

Environmental Protection Agency

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the compliance date or anytime thereafter that this determination is made. If you are required to conduct monitoring at a frequency that is less than quarterly, you must make compliance calculations beginning with the first compliance sample taken after the compliance date, unless you are required to conduct increased monitoring under § 141.625.

(iv) Whether, based on § 141.64(b)(2) and this subpart, the MCL was violated at any monitoring location.

(v) Any operational evaluation levels that were exceeded during the quarter and, if so, the location and date, and the calculated TTHM and HAA5 levels.

(2) If you are a subpart H system seeking to qualify for or remain on reduced TTHM/HAA5 monitoring, you must report the following source water TOC information for each treatment plant that treats surface water or ground water under the direct influence of surface water to the State within 10 days of the end of any quarter in which monitoring is required:

(i) The number of source water TOC samples taken each month during last quarter.

(ii) The date and result of each sample taken during last quarter.

(iii) The quarterly average of monthly samples taken during last quarter or the result of the quarterly sample.

(iv) The running annual average (RAA) of quarterly averages from the past four quarters.

(v) Whether the RAA exceeded 4.0 mg/L.

(3) The State may choose to perform calculations and determine whether the MCL was exceeded or the system is eligible for reduced monitoring in lieu of having the system report that information

(b) *Recordkeeping.* You must retain any subpart V monitoring plans and your subpart V monitoring results as required by § 141.33.

Subpart W—Enhanced Treatment for *Cryptosporidium*

SOURCE: 71 FR 769, Jan. 5, 2006, unless otherwise noted.

GENERAL REQUIREMENTS

§ 141.700 General requirements.

(a) The requirements of this subpart W are national primary drinking water regulations. The regulations in this subpart establish or extend treatment technique requirements in lieu of maximum contaminant levels for *Cryptosporidium*. These requirements are in addition to requirements for filtration and disinfection in subparts H, P, and T of this part.

(b) *Applicability.* The requirements of this subpart apply to all subpart H systems, which are public water systems supplied by a surface water source and public water systems supplied by a ground water source under the direct influence of surface water.

(1) Wholesale systems, as defined in § 141.2, must comply with the requirements of this subpart based on the population of the largest system in the combined distribution system.

(2) The requirements of this subpart for filtered systems apply to systems required by National Primary Drinking Water Regulations to provide filtration treatment, whether or not the system is currently operating a filtration system.

(3) The requirements of this subpart for unfiltered systems apply only to unfiltered systems that timely met and continue to meet the filtration avoidance criteria in subparts H, P, and T of this part, as applicable.

(c) *Requirements.* Systems subject to this subpart must comply with the following requirements:

(1) Systems must conduct an initial and a second round of source water monitoring for each plant that treats a surface water or GWUDI source. This monitoring may include sampling for *Cryptosporidium*, *E. coli*, and turbidity as described in §§ 141.701 through 141.706, to determine what level, if any, of additional *Cryptosporidium* treatment they must provide.

(2) Systems that plan to make a significant change to their disinfection practice must develop disinfection profiles and calculate disinfection benchmarks, as described in §§ 141.708 through 141.709.

(3) Filtered systems must determine their *Cryptosporidium* treatment bin

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classification as described in §141.710 and provide additional treatment for *Cryptosporidium*, if required, as described in §141.711. All unfiltered systems must provide treatment for *Cryptosporidium* as described in §141.712. Filtered and unfiltered systems must implement *Cryptosporidium* treatment according to the schedule in §141.713.

(4) Systems with uncovered finished water storage facilities must comply with the requirements to cover the facility or treat the discharge from the facility as described in §141.714.

(5) Systems required to provide additional treatment for *Cryptosporidium* must implement microbial toolbox options that are designed and operated as described in §§141.715 through 141.720.

(6) Systems must comply with the applicable recordkeeping and reporting requirements described in §§141.721 through 141.722.

(7) Systems must address significant deficiencies identified in sanitary surveys performed by EPA as described in §141.723.

SOURCE WATER MONITORING REQUIREMENTS

§ 141.701 Source water monitoring.

(a) *Initial round of source water monitoring.* Systems must conduct the following monitoring on the schedule in paragraph (c) of this section unless they meet the monitoring exemption criteria in paragraph (d) of this section.

(1) Filtered systems serving at least 10,000 people must sample their source water for *Cryptosporidium*, *E. coli*, and turbidity at least monthly for 24 months.

(2) Unfiltered systems serving at least 10,000 people must sample their source water for *Cryptosporidium* at least monthly for 24 months.

(3)(i) Filtered systems serving fewer than 10,000 people must sample their source water for *E. coli* at least once every two weeks for 12 months.

(ii) A filtered system serving fewer than 10,000 people may avoid *E. coli* monitoring if the system notifies the State that it will monitor for *Cryptosporidium* as described in paragraph (a)(4) of this section. The system must notify the State no later than 3

months prior to the date the system is otherwise required to start *E. coli* monitoring under §141.701(c).

(4) Filtered systems serving fewer than 10,000 people must sample their source water for *Cryptosporidium* at least twice per month for 12 months or at least monthly for 24 months if they meet one of the following, based on monitoring conducted under paragraph (a)(3) of this section:

(i) For systems using lake/reservoir sources, the annual mean *E. coli* concentration is greater than 10 *E. coli*/100 mL.

(ii) For systems using flowing stream sources, the annual mean *E. coli* concentration is greater than 50 *E. coli*/100 mL.

(iii) The system does not conduct *E. coli* monitoring as described in paragraph (a)(3) of this section.

(iv) Systems using ground water under the direct influence of surface water (GWUDI) must comply with the requirements of paragraph (a)(4) of this section based on the *E. coli* level that applies to the nearest surface water body. If no surface water body is nearby, the system must comply based on the requirements that apply to systems using lake/reservoir sources.

(5) For filtered systems serving fewer than 10,000 people, the State may approve monitoring for an indicator other than *E. coli* under paragraph (a)(3) of this section. The State also may approve an alternative to the *E. coli* concentration in paragraph (a)(4)(i), (ii) or (iv) of this section to trigger *Cryptosporidium* monitoring. This approval by the State must be provided to the system in writing and must include the basis for the State's determination that the alternative indicator and/or trigger level will provide a more accurate identification of whether a system will exceed the Bin 1 *Cryptosporidium* level in §141.710.

(6) Unfiltered systems serving fewer than 10,000 people must sample their source water for *Cryptosporidium* at least twice per month for 12 months or at least monthly for 24 months.

(7) Systems may sample more frequently than required under this section if the sampling frequency is evenly spaced throughout the monitoring period.