Action Level for lead is 0.015 mg/L, for copper is 1.3 mg/L)				
1. Lead and Copper Rule (TT)	2	141.80-141.85	3	141.86-141.89
D. Synthetic Organic Chemicals (SOCs)				
1. 2,4-D	2	141.61(c)	3	141.24(h)
2. 2,4,5-TP (Silvex)	2	141.61(c)	3	141.24(h)
3. Alachlor	2	141.61(c)	3	141.24(h)
4. Atrazine	2	141.61(c)	3	141.24(h)
5. Benzo(a)pyrene (PAHs)	2	141.61(c)	3	141.24(h)
6. Carbofuran	2	141.61(c)	3	141.24(h)
7. Chlordane	2	141.61(c)	3	141.24(h)
8. Dalapon	2	141.61(c)	3	141.24(h)
9. Di (2-ethylhexyl) adipate	2	141.61(c)	3	141.24(h)
10. Di (2-ethylhexyl) phthalate	2	141.61(c)	3	141.24(h)
11. Dibromochloropropane	2	141.61(c)	3	141.24(h)
12. Dinoseb	2	141.61(c)	3	141.24(h)
13. Dioxin (2,3,7,8-TCDD)	2	141.61(c)	3	141.24(h)
14. Diquat	2	141.61(c)	3	141.24(h)
15. Endothall	2	141.61(c)	3	141.24(h)
16. Endrin	2	141.61(c)	3	141.24(h)
17. Ethylene dibromide	2	141.61(c)	3	141.24(h)
18. Glyphosate	2	141.61(c)	3	141.24(h)
19. Heptachlor	2	141.61(c)	3	141.24(h)
20. Heptachlor epoxide	2	141.61(c)	3	141.24(h)
21. Hexachlorobenzene	2	141.61(c)	3	141.24(h)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
22. Hexachlorocyclopentadiene	2	141.61(c)	3	141.24(h)
23. Lindane	2	141.61(c)	3	141.24(h)
24. Methoxychlor	2	141.61(c)	3	141.24(h)
25. Oxamyl (Vydate)	2	141.61(c)	3	141.24(h)
26. Pentachlorophenol	2	141.61(c)	3	141.24(h)
27. Picloram	2	141.61(c)	3	141.24(h)
28. Polychlorinated biphenyls (PCBs)	2	141.61(c)	3	141.24(h)
29. Simazine	2	141.61(c)	3	141.24(h)
30. Toxaphene	2	141.61(c)	3	141.24(h)
E. Volatile Organic Chemicals (VOCs)				
1. Benzene	2	141.61(a)	3	141.24(f)
2. Carbon tetrachloride	2	141.61(a)	3	141.24(f)
3. Chlorobenzene (monochlorobenzene)	2	141.61(a)	3	141.24(f)
4. <i>o</i> -Dichlorobenzene	2	141.61(a)	3	141.24(f)
5. <i>p</i> -Dichlorobenzene	2	141.61(a)	3	141.24(f)
6. 1,2-Dichloroethane	2	141.61(a)	3	141.24(f)
7. 1,1-Dichloroethylene	2	141.61(a)	3	141.24(f)
8. <i>cis</i> -1,2-Dichloroethylene	2	141.61(a)	3	141.24(f)
9. <i>trans</i> -1,2-Dichloroethylene	2	141.61(a)	3	141.24(f)
10. Dichloromethane	2	141.61(a)	3	141.24(f)
11. 1,2-Dichloropropane	2	141.61(a)	3	141.24(f)
12. Ethylbenzene	2	141.61(a)	3	141.24(f)
13. Styrene	2	141.61(a)	3	141.24(f)
14. Tetrachloroethylene	2	141.61(a)	3	141.24(f)
15. Toluene	2	141.61(a)	3	141.24(f)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
16. 1,2,4-Trichlorobenzene	2	141.61(a)	3	141.24(f)
17. 1,1,1-Trichloroethane	2	141.61(a)	3	141.24(f)
18. 1,1,2-Trichloroethane	2	141.61(a)	3	141.24(f)
19. Trichloroethylene	2	141.61(a)	3	141.24(f)
20. Vinyl chloride	2	141.61(a)	3	141.24(f)
21. Xylenes (total)	2	141.61(a)	3	141.24(f)
F. Radioactive Contaminants				
1. Beta/photon emitters	2	141.66(d)	3	141.25(a) 141.26(b)
2. Alpha emitters	2	141.66(c)	3	141.25(a) 141.26(a)
3. Combined radium (226 and 228)	2	141.66(b)	3	141.25(a) 141.26(a)
4. Uranium	2 ¹¹	141.66(e)	3 ¹²	141.25(a) 141.26(a)
G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals.				
<p>Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs).¹³</p>				
1. Total trihalomethanes (TTHMs)	2	141.12, ¹⁴ 141.64(a)	3	141.30, 141.132(a)-(b)
2. Haloacetic Acids (HAA5)	2	141.64(a)	3	141.132(a)-(b)
3. Bromate	2	141.64(a)	3	141.132(a)-(b)
4. Chlorite	2	141.64(a)	3	141.132(a)-(b)
5. Chlorine (MRDL)	2	141.65(a)	3	141.132(a), (c)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
6. Chloramine (MRDL)	2	141.65(a)	3	141.132(a), (c)
7. Chlorine dioxide (MRDL), where any 2 consecutive daily samples at entrance to distribution system only are above MRDL	2	141.65(a), 141.133(c)(3)	2 ¹⁵ , 3	141.132(a), (c) 141.133(c)(2)
8. Chlorine dioxide (MRDL), where sample(s) in distribution system the next day are also above MRDL	1 ¹⁶	141.65(a), 141.133(c)(3)	1	141.132(a), (c) 141.133(c)(2)
9. Control of DBP precursors – TOC (TT)	2	141.135(a)-(b)	3	141.132(a), (d)
10. Bench marking and disinfection profiling	N/A	N/A	3	141.172
11. Development of monitoring plan	N/A	N/A	3	141.132(f)
H. Other Treatment Techniques				
1. Acrylamide (TT)	2	141.111	N/A	N/A
2. Epichlorohydrin (TT)	2	141.111	N/A	N/A
II. Unregulated Contaminant Monitoring:¹⁷				
A. Unregulated contaminants	N/A	N/A	3	141.40
B. Nickel	N/A	N/A	3	141.23(c), (k)

Contaminant	MCL/MRDL/TT Violations ²		Monitoring and Testing Procedure Violations	
	Tier of Public Notice Required	Citation	Tier of Public Notice Required	Citation
III. Public Notification for Variances and Exemptions:				
A. Operation under a variance or exemption	3	1415, 1416, ¹⁸	N/A	N/A
B. Violation of conditions of a variance or exemption	2	1415, 1416, 142.307 ¹⁹	N/A	N/A
IV. Other Situations Requiring Public Notification:				
A. Fluoride secondary maximum contaminant level (SMCL) exceedance	3	143.3	N/A	N/A
B. Exceedance of nitrate MCL for non-community systems, as allowed by primacy agency	1	141.11(d)	N/A	N/A
C. Availability of unregulated contaminant monitoring data	3	141.40	N/A	N/A
D. Waterborne disease outbreak	1	141.2, 141.71(c)(2)(ii)	N/A	N/A
E. Other waterborne emergency ²⁰	1	N/A	N/A	N/A
F. Other situations as determined by primacy agency	1, 2, 3 ²¹	N/A	N/A	N/A

Appendix A - Endnotes

1. Violations and other situations not listed in this table (e.g., reporting violations and failure to prepare Consumer Confidence Reports), do not require notice, unless otherwise determined by the primacy agency. Primacy agencies may, at their option, also require a more stringent public notice tier (e.g., Tier 1 instead of Tier 2 or Tier 2 instead of Tier 3) for specific violations and situations listed in this Appendix, as authorized under §141.202(a) and §141.203(a).
2. MCL - Maximum contaminant level, MRDL - Maximum residual disinfectant level, TT - Treatment technique
3. The term *Violations of National Primary Drinking Water Regulations (NPDWR)* is used here to include violations of MCL, MRDL, treatment technique, monitoring, and testing procedure requirements.
4. Failure to test for fecal coliform or *E. coli* is a Tier 1 violation if testing is not done after any repeat sample tests positive for coliform. All other total coliform monitoring and testing procedure violations are Tier 3.
5. Systems that violate the turbidity MCL of 5 NTU based on an average of measurements over two consecutive days must initiate consultation with the primacy agency within 24 hours after learning of the violation. Based on this consultation, the primacy agency may subsequently decide to elevate the violation to Tier 1. If a system is unable to make contact with the primacy agency in the 24-hour period, the violation is automatically elevated to Tier 1.
6. Systems with treatment technique violations involving a *single* exceedance of a maximum turbidity limit under the Surface Water Treatment Rule (SWTR) or the Interim Enhanced Surface Water Treatment Rule (IESWTR) are required to initiate consultation with the primacy agency within 24 hours after learning of the violation. Based on this consultation, the primacy agency may subsequently decide to elevate the violation to Tier 1. If a system is unable to make contact with the primacy agency in the 24-hour period, the violation is automatically elevated to Tier 1.
7. Most of the requirements of the Interim Enhanced Surface Water Treatment Rule (63 FR 69477) (§§141.170-141.171, 141.173-141.174) become effective January 1, 2002 for Subpart H systems (surface water systems and ground water systems under the direct influence of surface water) serving at least 10,000 persons. However, §141.172 has some requirements that become effective as soon as April 16, 1999. The Surface Water Treatment Rule remains in effect for systems serving at least 10,000 persons even after 2002; the Interim Enhanced Surface Water Treatment Rule adds additional requirements and does not in many cases supercede the SWTR.
8. The arsenic MCL citations are effective January 23, 2006. Until then, the citations are §141.11(b) and §141.23(n).
9. The arsenic Tier 3 violation MCL citations are effective January 23, 2006. Until then, the citations are §141.23(a), (l).
10. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.
11. The uranium MCL Tier 2 violation citations are effective December 8, 2003 for all community water

systems.

12. The uranium Tier 3 violation citations are effective December 8, 2000 for all community water systems.
13. Subpart H community and non-transient non-community systems serving $\geq 10,000$ must comply with new DBP MCLs, disinfectant MRDLs, and related monitoring requirements beginning January 1, 2002. All other community and non-transient non-community systems must meet the MCLs and MRDLs beginning January 1, 2004. Subpart H transient non-community systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2002. Subpart H transient non-community systems serving fewer than 10,000 persons and using only ground water not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004.
14. §141.12 will no longer apply after January 1, 2004.
15. Failure to monitor for chlorine dioxide at the entrance to the distribution system the day after exceeding the MRDL at the entrance to the distribution system is a Tier 2 violation.
16. If any daily sample taken at the entrance to the distribution system exceeds the MRDL for chlorine dioxide and one or more samples taken in the distribution system the next day exceed the MRDL, Tier 1 notification is required. Failure to take the required samples in the distribution system after the MRDL is exceeded at the entry point also triggers Tier 1 notification.
17. Some water systems must monitor for certain unregulated contaminants listed in §141.40.
18. This citation refers to §§1415 and 1416 of the Safe Drinking Water Act. §§1415 and 1416 require that "a schedule prescribed ... for a public water system granted a variance [or exemption] shall require compliance by the system..."
19. In addition to §§1415 and 1416 of the Safe Drinking Water Act, 40 CFR 142.307 specifies the items and schedule milestones to be included in a variance for small systems.
20. Other waterborne emergencies require a Tier 1 public notice under §141.202(a) for situations that do not meet the definition of a waterborne disease outbreak given in 40 CFR 141.2 but that still have the potential to have serious adverse effects on health as a result of short-term exposure. These could include outbreaks not related to treatment deficiencies, as well as situations that have the potential to cause outbreaks, such as failures or significant interruption in water treatment processes, natural disasters that disrupt the water supply or distribution system, chemical spills, or unexpected loading of possible pathogens into the source water.
21. Primacy agencies may place other situations in any tier they believe appropriate, based on threat to public health.

Appendix B to Subpart Q of Part 141 -

Standard Health Effects Language for Public Notification

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
National Primary Drinking Water Regulations (NPDWR):			
A. Microbiological Contaminants			
1a. Total coliform	Zero	See footnote ³	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
1b. Fecal coliform/ <i>E. coli</i>	Zero	Zero	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
2a. Turbidity (MCL) ⁴	None	1 NTU ⁵ / 5 NTU	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
2b. Turbidity (SWTR TT) ⁶	None	TT ⁷	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
2c. Turbidity (IESWTR TT) ⁸	None	TT	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.
B. Surface Water Treatment Rule (SWTR) and Interim Enhanced Surface Water Treatment Rule (IESWTR)			
3. <i>Giardia lamblia</i> 4. Viruses (SWTR/IESWTR) 5. Heterotrophic plate count (HPC) bacteria ⁹ (SWTR/IESWTR) 6. Legionella (SWTR/IESWTR) 7. Cryptosporidium (IESWTR)	Zero	TT ¹⁰	Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
C. Inorganic Chemicals (IOCs)			
8. Antimony	0.006	0.006	Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.
9. Arsenic	0 ¹¹	0.01	Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.
10. Asbestos (>10 µm)	7 MFL ¹²	7 MFL	Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
11. Barium	2	2	Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.
12. Beryllium	0.004	0.004	Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.
13. Cadmium	0.005	0.005	Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.
14. Chromium (total)	0.1	0.1	Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.
15. Cyanide	0.2	0.2	Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
16. Fluoride	4.0	4.0	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.
17. Mercury (inorganic)	0.002	0.002	Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.
18. Nitrate	10	10	Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
19. Nitrite	1	1	Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
20. Total Nitrate and Nitrite	10	10	Infants below the age of six months who drink water containing nitrate and nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
21. Selenium	0.05	0.05	Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.
22. Thallium	0.0005	0.002	Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
D. Lead and Copper Rule			
23. Lead	Zero	TT ¹³	Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.
24. Copper	1.3	TT ¹⁴	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
E. Synthetic Organic Chemicals (SOCs)			
25. 2,4-D	0.07	0.07	Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.
26. 2,4,5-TP (Silvex)	0.05	0.05	Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.
27. Alachlor	Zero	0.002	Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, experience anemia, and may have an increased risk of getting cancer.
28. Atrazine	0.003	0.003	Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
29. Benzo(a)pyrene (PAHs)	Zero	0.0002	Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
30. Carbofuran	0.04	0.04	Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.
31. Chlordane	Zero	0.002	Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.
32. Dalapon	0.2	0.2	Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.
33. Di (2-ethylhexyl) adipate	0.4	0.4	Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience general toxic effects or reproductive difficulties.
34. Di(2-ethylhexyl) phthalate	Zero	0.006	Some people who drink water containing di (2-ethylhexyl) phthalate in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer.
35. Dibromochloro- propane (DBCP)	Zero	0.0002	Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
36. Dinoseb	0.007	0.007	Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.
37. Dioxin (2,3,7,8-TCDD)	Zero	3×10 ⁻⁸	Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
38. Diquat	0.02	0.02	Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
39. Endothall	0.1	0.1	Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.
40. Endrin	0.002	0.002	Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.
41. Ethylene dibromide	Zero	0.00005	Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.
42. Glyphosate	0.7	0.7	Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.
43. Heptachlor	Zero	0.0004	Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.
44. Heptachlor epoxide	Zero	0.0002	Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.
45. Hexachloro-benzene	Zero	0.001	Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
46. Hexachloro-cyclopentadiene	0.05	0.05	Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach .
47. Lindane	0.0002	0.0002	Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
48. Methoxychlor	0.04	0.04	Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.
49. Oxamyl (Vydate)	0.2	0.2	Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.
50. Pentachlorophenol	Zero	0.001	Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.
51. Picloram	0.5	0.5	Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.
52. Polychlorinated biphenyls (PCBs)	Zero	0.0005	Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
53. Simazine	0.004	0.004	Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.
54. Toxaphene	Zero	0.003	Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.
F. Volatile Organic Chemicals (VOCs)			
55. Benzene	Zero	0.005	Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
56. Carbon tetrachloride	Zero	0.005	Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
57. Chlorobenzene (monochlorobenzene)	0.1	0.1	Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.
58. <i>o</i> -Dichlorobenzene	0.6	0.6	Some people who drink water containing <i>o</i> -dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.
59. <i>p</i> -Dichlorobenzene	0.075	0.075	Some people who drink water containing <i>p</i> -dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.
60. 1,2-Dichloroethane	Zero	0.005	Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
61. 1,1-Dichloroethylene	0.007	0.007	Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
62. <i>cis</i> -1,2-Dichloroethylene	0.07	0.07	Some people who drink water containing <i>cis</i> -1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
63. <i>trans</i> -1,2-Dichloroethylene	0.1	0.1	Some people who drink water containing <i>trans</i> -1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.
64. Dichloromethane	Zero	0.005	Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.
65. 1,2-Dichloropropane	Zero	0.005	Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant	MCLG¹ mg/L	MCL² mg/L	Standard Health Effects Language for Public Notification
66. Ethylbenzene	0.7	0.7	Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.
67. Styrene	0.1	0.1	Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.
68. Tetrachloro-ethylene	Zero	0.005	Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.
69. Toluene	1	1	Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.
70. 1,2,4-Trichlorobenzene	0.07	0.07	Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.
71. 1,1,1-Trichloroethane	0.2	0.2	Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.
72. 1,1,2-Trichloroethane	0.003	0.005	Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.
73. Trichloroethylene	Zero	0.005	Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
74. Vinyl chloride	Zero	0.002	Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.
75. Xylenes (total)	10	10	Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
G. Radioactive Contaminants			
76. Beta/photon emitters	Zero	4 ¹⁵ mrem/yr	Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
77. Alpha emitters (Gross alpha)	Zero	15 ¹⁶ pCi/L	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
78. Combined radium (226 and 228)	Zero	5 pCi/L	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
79. Uranium ¹⁷	Zero	30 µg/L	Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.
H. Disinfection Byproducts (DBPs), Byproduct Precursors, and Disinfectant Residuals:			
<p>Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs).¹⁸</p>			
80. Total trihalomethanes (TTHMs)	N/A	0.10/ 0.080 ^{19,20}	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.
81. Haloacetic Acids (HAA)	N/A	0.060 ²¹	Some people who drink water containing HAAs in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
82. Bromate	Zero	0.010	Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.
83. Chlorite	0.08	1.0	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
84. Chlorine	4 ²² (MRDLG)	4.0 ²³ (MRDL)	Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.
85. Chloramines	4 (MRDLG)	4.0 (MRDL)	Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.
86a. Chlorine dioxide, where any 2 consecutive daily samples taken at the entrance to the distribution system are above the MRDL	0.8 (MRDLG)	0.8 (MRDL)	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. <u>Add for public notification only:</u> The chlorine dioxide violations reported today are the result of exceedances at the treatment facility only, not within the distribution system which delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers.

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
86b. Chlorine dioxide, where one or more distribution system samples are above the MRDL	0.8 (MRDLG)	0.8 (MRDL)	<p>Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.</p> <p><u>Add for public notification only:</u> The chlorine dioxide violations reported today include exceedances of the EPA standard within the distribution system which delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure.</p>
87. Control of DBP precursors (TOC)	None	TT	<p>Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.</p>

Contaminant	MCLG ¹ mg/L	MCL ² mg/L	Standard Health Effects Language for Public Notification
I. Other Treatment Techniques			
88. Acrylamide	Zero	TT	Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.
89. Epichlorohydrin	Zero	TT	Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

Appendix B - Endnotes

1. MCLG - Maximum contaminant level goal
2. MCL - Maximum contaminant level
3. For water systems analyzing at least 40 samples per month, no more than 5.0 percent of the monthly samples may be positive for total coliforms. For systems analyzing fewer than 40 samples per month, no more than one sample per month may be positive for total coliforms.
4. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, the 1989 Surface Water Treatment Rule, and the 1998 Interim Enhanced Surface Water Treatment Rule. The MCL for the monthly turbidity average is 1 NTU; the MCL for the 2-day average is 5 NTU for systems that are required to filter but have not yet installed filtration (40 CFR 141.13).
5. NTU - Nephelometric turbidity unit
6. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, the 1989 Surface Water Treatment Rule (SWTR), and the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR). Systems subject to the Surface Water Treatment Rule (both filtered and unfiltered) may not exceed 5 NTU. In addition, in filtered systems, 95 percent of samples each month must not exceed 0.5 NTU in systems using conventional or direct filtration and must not exceed 1 NTU in systems using slow sand or diatomaceous earth filtration or other filtration technologies approved by the primacy agency.
7. TT - Treatment technique
8. There are various regulations that set turbidity standards for different types of systems, including 40 CFR 141.13, the 1989 Surface Water Treatment Rule (SWTR), and the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR). For systems subject to the IESWTR (systems serving at least 10,000 people, using surface water or ground water under the direct influence of surface water), that use conventional filtration or direct filtration, after January 1, 2002, the turbidity level of

- a system's combined filter effluent may not exceed 0.3 NTU in at least 95 percent of monthly measurements, and the turbidity level of a system's combined filter effluent must not exceed 1 NTU at any time. Systems subject to the IESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the primary agency.
9. The bacteria detected by heterotrophic plate count (HPC) are not necessarily harmful. HPC is simply an alternative method of determining disinfectant residual levels. The number of such bacteria is an indicator of whether there is enough disinfectant in the distribution system.
 10. SWTR and IESWTR treatment technique violations that involve turbidity exceedances may use the health effects language for turbidity instead.
 11. The arsenic values are effective January 23, 2006. Until then, the MCL is 0.05 mg/L and there is no MCLG.
 12. Millions of fibers per liter
 13. Action Level = 0.015 mg/L
 14. Action Level = 1.3 mg/L
 15. Millirems per year
 15. Picocuries per liter
 17. The uranium MCL is effective December 8, 2003 for all community water systems.
 18. Surface water systems and ground water systems under the direct influence of surface water are regulated under Subpart H of 40 CFR 141. Subpart H community and non-transient non-community systems serving $\geq 10,000$ must comply with DBP MCLs and disinfectant maximum residual disinfectant levels (MRDLs) beginning January 1, 2002. All other community and non-transient noncommunity systems must meet the MCLs and MRDLs beginning January 1, 2004. Subpart H transient non-community systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2002. Subpart H transient non-community systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004.
 19. The MCL of 0.10 mg/l for TTHMs is in effect until January 1, 2002 for Subpart H community water systems serving 10,000 or more. This MCL is in effect until January 1, 2004 for community water systems with a population of 10,000 or more using only ground water not under the direct influence of surface water. After these deadlines, the MCL will be 0.080 mg/l. On January 1, 2004, all systems serving less than 10,000 will have to comply with the new MCL as well.
 20. The MCL for total trihalomethanes is the sum of the concentrations of the individual trihalomethanes.
 21. The MCL for haloacetic acids is the sum of the concentrations of the individual haloacetic acids.
 22. MRDLG - Maximum residual disinfectant level goal
 23. MRDL - Maximum residual disinfectant level

